Introduction, HEFCE’s Total Reward Framework, Recruitment and Selection Policy, Maternity, Paternity and Adoption Leave and Pay Policy, Shared Parental Leave and Pay Policy, Work life Balance Policy, Probationary period for new employees, Job Evaluation, Performance Review, Learning and Development Policy, Diversity and Equal Opportunities Policy, Dignity at Work Policy, Grievance, Bullying and Harassment Complaint procedure, Capability and Disciplinary Policy and Procedure, Health and Safety at Work Policy, Wellbeing at Work, Stress Management Policy, Working in Excess of contracted hours, Employee Assistance Programme, Discretionary Compassionate and Domestic Responsibility Leave, Discretionary Unpaid Leave, Scheme for Reimbursement of Exceptional Childcare Expenses, Redundancy Policy, Arrangement of the working day/Flexible work location, Sickness Policy and Procedure, Computer Misuse Policy.

3 Human Resource Policies and Procedures

3.1 Introduction

1. Our human resource policies and procedures are formal commitments to how we treat employees. The following policies and procedures have been developed, over time, taking account wherever possible of the views of employees.

2. Our aim is to provide a supportive working environment that helps employees feel valued and rewards behaviour that helps us to develop as an organisation and achieve our overall objectives.

3. If you feel that they can be improved, please discuss with the HR Team.

4. These policies and procedures do not form part of any contract of employment and are subject to change at the Council’s discretion.
3 Human Resource Policies and Procedures

3.2 HEFCE’s total reward framework

1. At HEFCE we take care to promote an environment in which people feel appreciated and empowered. We believe that people work best when they feel rewarded – not just by external factors such as good pay, pensions and terms and conditions, but also by the internal factors that motivate them as individuals.

2. For this reason, we have adopted a total reward framework in which we explicitly value the financial and non-financial motivators. The framework looks like this.

![Total reward framework diagram]

3. The advantages of such a framework for us as an organisation are:
   - easier recruitment of better-quality employees
   - reduced wastage from staff turnover
   - better business performance
   - enhanced reputation of HEFCE as an employer of choice.

Each part of the framework is described below.

**Financial rewards**

**Base pay**

4. All jobs in HEFCE are assigned to one of 12 pay bands. Each pay band has a minimum and maximum.

5. We recognise the Public and Commercial Services union and negotiate pay deals with them when required. We also consult with the union and employees on many of our policies and procedures. It’s important to us that we have a strong and healthy relationship with the union based on openness and trust.

6. We are subject to governmental controls on pay and comply with both HM Treasury Public sector pay guidance and BIS pay guidance.
Non-consolidated performance pay
7. Employees can also be eligible to receive non-consolidated performance pay their annual pay award. This depends on their performance review results.

Pension
8. Pension benefits are provided under civil service pension schemes. There are several different options, further details of which can be found on www.civilservice-pensions.gov.uk

Non-financial rewards
Learning and development
9. We are firmly committed to providing learning and development opportunities for all employees.

10. We invest a significant amount of resources to ensure that everyone is equipped with the right knowledge and skills to carry out the tasks expected of them now and in the future. We recognise that learning is a continuous process that relates to an individual’s current role, their future potential and their aspirations.

11. We have worked hard to secure a culture that supports, engenders and rewards learning. This is demonstrated by the fact that we have maintained our Investors in People status since 1997.

Quality of working life
Annual leave
12. Full-time staff receive 25 days annual leave per year, rising to 30 days after five years working for HEFCE. For part-time employees, annual leave is calculated pro rata depending on the number of days and hours worked.

Maternity/paternity pay and leave
13. We provide maternity/paternity pay in excess of the statutory requirements. Additional maternity/paternity pay is dependent on how long someone has worked for HEFCE.

Compassionate/domestic responsibility/unpaid leave
14. Subject to agreement, employees are entitled to up to five days paid compassionate leave or domestic responsibility leave (per issue), if the need arises. We also consider requests for unpaid leave as and when required.

Loans
15. We provide interest free loans (to staff with more than three months’ service) to buy bus/train season tickets, and a salary sacrifice scheme for childcare vouchers and bike purchase.

Employee assistance programme
16. We provide a confidential employee assistance programme which is available to all staff. The external provider of this service can help staff with a wide range of stressful issues such as bereavement, and relationship, legal and financial problems.
Work-life balance and wellness

17. Trust, respect and the encouragement of individual responsibility are key components of HEFCE’s culture. We recognise that employees have responsibilities both inside and outside work. We therefore acknowledge the need for flexibility in the way we manage our work, and will support all staff in achieving their individual work-life balance and improving the effectiveness of the organisation.

18. We aim to promote the wellbeing of employees at work by ensuring that employees have the appropriate knowledge, skills and technology to do their jobs, and work in a safe and healthy environment.

19. We offer health screening for all staff once every two years. In addition we will refund the cost of a standard home cholesterol test, ‘flu injections and annual eyesight tests for employees.

20. HEFCE is a corporate member of ‘Living Well’ health clubs.
3 Human Resource Policies and Procedures

3.3 Recruitment and Selection Policy

1. Our aim is to ensure that we appoint high quality employees, well suited to the Council and to the job concerned, always selecting on merit and in ways which conform to best practice in diversity and equal opportunities.

Established Posts

2. The HEFCE Executive monitors, and from time to time agrees revisions, to the employee establishment. All requests to fill vacancies must firstly be discussed with HR. If recruitment is required it must be considered and approved by the Chief Executive, using a Proposal to Appoint template.

3. Requests to the Chief Executive to appoint colleagues must include a job description, person specification and team structure diagram. The job description and person specification will be available for candidates to see as part of the recruitment process. The person specification provides the basis of the selection criteria and methods to be used.

4. The following principles for recruitment will apply:
   - A proposal to appoint will need to be approved and signed off by the Chief Executive;
   - All posts will be advertised internally and within the Civil Service for 10 days (occasionally we may decide to advertise internally only, and if we do not recruit we will then advertise for 10 days within the Civil Service);
   - If the vacancy still exists options such as secondment, sandwich placement, apprenticeships, will be considered, and if appropriate the necessary steps taken;
   - If the vacancy still exists, advertise externally, using fixed term appointments where appropriate, but with the ability to appoint permanently if required;

Dual banded posts

5. In the Council, jobs are assigned to the pay band system by reference to the job evaluation scheme (JEMS). This gives us assurance that jobs with the same job weight are treated consistently and fairly for pay purposes. It is an important means of not only complying with equal opportunity and equal value legislation, but also treating our people properly. The pay band to which a post is assigned as a result of the application of the JEMS system is called its substantive pay band.

6. Normally dual banding occurs if the job being recruited to is at entry level for example in institutional and policy teams the entry level job is a Higher Education Policy Adviser (HEPA), pay band 5/6 where pay band 6 is the substantive pay band. This provides the opportunity to recruit candidates initially on the immediately adjacent, lower pay band, with an expectation that they will develop into the substantive role, and therefore will have the eligibility to progress to the substantive pay band. This process supports the Council in its commitment to learning and development.

7. The majority of jobs in the Council are not dual banded. Managers should seek advice from the HR team if they would like to consider dual banding.

Creation of New Fixed Term Contracts

8. One or more of the following criteria may be used to decide whether to engage a person on a fixed term contract:
   - a project which has a specific end date;
• to provide cover for the absence of another colleague for a specified period i.e. maternity or secondment cover;
• to provide flexibility to the Council in responding to a known or possible uncertainty about future manpower levels.

9 Employees appointed to fixed term contracts should be told of the reason why their contract is fixed term.

Temporary promotion
10 Sometimes we will advertise posts on a temporary basis.
11 If colleagues are successful in gaining a temporary promotion the normal expectation is that at the end of the specified period they would return to a post at their substantive pay band.
12 However, there may be occasions, either because there is a continued need for the work or because of staffing changes, where at the end of the specified period the post becomes substantive. In such circumstances we will consider making the temporary promotion of the current post holder permanent without a further recruitment exercise.
13 We will normally only convert temporary promotions to substantive positions without a recruitment exercise if the individual has secured the temporary promotion through an open recruitment competition, has been in post for a minimum period, normally 18 months, and if all of the following conditions apply:
  • it is agreed that there is a continued business need for the post;
  • there are no returners to the Council with the appropriate skills who need redeploying to a post at that grade;
  • the temporary post holder has performed well (very good or above);
  • there are no other individuals on temporary promotion at the same level, who meet all of the conditions above, and whose posts aren’t being made substantive.
14 By only converting temporary posts to permanent positions when there has already been a competitive process and where there are no other individuals in a similar position we are ensuring no individuals are disadvantaged by the process.

Temporary promotion through ‘acting’ posts
15 In some situations where we have a short term staffing gap and/or where we need to utilize the specific skills or knowledge of an individual, this individual may be asked to ‘act up’ without running a recruitment process. In these instances we would not normally expect to convert the temporary promotion to a substantive position without a competitive recruitment exercise.

Extension of Existing Fixed Term Contracts of Employment
16 HEFCE executive approval is required for the extension of fixed term contracts where the cumulative contract period will exceed 12 months. This arrangement does not apply to posts to be extended for periods of less than 12 months.
17 We have a standard practice of reviewing the possible need to extend a fixed term contract two thirds through the contract period or three months before the end of the contract, whichever is shorter.
18 The criteria for deciding whether to extend should take account of not only whether the work needs to be done at the cost incurred by continued employment of the person concerned, but also of wider organisational issues, such as resource becoming available through colleagues returning from extended leave, or existing activities coming to an end.

Conversion of Fixed Term Contracts into Open Ended Contracts
As with temporary promotions, we will normally only convert fixed term positions to substantive positions without a further recruitment exercise if the individual has secured the post through an open recruitment competition, has been in post for a minimum period, normally 18 months, and if all of the following conditions apply:

- it is agreed that there is a continued business need for the position;
- there are no returners to the Council with the appropriate skills who need redeploying to a position at that grade;
- the temporary post holder has performed well (very good or above);
- there are no other individuals on a fixed term contract at the same level, who meet all of the conditions above, and whose posts aren’t being made substantive.

By only converting fixed term posts to permanent positions when there has already been a competitive process and where there are no other individuals in a similar position we are ensuring no individuals are disadvantaged by the process.

### Agency Staff

The use of and budget for agency staff is the responsibility of individual teams, HR can offer advice on which agencies to use but the process must be carried out by the team requiring temporary staff. The approval of the Team Budget Holder must be obtained before temporary staff from an employment agency are engaged. The procedure for using agency staff is on the HR pages of Councilnet.

### Secondments

Some colleagues may be seconded outside the organisation and in all cases secondments should be discussed with HR to establish the need for and options to backfill the post if necessary.

The HEFCE Executive needs to agree secondments lasting 12 months or more. The relevant Director needs to agree secondments lasting less than 12 months.

In all secondments, we will do all we reasonably can to maximise the transfer of learning gained from the experience, and will fully honour its contractual obligations concerning the person’s salary.

In deciding whether to approve external secondments, the HEFCE Exec will assess the Council’s overall level of secondments and its ability to meet its commitment of future employment. Secondments will only be made if some benefit can accrue to the Council, taking into account any disruption costs.

### Pre-employment security checks

As part of the pre-employment screening of government employees and public bodies we are required, as part of the selection process, to ask candidates to:

- Satisfy basic eligibility criteria/certain conditions of employment e.g. nationality, right to work; and
- Provide appropriate documentation to verify ID, nationality, employment and/or academic history, criminal record (unspent convictions only).

### Pre-employment Fit for Work Confirmation

Once an employee has accepted their offer of employment, the HR Adviser will send the pre-employment health questionnaire from the Health Management Ltd. (HML) online portal. The employee receives an email link to complete the online questionnaire within 7 days. Health Management Ltd. (our current Occupational
Health provider) may arrange a phone call with the new employee to discuss responses before completing the fit for work confirmation. HML will contact HEFCE if a face to face assessment is recommended and the HR Adviser with authorise this. Once an employee is confirmed as fit for work by HML, a certificate will be available on the HML portal. If a workstation assessment is advised by HML, the internal ergonomic network will be notified by the HR Adviser and asked to arrange this with the new employee.

29. The HR Adviser will forward a copy of the fit to work certificate to the new employee’s line manager to discuss at their first meeting. Line manager and employee both sign the certificate and indicate that either no adjustments are necessary or that adjustments may be required. If no further action is required the signed certificate is returned to HR to place on the employee’s file. If further advice and adjustments are required this will be referred to the relevant HR Business Partner to take forward.

References - external candidates

30. The Council will always request at least two references from candidates who apply for its vacancies. One of these references would normally be their current or most recent manager/employer. All reference information will be treated as confidential.

31. New employees will not be able to commence employment until satisfactory references have been received. If a new employee commences before the references have been received the requirement to obtain satisfactory references is no longer a condition of employment.

References - internal candidates

32. Internal references may be sought from current line managers prior to a formal offer being made.

3 Human Resource Policies and Procedures

3.4A Maternity, paternity and adoption leave and pay policy

What is it and who does it apply to

1. Subject to eligibility criteria, all employees have statutory rights to maternity, paternity and adoption leave and pay. In addition to the statutory rights, after one year’s service with the Council, the Council provides additional occupational maternity, adoption and paternity pay, subject to qualifying conditions.

2. The aim of this policy is to support employees through periods of maternity, paternity and adoption leave, and to provide clear and understandable information about the procedures.

3. This policy is not contractual and the Council reserves the right to amend it from time to time as it considers necessary. Any statutory entitlement will be governed by the applicable statutory provisions in force from time to time and this policy is intended only as a general guide to such rights and obligations.

How does it work?
4. This policy sets out full details in relation to maternity, paternity and adoption leave and pay. In addition, employees can find a summary of the key information in the tables set out below: ‘maternity and adoption leave and pay’ table, ‘paternity leave and pay’ table

Frequently used terms

"Qualifying Week": the 15th week before the expected week of childbirth or the week when the employee was notified of having been matched with a child for adoption

Maternity and adoption leave and pay

5. Employees who fulfill the criteria in paragraphs 6, 7 and 8 below are entitled to a maximum period of 52 weeks' maternity/adoption leave irrespective of length of service or the number of hours the employee works each week. This is made up of 26 weeks of ordinary maternity/adoption leave followed by a further 26 weeks of additional maternity/adoption leave, which runs from the end of ordinary maternity/adoption leave.
Maternity/adoption leave

Qualifying for adoption leave

6. In order to qualify for the right to adoption leave, the following criteria must be satisfied (in addition to the criteria below):
   - The employee must be the child's adopter. This means the employee has been matched with a child for adoption or, where the employee and another person have both been matched jointly, the employee has elected to be the primary adopter and to take adoption leave.
   - The child must be under 18 when placed with the employee for adoption.
   - The employee must have notified the adoption agency that they agree to the child being placed with them and agreed the date of placement.
   - The employee must be newly matched with the child for adoption by an approved adoption agency. Adoption leave (and pay) is not available where the child is not newly matched for adoption, for example when a step-parent is adopting a partner's children.

7. The employee must, no more than 7 days after the date on which they are notified by the adoption agency of having been matched with a child (or if that is not reasonably practicable, as soon as the employee reasonably can) provide the following information, in writing, to their manager and the Human Resources team:
   - that they are adopting a child and the date the child is expected to be placed with the employee or adopter;
   - the date on which the employee intends their adoption leave to start. The date can be no more than 14 days before the date on which the child is expected to be placed with the employee for adoption, or the date of the placement itself, but no later.

Qualifying for maternity leave

8. In order to qualify for the right to maternity leave, no later than the end of the Qualifying Week (or if that is not reasonably practicable, as soon as the employee reasonably can), the employee should provide the following information to their manager and the Human Resources Team:
   - The expected week of childbirth or expected week of placement;
   - An indication of the intended start date for maternity leave which cannot be before the beginning of the 11th week before the expected week of childbirth;
   - A MAT B1 certificate verifying the expected date of childbirth (which is available from the midwife or doctor at around 26 weeks of pregnancy).

9. It would be helpful for administrative purposes if employees could indicate at the same time whether they intend to return to work after their maternity/adoption leave. This is an indication only and the employee can change their mind. It will not constitute notice of termination that employees are required to give should they choose not to return to work.

11. Employees should discuss their intended maternity or adoption leave dates with a member of the HR team. This information will be documented, however an employee
can alter their leave dates provided that the Council receives 28 days’ notice of this before the date the employee originally intended their leave to start or the new date the employee wants their leave to start, whichever is earlier. If it is not reasonably practicable to give 28 days' notice, the employee should notify the HR team as soon as reasonably practicable.

12. If any employee starts their maternity/adoption leave without giving the required notice, they may be treated as being on unauthorised absence which may constitute a disciplinary offence.

13. If the baby is born before the date the employee has given as the start date for their leave, or before they have set a leave date, the employee must notify their manager and the HR team via Workday (or in writing where access to Workday is unavailable) as soon as they reasonably can that they have had the baby, the date of childbirth and (if it has not already been provided) evidence of the date the baby was expected. Provided the employee gives such notice, their maternity leave will begin automatically on the day after childbirth occurs.

14. In order that the Council can consider any risks to health and safety, pregnant employees should notify their manager and the HR team via Workday (or in writing where access to Workday is unavailable) that they are pregnant, have given birth in the last six months or are breastfeeding. The Council may request additional evidence or advice from the employee’s health professionals.

15. An employee who is off sick due to a pregnancy related illness in the four weeks prior to the estimated week of childbirth will automatically commence maternity leave on the day after the first day of absence.

**Confirmation of leave**

16. Provided the employee has given their manager and the HR team proper notification of their intended start date for maternity/adoption leave, the Council will confirm to the employee in writing the start date and the date on which their maternity/adoption leave will end. The Council will calculate the end date on the basis that the employee will take the full 52 week entitlement. The Council will provide employees with confirmation of the start date and end date within 28 days of their notification unless they have since changed the date that their leave will start, in which case the Council will confirm to the start and end dates within 28 days of receiving notice of the changed date.

**Antenatal/adoption appointments**

17. Pregnant employees are entitled to take reasonable time off during normal working hours to receive antenatal care. Antenatal care includes appointments with a GP and/or midwife and hospital clinics.

18. Employees who are adopting and who have taken on the role of primary adopter may take time off during normal working hours to attend up to five adoption
appointments arranged by an adoption agency in order for the employee to have contact with a child who has been matched with the employee for adoption.

19. Employees should advise their managers that they will be absent as far in advance of the appointment as possible. Where possible, appointments should be arranged at the start or end of the working day. Employees must also comply with the Council's procedures for booking time off for such appointments and evidence of appointments may be requested.

20. Employees will be paid in the normal way during such time off except where the time off is unauthorised.

Maternity/adoptions pay

Maternity/adoption pay for employees with less than one year’s service

21. To be eligible for statutory maternity or adoption pay (SMP/SAP) employees must:
   - have been employed by the Council for a continuous period of at least 26 weeks, by the Qualifying Week;
   - earn more than the lower earnings limit ("LEL") for paying National Insurance Contributions during the eight weeks ending with the Qualifying Week ("the Relevant Period"). The HR team will be able to tell employees what the current LEL is;
   - have stopped work;
   - in maternity cases, still be pregnant by the start of the 11th week before the expected week of childbirth.

22. Employees who are eligible for SMP/SAP and comply with the relevant notification requirements, will be entitled to receive SMP/SAP for a period up to 39 weeks. There are two rates of SMP/SAP:

Earnings-Related Rate SMP/SAP

This is payable for the first six weeks of maternity/adoption leave and is calculated as being 90 per cent of the employee’s normal weekly earnings over the eight week period ending with the Qualifying Week. The amount of SMP/SAP payable will be recalculated to take into account any pay rise awarded to the employee at any time between the start of the Relevant Period and the end of maternity leave (either ordinary or additional maternity leave).

Prescribed Rate SMP/SAP

This is payable for a further 33 weeks of maternity/adoption leave (or less if the employee returns to work sooner). The rate is set by the Government for the relevant tax year. The HR team can provide details of individual entitlements.
23. Employees cannot start claiming SMP earlier than the 11th week before the expected week of childbirth and cannot start claiming SAP earlier than 14 days before the date of placement.

24. SMP/SAP will be paid in the same way as salary is paid and will be subject to deductions for tax, National Insurance Contributions and pension contributions (where relevant) in the normal way.

25. Any employee eligible for SMP/SAP who leaves the employment of the Council after the Qualifying Week will continue to be entitled to SMP/SAP during their maternity or adoption leave.

*Maternity pay for employees with more than one year’s service*

26. To be eligible for occupational maternity/adoption pay employees must have been employed by the Council for at least one year at the Qualifying Week and must continue to be employed by the Council at the date of birth or date of placement.

27. Occupational maternity/adoption pay will be paid at full pay for the first 18 weeks of maternity/adoption leave. Employees will then revert to the lower rate statutory maternity/adoption pay as outlined above, for up to 21 weeks.

28. Any occupational maternity/adoption pay received by the employee must be repaid if the employee does not return to work for at least a full month after the end of their maternity/adoption leave.

*Keeping in Touch*

29. The Council is entitled to make reasonable contact with employees during their maternity/adoption leave.

30. Employees are also are able to work or train for up to 10 days (Keeping In Touch (KIT) days) whilst on maternity/adoption leave, without bringing their maternity/adoption leave to an end and without losing any maternity/adoption pay. KIT days may be used consecutively, singly or in blocks, but any work on any day (even as little as an hour) will count as a whole KIT day. There is no obligation on the Council to offer employees the opportunity to return to work for keeping in touch days, nor is there any obligation on the employee to return to work for Keeping in Touch Days, should they not wish to do so.

31. Any work carried out on Keeping in Touch Days will not have the effect of extending the total duration of the employee's maternity/adoption leave.

32. Any arrangements (including pay) for Keeping in Touch Days that are agreed will be notified to the employee in writing by the HR team.

*Holidays and benefits*
33. Employees will continue to accrue holiday during ordinary and additional maternity/adoption leave. Where possible, holiday should be taken in the holiday year in which it accrues. If the holiday year is due to end during the employee's maternity/adoption leave, the employee should ensure that they have taken the full year's entitlement before starting leave. If this is not possible, holiday may be carried forward to the next holiday year provided it is taken within six months of the employee’s return to work.

34. During absence on ordinary and additional maternity/adoption leave employees will benefit from the terms and conditions of employment which would have applied had they been at work, except for those terms relating to wages or salary. This means that, other than wages or salary, all contractual benefits will continue.

35. While on ordinary and additional maternity/adoption leave employees will continue to be bound by their implied obligation of good faith to the Council. Employees will also be bound by any obligations arising from any terms and conditions of their employment which would have applied had the employee been at work, including any terms and conditions of employment relating to:
   - the notice employees are required to give to terminate their employment with the Council;
   - the non-disclosure of confidential information;
   - the employee's participation in any other business during their employment with the Council.

36. During any period of ordinary and additional maternity/adoption leave employees will be entitled to the benefit of any terms and conditions relating to:
   - the notice the Council is obliged to give to terminate their employment;
   - disciplinary or grievance procedures.

**Pension**

37. During any absence on ordinary maternity/adoption leave and any period of paid maternity/adoption leave, the Council will continue to make its usual contributions on the employee's behalf into the relevant pension scheme (if the employee is a member) provided that the employee continues to make contributions based on the Council maternity pay or SMP they receive (rather than normal salary). The employee's own contributions will be deducted from their Council maternity pay, if any, or SMP and will be based on the amount of Council maternity pay, if any, or SMP that is received.

38. During any period of unpaid additional maternity/adoption leave, the Council will not make any payments on the employee's behalf into the pension scheme. If the employee returns to work they may elect to pay the pension contributions that they would have paid had they worked during the period of unpaid additional maternity/adoption leave.
Returning to work

39. The Council will expect employees to return to work on the date notified to them in accordance with paragraph 16, unless the employee decides to return early or decides not to return to work, and the employee notifies the Council in accordance with the relevant requirements.

40. Employees who return after a period of maternity/adoption leave of up to 26 weeks are entitled to return to the role, on the same terms and conditions of employment, as if they had not been absent, unless a redundancy situation has arisen.

41. If an employee also takes a period of unpaid parental leave of four weeks or less in combination with their ordinary maternity/adoption leave, this will have no effect on their right to return to the same job, on the same terms and conditions as if they had not been absent, if the total period of maternity/adoption leave does not exceed 26 weeks.

42. Employees returning to work after a period of maternity/adoption leave of more than 26 weeks, or any period of maternity/adoption leave in combination with more than four weeks of unpaid parental leave are entitled to return to the same job, on the same terms and conditions as if they had not been absent, unless it is not reasonably practicable for the Council to allow the employee to do so. In such circumstances, the employee would be entitled to return to a similar job on terms and conditions which are no less favourable if available, unless a redundancy situation has arisen. If such circumstances arise, the employee will be contacted by the HR team who will advise them of any suitable vacancies.

43. Employees returning from maternity/adoptive leave are advised to read the Council’s work life balance policy and guidelines, and parental leave policy.

44. Where an employee is on paid maternity/adoption leave, and they are eligible to receive an increase in pay (including a non-consolidated performance pay), the full increase is immediately payable. Where an employee is on unpaid maternity/adoption leave, the pay award takes effect from the date when pay recommences (and any non-consolidated performance pay is paid at that time). Any increases are based on their normal annual salary.

45. Where an employee has been absent from work due to maternity for two thirds or more of the reporting year (more than eight calendar months) any pay increase associated to performance review score will normally be based on the previous year’s performance review score.

Returning early

46. Employees wishing to return earlier than their confirmed return date must give the Council at least 8 weeks’ written notice specifying the date of their return. If less than eight weeks’ written notice is provided, the Council can postpone the employee’s return to such a date as will ensure proper notice has been given.
47. By law employees are not permitted to return to work for two weeks after the date on which their baby is born.

48. If an employee returns to work before they have exhausted their entitlement to statutory maternity/adoption pay and/or statutory maternity/adoption leave, the employee’s husband, partner or civil partner may be entitled to take shared parental leave and receive shared parental pay from his/her employer. He/she should contact his/her employer for details on eligibility.

49. If an employee returns to work early, their entitlement to Council maternity/adoption pay, if any, and SMP will cease with effect from the date on which their maternity/adoption leave ceases.

Deciding not to return

50. If an employee does not wish to return to work they must give the Council their normal contractual notice.

51. If an employee decides not to return to work after a period of ordinary or additional maternity/adoption leave, this does not affect their right to receive SMP/SAP however any occupational maternity/adoption pay received may need to be repaid.

‘Tommy’, the baby charity

52. The Council is committed to supporting staff through their pregnancy to enjoy a healthy and productive working pregnancy, and as such we are accredited members of ‘Tommy’, the baby charity. Further details can be found on their website https://www.tommys.org. Please use email “tommypregnancy@hefce.ac.uk” with the password “HEFCE01”.

At their first meeting with a member of the HR team, colleagues will be given a Tommy’s guide to a working pregnancy. This guide will explain many aspects of pregnancy whilst working, such as the legal issues and staying healthy. As part of the Tommy’s programme the Council will ensure that throughout the pregnancy colleagues’ workstations will be assessed and adapted in line with their changing requirements, as appropriate.

53. The Council provides confidential space and storage facilities for returning mothers to express breast milk when required. The medical room in Nicholson House can be used for this purpose. A small fridge is available in the medical room for storage and is appropriately labelled. If the medical room is required for a medical emergency/accident, this would take priority over other uses of this room.

54. Further information and advice regarding pregnancy, birth and early days of parenthood can be found on the National Childbirth Trust website www.nct.org.uk

55. If at any time employees have any concerns they should speak to a member of the HR team.

Paternity leave and pay
56. To be eligible for paternity leave and pay employees must:
   - have been continuously employed by the Council for at least 26 weeks by the Qualifying Week and continue to be employed by the Council at the date of birth or date of placement;
   - evidence their entitlement by providing a copy of the MAT B1 available from the midwife or doctor, or the ‘matching certificate’ provided by the adoption agency;
   - have or expect to have responsibility for the upbringing of the child and be taking time off to care for the child or to support the child’s mother or adopter;
   - be the biological father of the child; or
   - mother’s husband, partner or civil partner; or
   - child’s adopter; or
   - husband, partner or civil partner of the child’s adopter; and
   - comply with the relevant notice requirements in this policy.

57. Employees who are eligible to take paternity leave may take either one or two weeks' leave. If the employee takes two weeks' paternity leave, they must be consecutive weeks.

58. Employees must give the Council reasonable notice of their intention to take paternity leave, providing a copy of either the MAT B1 or ‘matching certificate’ referred to above and logging their request via Workday.

59. Only one period of paternity leave/pay can be taken irrespective of whether more than one child is born as a result of the pregnancy or placed for adoption.

60. Where the employee and their partner are joint adopters, the employee will only be eligible for paternity leave if their partner has elected to take adoption leave.

61. Employees who choose to take paternity leave should consider using their entitlement before taking any shared parental leave. Once an employee has exercised their right to shared parental leave they will no longer be entitled to take paternity leave.

Ante natal/adoption appointments

62. Employees who qualify for the right to paternity leave may take unpaid time off during their normal working hours to accompany their pregnant wife or partner to antenatal appointments or to accompany their partner to attend appointments arranged by an adoption agency in order to have contact with a child who has been matched with the employee and their co-adopter for adoption (where the employee’s co-adopter is the primary adopter and has elected to take adoption leave).

63. When taking time off work to attend an antenatal or adoption appointment, employees must not be absent from work for more than six and half hours for each appointment, including travel and waiting time.

64. Employee's should advise their manager that they will be absent as far in advance of the appointment as possible. Where possible, appointments should be arranged at the start or end of the working day. Employees must comply with the Council’s
procedures for booking time off for such appointments and evidence of appointments may be requested.

**Paternity pay**

65. Employees who are eligible to take paternity leave and do so in accordance with the requirements of the statutory procedures and this policy, will be entitled to statutory paternity pay (SPP) for the duration of their paternity leave, provided that their average weekly earnings during the eight weeks ending with the Qualifying Week (the "Relevant Period") are at or above the lower earnings limits ("LEL") for national insurance purposes. The HR team will be able to tell employees what the current LEL is.

66. SPP is paid at a prescribed rate set by the government from time to time or at 90% of the employee's average weekly earnings calculated over the Relevant Period if this is lower. The HR team can provide details of individual entitlements.

67. Employees cannot start claiming SPP earlier than the date of the child's birth or, in the case of adoption, the placement of the child.

68. SPP will be paid in the same way as salary is paid and will be subject to deductions for tax, National Insurance Contributions and pension contributions (where relevant) in the normal way.

69. To be eligible for occupational paternity pay employees must have been employed by the Council for at least one year at the Qualifying Week and must continue to be employed by the Council at the date of birth or date of placement. Occupational paternity pay will be paid at full pay for up to two weeks.

**Starting paternity leave**

70. Paternity leave can start on any day of the week, as long as the employee has given the required notice. Provided the employee's paternity leave is completed within the period set out below, leave can start:
   • on the date of the child's birth or placement; or
   • from a chosen number of days after the birth or placement; or
   • from a specified date.

71. Paternity leave must be completed:
   • within 56 days of the actual date of birth or placement of the child; or
   • if the child is born earlier than expected, within 56 days after the expected week of childbirth.

72. In order to qualify for the right to take paternity leave, no later than the end of the 15th week before the expected week of childbirth or, in the case of adoption, no more than seven days after the employee and/or their spouse, civil partner or partner were notified of having been matched with the child (or if that is not reasonably practical in either case, as soon as they reasonably can) they must:
inform their manager and the HR team of their intention to take paternity leave and the expected week of childbirth or, in the case of adoption, the date of placement; and
notify their manager and the HR team via Workday (or in writing where access to Workday is unavailable) of the date on which they intend their paternity leave to start and whether they intend to take one week’s or two consecutive weeks’ leave. The date notified cannot be before the expected date of childbirth or placement.

73. Employees should discuss their intended paternity leave dates with a member of the HR team. This information will be documented, however an employee can alter their leave dates provided that the Council receives 28 days’ notice of this before the date the employee originally intended their leave to start or the new date the employee wants their leave to start, whichever is earlier. If it is not reasonably practicable to give 28 days’ notice, the employee should notify the HR team as soon as reasonably practicable.

74. Employees must notify their manager and the HR team via Workday (or in writing if access to Workday is unavailable) as soon as they reasonably can of the actual date of childbirth or placement. Employees who start paternity leave without giving the required notice may be treated as being on unauthorised absence which may constitute a disciplinary offence.

Confirmation of leave

75. Provided the employee has given their manager and the HR team proper notification of their intended start date for paternity leave, the Council will confirm to the employee in writing the start date and the date on which their paternity leave will end. The Council will provide employees with confirmation of the start date and end date within 28 days of their notification unless they have since changed the date that their leave will start, in which case the Council will confirm to the start and end dates within 28 days of receiving notice of the changed date.
## Maternity and adoption leave and pay

### All employees:

Maternity/adoption leave entitlement: 52 weeks

(Ordinary maternity/adoption leave (OML/OAL) 26 weeks, plus additional maternity/adoption leave (AML/AAL) 26 weeks.)

<table>
<thead>
<tr>
<th>Employees with less than one year’s service, but more than 26 weeks continuous service at the &quot;Qualifying Week&quot; (the 15th week before the expected week of childbirth (EWC) or the week when the employee was notified of having been matched with a child for adoption)</th>
<th>Employees with more than one year’s service at the &quot;Qualifying Week&quot; (the 15th week before the expected week of childbirth (EWC) or the week when the employee was notified of having been matched with a child for adoption)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maternity pay entitlement: 39 weeks</td>
<td>Maternity/adoption pay entitlement: 39 weeks paid leave</td>
</tr>
<tr>
<td>(Statutory maternity/adoption pay (SMP/SAP): 90% of average weekly earnings for first six weeks then the lower rate SMP/SAP for 33 weeks)</td>
<td>(Occupational maternity/adoption pay (OMP/OAP): 18 weeks’ full pay (repayable if the employee does not return to work following their maternity/adoption leave), followed by lower rate SMP/SAP for 21 weeks)</td>
</tr>
</tbody>
</table>

### All pregnant/adopting employees

- Must notify the Council of their intended maternity/adoption leave start date by the “Qualifying Week” (the 15th week before the expected week of childbirth (EWC) or the week when the employee was notified of having been matched with a child for adoption)
- The earliest date maternity leave/pay can begin is the beginning of the 11th week before the EWC
- The earliest date adoption leave/pay can begin is 14 days before the date on which the child is expected to be placed with the employee for adoption
- Maternity leave/pay will automatically if they are off work on pregnancy related sick leave within the 4 weeks before the EWC
- Must give the Council eight weeks’ notice of their intended return to work date
- Can return to the job they were employed in prior to their maternity/adoption leave if returning from OML/OAL (ie within 26 weeks), or a similar role on the same terms and conditions if returning from AML/AAL (ie leave of more than 26 weeks).

## Paternity leave and pay
<table>
<thead>
<tr>
<th>Employees with less than one year’s service, but more than 26 weeks' continuous service, as at the &quot;Qualifying Week&quot; (the 15th week before the expected week of childbirth (EWC) or the week when the employee was notified of having been matched with a child for adoption):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paternity leave entitlement: 2 weeks</td>
</tr>
<tr>
<td>Statutory paternity pay (SPP) entitlement: 2 weeks</td>
</tr>
<tr>
<td>Statutory paternity pay: at the rate set by the Government</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Employees with more than 1 year’s continuous service, as at the &quot;Qualifying Week&quot; (the 15th week before the expected week of childbirth (EWC) or the week when the employee was notified of having been matched with a child for adoption):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paternity leave entitlement: 2 weeks</td>
</tr>
<tr>
<td>Occupational paternity pay: 2 weeks at full pay</td>
</tr>
<tr>
<td>Occupational paternity pay is inclusive of any entitlement to statutory paternity pay</td>
</tr>
</tbody>
</table>

All employees

- Paternity leave and SPP should be taken within 56 days of the birth of the child or placement for adoption
- Employees must give the Council 8 weeks notification of their intended paternity leave start date and return dates

3 Human Resource Policies and Procedures

3.4b Shared Parental leave and pay policy

What is it and who does it apply to

1. Shared parental leave is a form of leave available to working parents following the birth or placement for adoption of a child. Shared parental leave allows parents to take up to 52 weeks leave in total on the birth or placement for adoption of a child. They may be able to take this leave at the same time or at different times. Please see below for further details.
2. The aim of this policy is to support employees through periods of shared parental leave, and to provide clear and understandable information about the procedures.

3. This policy is not contractual and the Council reserves the right to amend it from time to time as it considers necessary. Any statutory entitlement will be governed by the applicable statutory provisions in force from time to time and this policy is intended only as a general guide to such rights and obligations.

How does it work

4. Employees can find a summary of the key information in the table set out below: ‘shared parental leave and pay’ table.

Adoption

5. This policy deals with the operation of shared parental leave in the context of the birth of a child but parents may have equivalent rights to shared parental leave where a child is placed with the employee and/or their partner for adoption by an adoption agency or under a fostering for adoption or concurrent planning scheme and the employee and partner intend to share the main responsibility for the care of the child.

6. The fundamental right to and structure of shared parental leave is the same for birth parents and adopting parents; the primary adopter must commit to ending their adoption leave and pay and to share the untaken balance of leave and pay as shared parental leave and pay with their partner. However, there are a number of differences between the provisions of this policy and shared parental leave for adopting parents. In particular:
   • where relevant, earnings entitlement tests are assessed for the period ending in the week the adoption agency notified the employee that they have been matched with a child for adoption;
   • any rules or exceptions set out in this policy which relate to the early birth of a child do not apply to adopting parents; and
   • shared parental leave must end no later than the first anniversary of the date on which the child is placed for adoption.

7. There are also further notification, evidential and timings differences between shared parental leave arrangements for birth parents and adopting parents. If an employee is an adopting parent and wishes to take shared parental leave, he/she should clarify the relevant procedures with Human Resources to ensure that they are followed correctly.

8. If an employee is adopting and is interested in taking shared parental leave, they should contact the HR team for further information on the qualifying criteria which apply.

Frequently used terms
"Expected Week of Childbirth": means the week, beginning on a Sunday, in which the doctor or midwife expects the employee’s child to be born.

"Parent": means one of two people who will share the main responsibility for the child’s upbringing (and who may be either the mother, the father, or the mother’s spouse, civil partner or Partner if not the father).

"Partner": means a person (whether of a different sex or same sex) who lives with the mother and the child for whom the shared parental leave entitlement arises in an enduring family relationship, but is not the mother’s child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

"Qualifying Week": means the 15th week before the Expected Week of Childbirth.

Entitlement to shared parental leave

9. If the employee and/or their Partner are entitled to shared parental leave the employee and/or their Partner may take a combined total of up to 52 weeks’ leave. The employee and their Partner may be able to take this leave at the same time or at different times.

10. An employee is entitled to shared parental leave in relation to the birth of a child if:

   • they are the child’s mother, and, at the date of the child’s birth, share the main responsibility for the care of the child with the child’s father (or the employee’s Partner, if the father is not their Partner);
   • they are the child’s father and, at the date of the child’s birth, share the main responsibility for the care of the child with the child’s mother; or
   • they are the mother’s Partner and, at the date of the child’s birth, share the main responsibility for the care of the child with the mother (where the child’s father does not share the main responsibility with the mother).

11. In order to qualify for the right to shared parental leave the following conditions must also be fulfilled:

   • the employee must have at least 26 weeks’ continuous employment with the Council by the end of the Qualifying Week, and still be employed by the Council in the week before the leave is to be taken;
   • the other Parent must have worked (in an employed or self-employed capacity) in at least 26 of the 66 weeks before the Expected Week of Childbirth and had average weekly earnings of at least £30 during 13 of those weeks (this figure is correct as of 2015 but may change annually); and
   • the employee and the other Parent must give the necessary statutory notices and declarations as summarised below, including notice to end any maternity leave, statutory maternity pay or maternity allowance periods.

Periods when shared parental leave may be taken

12. The total amount of shared parental leave available is 52 weeks, less the weeks spent by the child’s mother on maternity leave (or the weeks in which the mother has
been in receipt of statutory maternity pay or maternity allowance if she is not entitled to maternity leave).

13. Shared parental leave may only be taken in blocks of complete weeks but may begin on any day of the week. Shared parental leave may be:

- a single period of continuous leave, where the employee intends to take a single unbroken period of leave; or
- two or more periods of discontinuous leave, where the employee intends to return to work between the periods of leave.

14. If the employee is the child's mother, they cannot start shared parental leave until after the compulsory maternity leave period which lasts for two weeks after the child is born.

15. Shared parental leave is additional to the statutory right to two weeks' paternity leave. If the employee is the child's father or mother's Partner they may take shared parental leave following the birth of the child but should consider using their two weeks' paternity leave before taking shared parental leave. Once the employee has exercised their right to shared parental leave they will no longer be entitled to take paternity leave.

16. Shared parental leave must end no later than one year after the birth of the child. Any shared parental leave not taken by the child's first birthday is lost.

17. Employees who are considering taking shared parental leave are encouraged to contact the HR team to arrange an informal discussion about their plans as early as possible.

Opting into shared parental leave and pay

18. In order to qualify for the right to shared parental leave, no later than eight weeks before the date the employee intends their shared parental leave to start, the employee must give the Council a written opt-in notice giving:

- the employee's name and the name of the other Parent of the child;
- if the employee is the child's mother, the start and end dates of her maternity leave;
- if the employee is the child's father or the mother's Partner, the start and end dates of the mother's maternity leave, or if she is not entitled to maternity leave, the start and end dates of any statutory maternity pay or maternity allowance period;
- the Expected Week of Childbirth of the child (and the child's date of birth as soon as reasonably practicable after the child's birth);
- the total shared parental leave available, which is 52 weeks minus the number of weeks' maternity leave, statutory maternity pay or maternity allowance period taken or to be taken;
- how much shared parental leave will be allocated to the employee and how much to the other Parent (the allocation can be changed by giving the Council a further written notice, and employees do not have to use their full allocation) (see further details below);
• if the employee is claiming statutory shared parental pay, the total shared parental pay available, which is 39 weeks minus the number of weeks of statutory maternity pay or maternity allowance taken or to be taken;

• an indication of the pattern of leave the employee is thinking of taking, including suggested start and end dates for each period of leave. This indication will not be binding at this stage, but the employee must give as much information as they can about their future intentions; and

• declarations by the employee and the other Parent that:
  • they meet the statutory conditions for entitlement to shared parental leave and shared parental pay;
  • the information they have given is accurate;
  • should they cease to be eligible they will immediately inform the Council.

19. It would be helpful for administrative purposes if employees could indicate at the same time whether they intend to return to work after their shared parental leave. This is an indication only and employees can change their minds. It will not constitute notice of termination of employment that employees are required to give should they choose not to return to work (see below).

Ending maternity leave

20. If the employee is the child's mother and is still on maternity leave, the employee must give the Council at least eight weeks' written notice to end her maternity leave (a curtailment notice) before taking shared parental leave. The notice must state the date the employee's maternity leave will end. Notice can be given before or after the employee gives birth, but employees cannot end their maternity leave until at least two weeks after birth.

21. The employee must also give the Council, at the same time as the curtailment notice, a notice to opt into the shared parental leave scheme (see below) and/or a written declaration that the child's father or the employee's Partner has given his or her employer an opt-in notice and that the employee has given the necessary declarations in that notice.

22. The other Parent may be eligible to take shared parental leave from their employer before the mother's maternity leave ends, provided she has provided a valid curtailment notice.

23. A curtailment notice is usually binding and cannot be revoked, save in limited circumstances. A curtailment notice can only be revoked if the employee's maternity leave has not yet ended and one of the following applies:

• if the employee realises that neither they nor the other Parent are in fact eligible for shared parental leave or shared parental pay, the employee can revoke the curtailment notice in writing up to eight weeks after it was given;
• if the employee gave the curtailment notice before giving birth, it can be revoked in writing up to six weeks after birth; or
• if the other Parent has died, the employee can revoke it in writing within a reasonable time of the date of the other Parent's death.

24. Once a curtailment notice has been revoked employees cannot submit a second curtailment notice, unless it was revoked because it had been given before birth.

25. If the employee is the child's father or the mother's Partner, they will only be able to take shared parental leave once the mother has either:
• returned to work; or
• issued a curtailment notice to her employer to end maternity leave; or
• issued a curtailment notice to end her statutory maternity pay if she is not entitled to maternity leave but is entitled to statutory maternity pay; or
• issued a curtailment notice to the benefits office to end her maternity allowance if she is not entitled to maternity leave or statutory maternity pay.

Evidence of entitlement

26. If requested, and in order to be entitled to shared parental leave, the employee must also provide, within 14 days of a request by the Council:
• a copy of the child’s birth certificate (or if the employee has not yet obtained a birth certificate, a signed declaration of the child's date and place of birth); and
• the name and address of the other Parent's employer (or the name and address of the other Parent and a declaration that they are self-employed or have no employer).

27. The Council reserves the right to withhold any occupational shared parental pay if the employee fails to comply with the evidence of entitlement provision set out above.

Notifying the Council of shared parental leave dates

28. Once an employee has opted into shared parental leave, they will also need to give a period of leave notice informing the Council of the start and end dates of their leave. This can be given at the same time as the employee’s opt-in notice and/or in the same notice form, or it can be given later, as long as it is given at least eight weeks before the start of the employee’s shared parental leave. The employee must also state in this period of leave notice the dates on which the employee intends to claim shared parental pay, if applicable.

29. If the employee’s period of leave notice gives dates for a single continuous block of shared parental leave, they will be entitled to take the leave set out in the notice, provided:
• the employee meets the relevant qualifying criteria for shared parental leave;
• the employee has given the Council at least eight weeks' notice; and
• the employee’s continuous block of shared parental leave does not exceed the total number of weeks of shared parental leave available to them.

30. The employee can give up to three period of leave notices.
31. If the employee starts their shared parental leave without giving the required notice, they may be treated as being on unauthorised absence which may constitute a disciplinary offence.

**Procedure for requesting discontinuous periods of shared parental leave**

32. In general, a period of leave notice should set out a single continuous block of leave. The Council may, in some cases, be willing to consider a period of leave notice where the shared parental leave is split into shorter discontinuous periods (of at least a week) with periods of work in between. It is best to discuss this with the HR team in advance of submitting any formal period of leave notice. This will give the Council more time to consider the request and hopefully agree a pattern of leave with the employee from the start.

33. The employee must submit a period of leave notice setting out the requested pattern of leave at least eight weeks before the requested start date. If the Council is unable to agree to the employee’s request for discontinuous periods of shared parental leave straight away, there will be a two-week discussion period. At the end of that period, the Council will confirm any agreed arrangements in writing. If the Council has not reached an agreement, the employee will be entitled to:

- take the full amount of requested shared parental leave as one continuous block, starting on the start date given in their notice (for example, if the employee requested three separate periods of four weeks each, they will be entitled to one 12-week period of leave starting on the date given for the first period of leave); or
- choose a new start date (which must be at least eight weeks after the original period of leave notice was given), and inform the Council of this within five days of the end of the two-week discussion period. Please note that if this information is not provided within this time the employee may be required to start a period of continuous shared parental leave on the start date of the first period of discontinuous shared parental leave given in their notice.

34. A period of leave notice requesting discontinuous periods of shared parental leave may be withdrawn on or before the 15th day after the notice was given, unless the employee and the Council have agreed to the periods of leave (in which case it will not be counted as one of the three permitted notices and the employee may submit a new one if they choose).

**Changing the dates or cancelling shared parental leave**

35. The employee can cancel a period of shared parental leave by notifying the Council in writing at least eight weeks before the start date included in their period of leave notice.

36. The employee can change the dates for a period of shared parental leave by giving the Council at least eight weeks' notice before the original start date included in their period of leave notice and the new start date.

37. It is not necessary to give eight weeks' notice if an employee is changing the dates of their shared parental leave because the child has been born earlier than the Expected Week of Childbirth and where the employee wanted to start their shared parental leave
a certain length of time (but not more than eight weeks) after birth. In such cases the employee should notify the Council in writing of the change as soon as they can.

38. A notice to cancel or change a period of leave will count as one of the employee's maximum three period of leave notices, unless:

- the employee withdraws their period of leave notice;
- the variation is a result of the child being born earlier or later than the Expected Week of Childbirth;
- the variation is at the Council’s request; or
- the Council agrees otherwise.

Statutory shared parental pay

39. Subject to the eligibility criteria below, statutory shared parental pay ("ShPP") of a total of up to 39 weeks (less any weeks of statutory maternity pay or maternity allowance claimed by the employee or the other Parent) may potentially be available. For further information regarding the employee’s ShPP entitlement the employee should contact the HR team.

40. To be eligible for shared parental pay employees must satisfy the statutory requirements and notifications, including the following:

- the employee must have been continuously employed by the Council for at least 26 weeks by the Qualifying Week;
- the employee must earn more than the lower earnings limit ("LEL") for paying National Insurance Contributions during the eight weeks ending with the Qualifying Week. The HR team will be able to tell the employee what the current LEL is;
- the mother must be entitled to statutory maternity pay or maternity allowance and must have reduced the maternity pay period or maternity allowance period;
- the employee must intend to care for the child during each week in which ShPP is payable;
- the employee must remain in continuous employment until the first week of ShPP has begun; and
- the employee must comply with the notifications set out in this policy.

41. The employee's ShPP will be paid in the same way as salary is paid and will be subject to deductions for tax, National Insurance Contributions and pension contributions (where relevant) in the normal way.

Occupational shared parental pay

42. Subject to the conditions and eligibility criteria below, occupational shared parental pay ("OShPP") may potentially be available during some of the period of up to 39 weeks (less any weeks of statutory maternity pay or maternity allowance claimed by the employee or the other Parent) that ShPP is payable. For further information regarding their OShPP entitlement the employee should contact the HR team.

43. To be eligible for OShPP the employee must:
• satisfy the statutory requirements and notifications; and
• have been continuously employed during the 12 month period ending with the Qualifying Week and continue to be employed by the Council during the entire period that they have notified the Council that they wish to take shared parental leave.

44. OShPP is only paid if the employee is receiving ShPP for the same period and includes any ShPP or allowance to which they are entitled. OShPP is paid at the full rate of the employee’s normal basic salary (based on their average earnings in the eight weeks prior to the Qualifying Week) for a period of 18 weeks and is subject to deductions for tax, National Insurance Contributions and pension contributions (where relevant) in the normal way.

45. Any occupational maternity, paternity or adoption pay that the employee has received in relation to the child for which they wish to receive OShPP will count towards their OShPP entitlement. No combination of occupational maternity, paternity, adoption or OShPP will exceed a total of 18 weeks at full pay and 21 weeks at the statutory rate of pay.

46. Any occupational shared parental pay received by the employee must be repaid if the employee does not return to work for at least a full month after the end of their shared parental leave.

**Shared parental leave in touch days**

47. The Council is entitled to make reasonable contact with the employee during their shared parental leave.

48. During shared parental leave the employee is able to work or train for up to 20 days without bringing their shared parental leave to an end. These are known as Shared Parental Leave in Touch (SPLIT) days. This is in addition to any Keeping In Touch days that the employee may have taken during maternity leave. However, there is no obligation on the Council to offer the employee the opportunity to return to work for SPLIT days, nor is there any obligation on the employee to return to work for SPLIT days, should they not wish to do so.

49. Returning to work on SPLIT days and reasonable contact with the Council during shared parental leave will not affect the employee’s right to shared parental pay or bring an end to their shared parental leave. Any work carried out on SPLIT days will not have the effect of extending the total duration of the employee’s shared parental leave.

50. Any arrangements (including pay) for SPLIT days that are agreed will be notified to the employee in writing by the HR team.

**Holidays and benefits**

51. The employee will continue to accrue holiday during shared parental leave. Where possible, holiday should be taken in the holiday year in which it accrues. If the holiday year is due to end during the employee's shared parental leave, the employee should ensure that they have taken the full year’s entitlement before starting leave. If this is not possible, holiday may be carried forward to the next holiday year provided it is taken within six months of the employee's return to work.
52. During absence on shared parental leave the employee will benefit from the terms and conditions of employment which would have applied had they been at work, except for those terms relating to wages or salary. This means that, other than wages or salary, all contractual benefits will continue.

53. While on shared parental leave the employee will continue to be bound by their implied obligation of good faith to the Council. The employee will also be bound by any obligations arising from any terms and conditions of their employment which would have applied had the employee been at work, including any terms and conditions of employment relating to:
   • the notice employees are required to give to terminate their employment with the Council;
   • the non-disclosure of confidential information;
   • the employee's participation in any other business during their employment with the Council.

54. During any period of shared parental leave employees will be entitled to the benefit of any terms and conditions relating to:
   • the notice the Council is obliged to give to terminate their employment;
   • disciplinary or grievance procedures.

Pension

55. During any absence on any period of paid shared parental leave, the Council will continue to make its usual contributions on the employee's behalf into the relevant pension scheme (if the employee is a member) provided that the employee continues to make contributions based on the Occupational shared parental pay or ShPP they receive (rather than normal salary). The employee’s own contributions will be deducted from their Occupational shared parental pay, if any, or ShPP and will be based on the amount of Occupational shared parental pay, if any, or ShPP that is received.

56. During any period of unpaid shared parental leave, the Council will not make any payments on the employee's behalf into the pension scheme. If the employee returns to work they may elect to pay the pension contributions that they would have paid had they worked during the period of unpaid shared parental leave.

Returning to work

57. The Council will expect the employee to return to work on the date notified to them in accordance with paragraph 25, unless the employee decides to return early or decides not to return to work, and the employee notifies the Council in accordance with the relevant requirements.

58. Employees who return to work after they have taken a total period of up to 26 weeks in aggregate of shared parental leave, maternity leave, paternity leave and adoption leave, are entitled to return to the same job, on the same terms and conditions of employment as if they had not been absent, unless a redundancy situation has arisen. If such circumstances arise, the employee will be contacted by the HR team.
59. If an employee also takes a period of unpaid parental leave of four weeks or less this will have no effect on the employee’s right to return to the same job, on the same terms and conditions as if they had not been absent, if the aggregate total period of shared parental leave, maternity leave, paternity leave and adoption leave does not exceed 26 weeks.

60. If an employee returns to work after they have taken a total period of more than 26 weeks in aggregate of shared parental leave, maternity leave, paternity leave and adoption leave, or a period of shared parental leave in combination with more than four weeks of unpaid parental leave, they are entitled to return to the same job, on the same terms and conditions as if they had not been absent, unless it is not reasonably practicable for the Council to allow them to do so. In such circumstances, the employee would be entitled to return to a similar job on terms and conditions which are no less favourable if available, unless a redundancy situation has arisen. If such circumstances arise, the employee will be contacted by the HR team who will advise them of any suitable alternative vacancies.

**Returning early**

61. Employees wishing to return earlier than at the end of their period of shared parental leave as they have notified to the Council, must give the HR team eight weeks' written notice specifying the date of their return. If the employee provides less than eight weeks' written notice, the Council can postpone their return to such a date as will ensure proper notice has been given.

62. Where an employee has already used their three notifications to book or vary their shared parental leave, the Council has no obligation to accept the employee’s notice to return to work early.

63. Where an employee returns to work before they have exhausted their entitlement to shared parental pay and/or shared parental leave, the other Parent may be entitled to take shared parental leave and receive shared parental pay from his/her employer. He/she should contact his/her employer for details on eligibility.

64. Where an employee returns to work early, their entitlement to Occupational shared parental pay, if any, and shared parental pay will cease with effect from the date on which the employee’s shared parental leave ceases.

**Deciding not to return**

65. If an employee does not intend to return to work following shared parental leave, or they are unsure, it would be helpful if they could discuss this with their manager or the HR team as early as possible. If the employee decides not to return, they are required to give the Council the appropriate notice to terminate their employment as specified in their contract of employment.

66. If an employee decides not to return to work after a period of shared parental leave, this does not affect their right to receive statutory shared parental pay.
## Shared parental leave and pay

<table>
<thead>
<tr>
<th>Employees with less than one year’s service, but more than 26 weeks' continuous service at the “Qualifying Week” (the 15th week before the Expected Week of Childbirth):</th>
<th>Employees with more than one year’s service at the “Qualifying Week” (the 15th week before the Expected Week of Childbirth):</th>
</tr>
</thead>
<tbody>
<tr>
<td>Shared parental leave entitlement: up to 52 weeks (less the weeks spent by the child’s mother on maternity leave (or the weeks in which the mother has been in receipt of statutory maternity pay or maternity allowance if she is not entitled to maternity leave)).</td>
<td>Shared parental leave entitlement: up to 52 weeks (less the weeks spent by the child’s mother on maternity leave (or the weeks in which the mother has been in receipt of statutory maternity pay or maternity allowance if she is not entitled to maternity leave)).</td>
</tr>
<tr>
<td>Shared parental pay entitlement: up to 39 weeks’ (less any weeks of statutory maternity pay or maternity allowance claimed by the employee or the other Parent).</td>
<td>Shared parental pay entitlement: up to 39 weeks’ (less any weeks of statutory maternity pay or maternity allowance claimed by the employee or the other Parent).</td>
</tr>
<tr>
<td>Statutory shared parental pay: 90% of average weekly earnings for first six weeks then the lower rate statutory shared parental pay for 33 weeks.</td>
<td>Occupational shared parental pay: 18 weeks’ full pay (less any weeks of statutory maternity pay or maternity allowance claimed by the employee or the other Parent). Any occupational maternity, paternity or adoption pay that the employee has received in relation to the child for which they wish to receive OShPP will count towards their OShPP entitlement.</td>
</tr>
<tr>
<td></td>
<td>Statutory shared parental pay: the lower rate statutory shared parental pay for up to 21 weeks.</td>
</tr>
<tr>
<td></td>
<td>Occupational shared parental pay is repayable if the employee does not return to work following their shared parental leave.</td>
</tr>
</tbody>
</table>

### All employees

- The mother must have curtailed her maternity leave.
- Must notify the Council of their intended shared parental leave start date at least 8 weeks before the intended start date and their intended return to work date.
- Must submit the relevant notices.
- The earliest date shared parental leave/pay can begin is two weeks after birth.
- Can return to the job they were employed in prior to their shared parental leave if returning after taking a total period of up to 26 weeks in aggregate of shared parental leave, maternity leave, paternity leave and adoption leave, or a similar role on the same terms and conditions if returning from a period of aggregate leave of more than 26 weeks.
Forms associated with this policy can be found on the HR pages of Councilnet/ServicesNet:

- Maternity leave curtailment notice.tr5
- SPL opt-in notice (mother).tr5
- SPL Opt-in notice - partner.tr5
- SPL Revoking maternity leave curtailment notice.tr5
- SPL period of leave notice.tr5
- SPL variation of period of leave notice.tr5
3 Human Resource Policies and Procedures

3.5 Parental leave

1. Currently parents are entitled to a period of up to 18 weeks (unpaid), during the first 18 years of their child’s life.

2. The following procedures will apply:

- leave of less than one week - reasonable notice should be given to your manager and/or the Human Resources Team
- leave of one week or more up to a maximum of four weeks per year (unless in exceptional circumstances) - four weeks’ notice is required unless otherwise negotiated with your manager and/or the Human Resources Team
- if both parents are employees they are eligible to take the leave at the same time
- leave may be used to extend maternity leave
- leave must be authorised on a Parental Leave Authorisation Form which should be completed and signed by the parent concerned and countersigned by the manager and the Human Resources Team. This form is available in the HR Section of Word New Document Templates or from the Human Resources Team on request
- leave must also be logged via the Absence section of Workday, and copies of appropriate documents provided to the HR team to hrhelpdesk@hefce.ac.uk
- all contractual entitlements with the exception of salary and pension contributions will be retained during unpaid parental leave
3 Human Resource Policies and Procedures

3.6 Work Life Balance Policy

1. This policy was written in consultation with all employees and the PCS union and has been reviewed and updated.

   **Policy Statement**
   - The Council recognises that we all have responsibilities and interests inside and outside work.
   - We acknowledge that with appropriate use of flexibility in the way we manage our work, we are likely to increase the effectiveness of the Council whilst, at the same time, improve the quality of life for our employees.
   - We will support our employees in achieving their individual work life balance and improving the effectiveness of the Council and will comply with all relevant legislation regarding flexible working.

   **Implementation**
   - Effective people management (including the encouragement of trust and respect, effective induction, development and performance review processes, work load management).
   - Encourage managers to take account of individual work life balance issues and respond to them in a fair, flexible and appropriate manner.
   - Provide appropriate support/training for managers and individuals.

2. The HEFCE work life balance policy respects all employees and recognises that employees will have many different commitments outside work. This policy is not only for those with childcare and eldercare issues, but is for everyone, including those with personal non family interests.

3. **Guide - Work Life Balance at HEFCE** including guidance on flexible working legislation and the appeals process. This can be found on the HR pages of the internet.

4. The Council aims to ensure we have:
   - a committed workforce with high energy, creativity and skills
   - jobs which are designed and managed that they can (for the most part) be contained in the contracted hours
   - people are aware of the consequences, on themselves and others of working in excess of contracted hours
   - a culture where people can “safely” raise with their manager difficulties they may have in containing their job within contracted hours, as a result of which effective action takes place.
   - A management and financial framework which enables people to be and feel adequately compensated for working in excess of contracted hours.

5. **Measurement of Progress**
   - Progress on the implementation of this policy will be measured using both internal and external statistical information, such as the annual staff survey, annual exit interview report, resources statistics and achievement of organisational objectives as measured against the Council’s Operating Plan.
Reporting Process

6. Work life balance measurements of progress included within the annual HR report.
3 Human Resource Policies and Procedures

3.7 Probationary Period for New Employees

1. Our aim is to have an effective and fair means of assessing and improving performance in the probationary period. In some cases employees may fall short of our requirements. We expect these cases to be rare and before a contract is terminated we would look to provide opportunity and support for improvement.

2. Our conditions of service require that new employees serve a probationary period - normally six months, (for further details, see paragraph 2.10). During this time, performance is kept under review while support and training, where appropriate, will be given to assist new employee to achieve satisfactory standards of work.

3. As a good employer HEFCE will follow a similar procedure with new staff as we do with longer term employees in our management of performance. If any significant problems in performance, conduct or attendance occur in the probationary period, new members of staff will be informed during a formal interview in the presence of the manager and a member of the Human Resources Team. We may extend the probationary period or give notice of our intention to terminate the contract of employment after such a meeting, if appropriate. Any decision to terminate employment will subsequently be confirmed in writing.
3 Human Resource Policies and Procedures

3.9 Job Evaluation

1. Our aim is to have a fair, analytical and objective means of assessing the weight of jobs, so that we can ensure that we pay colleagues equitably and comply with equal value legislation.

2. The Council uses a variant of the Civil Service job evaluation scheme, called ‘JEMS’ (Job Evaluation and Management Support) to assess the relative ranking of jobs (i.e. job weight).

3. JEMS has been designed to evaluate the range of work that our colleagues carry out. The process of job evaluation is based on best practice and evaluates the requirements of the job, as opposed to what an individual colleague brings to a job.

4. Job evaluation is applied to all posts in the Council, before the post is advertised in order to assign the post to the correct pay band. Also, if the requirements of a post significantly change it is used to ensure that the post remains in the correct pay band.

5. If the requirements of a job significantly changes, the team manager will speak to HR who will explore with them the full requirements of the job and whether there is a need for job evaluation. Sometimes a specific aspect of the work required may be more appropriately assigned to an existing role at a higher level.

6. If job evaluation is deemed appropriate, the manager should get agreement from their Director, prior to completing a proposal to evaluate form. The completed form should then be submitted to the HEFCE Executive for approval. If the proposal is not agreed, consideration will need to be given to the requirements of the job and whether priorities and/or activities should be changed or stopped.

7. If the proposal is agreed. A trained job evaluator will
   a) compare the job description of a similar existing post in the Council that has already been job evaluated. In order to do this the manager will need to identify a specific role to compare against. An up to date copy of the comparable job description will be required to allow this to happen;
   b) if a comparable post cannot be identified, a job evaluation form will need to be completed by the manager. The evaluator will use this information to analyse the post using software which has been specifically written for the purpose.

8. The outcome of the job evaluation is mapped onto our pay scale in accordance with the arrangements agreed with the PCS. All outcomes will be monitored for the purposes of equal opportunities.

9. If a job is evaluated and allocated to a higher pay band, the individual currently in the job will not be automatically promoted. A number of options will also be considered in the context of our approach to resource allocation:
• If the role requires a general set of skills, experience and knowledge, the post will be advertised. If the current post holder is unsuccessful in the recruitment process, they will be appropriately redeployed to another post at their substantive pay band.

• If there are colleagues with the appropriate skills set, at the new higher pay band who need placing i.e. returning from extended leave or their current area of work is coming to an end, we may assign one of those individuals into the job.

• If the individual currently carrying out the role brings to it a specific specialism i.e. set of skills, knowledge or experience that is critical to the role and the Council, we may promote that individual without going through a recruitment process.

10. We expect this policy to enable us to support the delivery of the Council’s strategic priorities, and also be fair and equitable to all colleagues, complying with the Equality Act 2010. We will review the outcomes annually in the People Report to the Board.
3 Human Resource Policies and Procedures

3.10. Performance Review

1. Our aim is to have effective and fair means of ensuring that we fulfill our business objectives, and helps to encourage open and constructive dialogue between employees. It provides a link between the organisation's objectives and expectations and the contribution made by the individual. Performance review should, therefore, focus and reinforce the objectives of Investors in People by:
   - helping to communicate to everyone the contribution they make to the organisation's success
   - strengthening the identification and review of job related development needs
   - providing a further means of monitoring the impact of training and development on performance.

The details of our performance review system can be found on Council net.

2. The success of the performance review system depends on the commitment of everyone to give adequate time to the process. Feedback on performance and discussion about future work should not be a single annual event restricted to the review interview. Performance should be reviewed regularly to provide feedback and support, and objectives updated as part of the discussion of normal business.

3. Fairness is essential to performance review. The performance of every individual should be considered entirely on its merits. Both managers and countersigners should guard against any form of unfair discrimination when assessing a jobholder's performance, and ensure that jobholders have equality of opportunity to develop their performance fully. They must ensure that the jobholder is not unfairly treated because of their sex, marital status, age, race, disability, full or part time status, religion or sexual orientation. They must also avoid making assumptions about or stereotyping an individual as this can also be discriminatory. We will support managers in these areas by providing appropriate training.

4. Jobholders need to know what they are responsible for doing and how well they are doing it. They should take an active part in assessing their past performance and reviewing their new objectives and job description.

5. Managers are responsible for managing their staff effectively. This includes ensuring that they know what is expected of them and giving them feedback on how well they are doing it and how they can improve. At the end of the year, a review interview should be held assessing the jobholder's performance honestly and fairly. Completed APR forms must be returned to Human Resources Team by the due date.

6. Countersigners are responsible for quality review of the review system and consistency of marking for their colleagues. They must discuss standards, with the managers they are responsible for, before the reviews are undertaken. Before countersigning, they must check that the manager's assessment is supported by evidence of achievement and be vigilant for any signs of unfair discrimination.
7. Managers and Directors have overall responsibility for ensuring the proper management of the performance review process for their colleagues, including the timely completion and return of forms to Human Resources Team.

8. The Human Resources Team organise staff training events to support colleagues in the operation of the performance review system, and keep the system itself under review.
3 Human Resource Policies and Procedures

3.11 Learning and Development Policy

1. Learning and development is important in ensuring the organisation is capable of achieving its business objectives. Our aim is to ensure that everyone is equipped with the knowledge and skills to carry out the tasks expected of them, now and in the future. We recognise that learning and development is a continuous process that includes day to day work and is about both current roles and future potential.

Individual employees

2. Individuals share with their managers the responsibility for identifying gaps in their skills and knowledge and thinking about longer term development needs. These should be discussed with their manager as the need arises and more formally as part of their annual performance development review. They should be prepared to discuss with their manager beforehand what they should be getting out of any development activity, and to discuss afterwards how far this was achieved. They should also be prepared, if appropriate, to share with colleagues what they have learned so that the benefit to the Council can be maximised.

Managers

3. Managers have the main responsibility for making sure their colleagues have the opportunity to maintain the knowledge and skills they need to do their jobs. Employees have the responsibility to make the most of these opportunities, and this involves:

- giving employees constructive feedback on their performance so they know where improvements are needed
- identifying skill gaps and learning needs and prioritising them
- deciding with the employees concerned, how and when these needs will be addressed
- identifying learning opportunities in everyday work situations and where possible providing relevant new experiences
- making sure employees have the opportunity to practice new skills acquired through learning in the work situation
- evaluating the outcomes of learning and development activities, together with the colleague concerned and, if necessary, the Human Resources Team.

4. We regard development activities as an investment. As with any investment, there is a responsibility for managers as well as employees to be clear about the intended outcome and how they will assess whether it has been achieved. Managers should discuss objectives with employees before they embark on a development activity, and review afterwards the extent to which they have been achieved, including identifying any follow-up action needed.

The Human Resources Team

5. The Human Resources Team can assist managers in the identification of learning needs and advise on appropriate sources of development and relative costs. They also keep under review learning and development needs across the Council and,
informed by the outcomes of the Annual Development Reviews, annually draw up a programme of development opportunities to be provided or purchased centrally. Finally, the Human Resources Team takes the lead in evaluating the effectiveness of learning activities initiated by them, and assists managers and individual employees in evaluating the effectiveness of other learning events.

**Systems and Procedures**

6. We operate a number of systems and procedures as well as providing resources to support learning in the organisation, further details of which are described below.

**Objective Setting**

7. As part of its arrangements for performance management and business planning, we expect managers to agree forward objectives with their colleagues. In setting objectives, managers should take into account learning and development needs. For example, it may be appropriate to set objectives which are specifically about acquiring a new skill and/or developing existing skills to increase an individual's effectiveness in doing their job.

**Enabler Framework**

8. The Council’s enabler framework sets out the key behaviours all employees are encouraged to develop and use.

**Induction and the Probationary Period**

9. The details of the induction procedure for new employees are set out in the relevant section of this Guide, and include a strong emphasis on the early identification of learning needs throughout the probationary period.

**Performance and Development Reviews**

10. To supplement the feedback and support that managers should give to their employees on a routine basis, we operate a formal system of performance review in which performance is reviewed in a formal context twice each year. This system of review provides a valuable opportunity for the review of objective setting - both operational objectives and development/learning objectives. The primary focus of the annual development review is development and learning.

**Meeting Learning Needs**

11. There are several ways in which learning needs may be met. One of the most effective is "on the job" learning, supported and guided by managers and other colleagues. Managers in the Council are encouraged to develop learning in the workplace as part of the objective setting process, and to provide appropriate feedback and support to their colleagues. Opportunities can often be created for workplace learning by involving employees in certain projects, by setting up short term shadowing arrangements with other colleagues, or by internal or external secondments. In addition there may be times when an individual’s voluntary work has a direct impact on a key learning and development need identified at work. In these cases, and in line with the volunteering policy, the individual’s manager will have the discretion to agree a maximum of 1 days paid leave.

12. The best method for meeting identified learning needs will be agreed in discussion between the individual and their manager, taking account of the individuals preferred learning style, the opportunities available, the current workload, the costs concerned, and the needs of the Council. It is important that whatever the method,
clear learning objectives are agreed at the outset as well as a means of evaluating outcomes.

13. Traditionally, the most commonly accepted means of meeting learning needs has been for an employee to attend a training course. However, attendance at training courses can be one of the least effective means of meeting learning needs. For training courses to be successful, it is important that:

- the learning need has been correctly identified by the manager and the individual
- the learning objectives of the chosen course coincide to a significant degree with the learning need
- the course meets its objectives
- the learner has the opportunity to consolidate the new skills/knowledge in the workplace.

14. It is important that there is full discussion of both the learning objectives and the outcomes of training courses with the manager and the learner, so that the effectiveness of courses can be evaluated and the investment ploughed back into the workplace. Often, learning gained by one individual from a course can be profitably shared with other colleagues.

**Resources for Learning and Development**

15. The Human Resources Team manages a central budget for core programmes of learning and development. The needs that are met from this source of funds include management development, use of the computer network and mainstream computer packages.

16. Drawing on annual development reviews, discussions with managers, and delivery of our business needs, the Human Resources Team draw up and publish an annual development plan.

17. In addition, each team budget holder has their own budget to support learning and development needs which are specific to their team(s).

**Sponsorship for Courses Leading to Qualifications**

18. We aim each year to make available a proportion of the central training budget to sponsor courses that meet certain criteria.

19. As part of our commitment to the Skills Pledge we are keen to encourage and support all employees who have not yet acquired their first level 2 qualification to work towards one in an area that is relevant to their work. As a result we will offer 100% sponsorship to individuals who meet these criteria.

20. In addition to those seeking sponsorship for their first level 2 qualification, there are a wide range of other courses leading to qualifications for which colleagues may seek the sponsorship of the Council. Sometimes, the courses concerned relate in a direct and immediate way to the job which the colleague currently holds, for example an NVQ in management or a professional qualification in accountancy. On occasions, a colleague may wish to be sponsored for a course which will equip them with skills and knowledge needed to operate in a different job at the same level or at a higher level.
within the Council. Finally, there may be courses that some colleagues wish to follow which have a less direct and immediate benefit to the Council in terms of achieving its business objectives, but which are nevertheless judged likely to increase the value of the colleague to the Council and to our relationship to the sector: such courses may include non-vocational degrees.

21. We wish to encourage and support individuals in their personal development. However, resources are finite and are likely to become increasingly constrained. In these circumstances, it is necessary to prioritise.

22. In deciding whether to sponsor employees for courses leading to qualifications, the following considerations will be taken into account:

   a. The extent to which the course will help make the individual more effective in their current job.

   b. The extent to which the course will help equip the individual to do other jobs in the Council for which they are potentially suitable, either at the same or higher level.

   c. The availability of funds, including any commitment of future years’ budgets, and the value for money offered by the course, taking into account the fees and other costs.

   d. Whether the course will be pursued in the individual's own time, and if not the extent to which they will need time off from work (day release and study leave) to complete their studies.

23. Courses which satisfy all of the above will normally be given priority for sponsorship, subject to funds being available.

24. On occasion, we may respond to a request for sponsorship by suggesting that there would be more direct benefit to the Council if the individual were to register for a different course from that originally suggested. For example, a colleague seeking sponsorship for a non-vocational degree may secure more benefit to the Council by following an NVQ. Similarly, we may on occasions prefer an individual to follow an NVQ route to a professional qualification, if this is available and if it is considered to produce greater direct benefits to us.

**Full and Partial Sponsorship**

25. Full sponsorship will normally be granted only for courses which are judged to offer a direct and significant benefit to us as a result of increasing the individual's effectiveness. Cases will be decided on their individual merits. Many courses, such as non-vocational degrees, may add value to the contribution that an individual can make to the Council, but this added value may be difficult to relate in a direct way to the tasks that they must fulfil in their current post. Even if a good case cannot be made for a significant and direct link with the skills and knowledge required in the current post, we may decide to provide partial sponsorship on the grounds that the course will result in sufficient added value to the individual and the organisation.

26. The costs of full and partial sponsorship are met from the central training budget held by the Human Resources Team. The entitlements, under full and partial sponsorship, are set out below.
<table>
<thead>
<tr>
<th></th>
<th>GCSE, A level, up to QCF Level 3 or equivalent</th>
<th>Degree and equivalent, QCF Level 4 or above</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>100% Sponsorship</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fees, (inc registration, tuition and exam fees)</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Necessary membership of professional body concerned</td>
<td>N/A</td>
<td>100%</td>
</tr>
<tr>
<td>Travel expenses for compulsory attendance</td>
<td>100%, in accordance with Council’s procedures</td>
<td>100%, in accordance with Council’s procedures</td>
</tr>
<tr>
<td>Accommodation, travel expenses, meals and tuition for essential residential components</td>
<td>100%, in accordance with the Council’s procedures</td>
<td>100%, in accordance with the Council’s procedures</td>
</tr>
<tr>
<td>Compulsory contact time, (including &quot;day release&quot;)</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Paid study leave (pro rata for part time employees)</td>
<td>Max 5 days per annum of the course, subject to a total max of 15 days for the whole course</td>
<td>Max 10 days per annum of the course, subject to a total max of 30 days for the whole course</td>
</tr>
<tr>
<td>Paid exam leave</td>
<td>100% of exam times</td>
<td>100% of exam times</td>
</tr>
<tr>
<td>Essential study material, not automatically provided</td>
<td>Up to £50, upon submission of receipts</td>
<td>Up to £100, upon submission of receipts</td>
</tr>
<tr>
<td><strong>50% Sponsorship</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fees, (inc registration, tuition and exam fees)</td>
<td>50%</td>
<td>50%</td>
</tr>
<tr>
<td>Necessary membership of professional body concerned</td>
<td>N/A</td>
<td>50%</td>
</tr>
<tr>
<td>Travel expenses for compulsory attendance</td>
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<td>Accommodation, travel expenses, meals and tuition for essential residential components</td>
<td>50%, in accordance with Council’s procedures</td>
<td>50%, in accordance with Council’s procedures</td>
</tr>
<tr>
<td>Compulsory contact time, (including &quot;day release&quot;)</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Paid study leave (pro rata part time employees)</td>
<td>Max 2.5 days per annum of the course, subject to a total max of 7.5 days for the whole course</td>
<td>Max 5 days per annum of the course, subject to a total max of 15 days for the whole course</td>
</tr>
<tr>
<td>Paid exam leave</td>
<td>100% of exam times</td>
<td>100% of exam times</td>
</tr>
<tr>
<td>Essential study material, not automatically provided</td>
<td>Up to £25, upon submission of receipts</td>
<td>Up to £50, upon submission of receipts</td>
</tr>
</tbody>
</table>

27. Payment of overtime will not be made for time spent traveling to destinations associated with studying for courses, nor for time spent studying for such a course.

28. Study leave will need the approval of the manager, which can be applied for through the Absence worklet in Workday.

29. Sponsorship (full and partial) may be restricted to certain parts of courses, (measured in stages of a course, if any, or years, whichever is applicable). The case for further sponsorship for the remaining stages or years can then be reviewed in the light of the benefits to the Council already achieved or likely to be achieved, and any subsequent changes in the Council’s admin budget.

**Procedure for Requesting Sponsorship**

30. In order to allow full consideration of new requests for sponsorship in the light of the available financial provision, colleagues should complete a Long Course Sponsorship form (also available in HR templates in Word), have it approved as appropriate, and return it to the Human Resources Team.

31. If sponsorship is agreed, the individual and their manager should have regular updates to review progress and how the learning can be applied at HEFCE. A more formal review in relation to progress should be incorporated in the Annual Development Review.

32. Approximately half way through the sponsored course HR will invite the colleague concerned to have a chat with regard to how the course is progressing.

33. Courses need to be completed within the original agreed timescales, if however there are exceptional circumstances, an extension may be requested. In this instance, the individual would need to complete an Extension form, (also available in HR templates in Word).

34. Upon completion of the course, colleagues will be required to complete an evaluation followed by a discussion with the Human Resources Team.

**Cancellation Penalties for Non Attendance at Development Events Organised Centrally**

35. It is important that when development events are organised centrally, employees who have booked places and who subsequently find that they cannot attend the course do not cancel at the last minute. Late cancellations make it difficult
to organise cost effective events. Problems can also be experienced by facilitators if they are left with numbers which are too small for effective work.

36. As an organisation which is committed to the Investors in People standard, we need to ensure that we take effective action to support our development activities. There is therefore a scheme whereby cancellation penalties are levied upon the relevant team budget, depending on whether notice is given and on the length of that notice. The details are set out below:

<table>
<thead>
<tr>
<th>Notice Period</th>
<th>Cancellation Penalty</th>
</tr>
</thead>
<tbody>
<tr>
<td>More than 7 working days</td>
<td>None</td>
</tr>
<tr>
<td>24 hours – 7 working days</td>
<td>£100</td>
</tr>
<tr>
<td>Less than 24 hours, or no notice</td>
<td>£200</td>
</tr>
</tbody>
</table>

**Process for Charging Penalties**

37. All notices of cancellation must be made in writing (email is acceptable) to the Human Resources Team. If the reason for non-attendance is sickness, no penalty will be imposed as long as a self-certification or a GP’s fit note is provided to the Human Resources Team.

**Travel Expenses for Attendance at Development Events**

38. Travel expenses for all development events, (except those covered by the 50% sponsorship rules), will be paid in line with the Council’s travel and subsistence procedures.
3 Human Resource Policies and Procedures

3.12 Diversity and Equal Opportunities Policy

1. We are committed to promoting diversity and equal opportunities in employment. The aim of this policy is for the Council to have a diverse and well motivated workforce where all employees are treated equally. We will encourage the diverse nature of our workforce and promote equality by ensuring that no one is treated less favourably than another on the grounds of ethnic origin, nationality, disability, age, gender, religion, marital status, family responsibility, sexual orientation, social class or other distinction unrelated to the requirement of the job, in any matter relating to employment. Our intention is to reflect not only the letter but also the spirit of diversity and equal opportunities legislation. We oppose all forms of unlawful and unfair discrimination.

2. Through this policy we aim to ensure that the Council accesses the widest labour market and secures the best employees for its needs, and that no applicant or employee receives less favourable treatment than another on the grounds of ethnic origin, nationality, disability, age, gender, religion, marital status, family responsibility, sexual orientation, social class or other distinction unrelated to the requirement of the job. Wherever possible employees are given the help they need to attain their full potential to the benefit of the Council and themselves. The Council aims to have a workforce that as far as possible, reflects the working population mix in the relevant labour market areas.

3. We are committed to the requirements of all relevant legislation concerning equality of opportunity and diversity as included in the Equality Act 2010. This policy applies equally to the treatment of Council employees and to its external stakeholders.

4. All Council employees have a personal responsibility for the practical application of the above aims of this policy and managers have a responsibility to ensure that all colleagues are aware of the policy and how it affects them as individuals. The Chief Executive has overall responsibility for ensuring that the policy is consistently applied.

5. To ensure that this policy is operating effectively the Council maintains records of employees and applicants’ racial origins, gender and disability in line with the Data Protection Act 1998. On-going monitoring and regular analysis of such records provide the basis for an appropriate action to eliminate unlawful direct and indirect discrimination and promote diversity in employment.

6. This policy and the measures to implement it have been devised on the advice of relevant bodies as well as in consultation with employees and the PCS union.

Policy Application

Recruitment and Selection

7. To encourage diversity and equal opportunity the selection process will be based on the ability of the individual to perform the job advertised. All recruitment interviews will consist of a panel of employees who will be coached/trained to be competent in the recruitment and selection process.
8 Job advertisements will make reference to our commitment to diversity in employment. No statements that cannot be justified on work related grounds will be included in the advertisement, job description or person specification. We will also encourage advertising in places that are accessible to the whole community. Recruitment and selection data will be monitored annually by the Human Resources Team.

Induction
9 All new employees will be made aware of this policy and its implications and how it affects their role in the Council as part of the induction process.

Training and Development
10 Employees will have access to appropriate training that is required for the further development of the individual and the Council.

11 All training courses developed by the Council will be reviewed for compliance with this policy. In addition the Council has an employment duty under the Equality Act 2010 to review and provide appropriate coaching/training on racial awareness.

12 Performance review data will be monitored and evaluated annually and reviewed and revised as appropriate, to ensure that colleagues are reviewed on the basis of their merits and abilities as required for the post concerned.

Terms and Conditions of Employment
13 The Human Resources Team will review our terms and conditions of employment to ensure that they reflect our commitment to diversity.

Monitoring
14 To help identify possible areas of discrimination in any aspect of policy implementation, the Human Resources Team will collect, monitor and periodically analyse relevant diversity and equal opportunities data of both our workforce and of applicants for job vacancies.

15 The policy will be reviewed and updated in line with good and any relevant employment law.

16 The Chief Executive will provide the Board with an annual report analysing any potential problems and suggesting appropriate action. This report will also be available to all employees through Councilnet.

17 All personal data collected for the specific purpose of ensuring the effectiveness of the diversity policy will be treated in the strictest confidence. Employees will be able to check/ correct their own record of these details, however access to this individual information will be restricted to the Human Resources Team.

Flexibility/Work Life Balance
18 The Council provides for flexibility in employment as outlined in its work life balance policy and guidelines. This is designed to accommodate different working
requirements and arrangements within the organisation, to assist colleagues to both perform well and balance their home and work life.

**Consultation**
19 The Council recognises the PCS union as specified in our partnership agreement and regularly consults with all staff and the PCS union on changes within the organisation, taking into account the differing views and opinions of colleagues.

**Grievance/bullying and harassment complaint procedure**
20 Colleagues have the right to invoke the Council’s grievance/bullying and harassment complaint procedure if they consider that they have been the subject of discrimination by the Council or one of its colleagues. If they wish, colleagues may approach our harassment officer (Human Resources Consultant) or any member of the Human Resources Team to discuss any issues of perceived inequality prior to invoking this procedure.

**Disciplinary Action**
21 Any breach of this policy will be regarded as misconduct and could lead to disciplinary proceedings under the Council’s disciplinary and capability procedure.
3 Human Resource Policies and Procedures
3.13 Dignity at Work Policy

What is it?

1. One of the key aims of our People Strategy is to “provide people with a healthy, safe working environment in which individuals are treated with respect”. We wish to be an organisation that prioritises the well being of people in an inclusive culture which values diversity and is free from bullying, harassment and discrimination. This policy is designed to support our aims by articulating our approach and outlining how we will deal with issues if they arise.

Who does it apply to?

2. All employees within the Council - both as individuals and managers - all have a responsibility to ensure that they treat all people at work, both work colleagues and visitors, with dignity in the workplace, respecting their contribution to work and creating professional working relationships where people feel comfortable sharing their views. All employees share this duty of care to our work colleagues and visitors.

3. We aim to create a workplace culture which encourages positive, supportive and open interactions and are committed to tackling behaviour deemed inappropriate in working relationships. In most instances we believe issues can be resolved informally, however we will take any complaints seriously and investigate them swiftly. In certain circumstances, where the incident appears to be very serious or occurs repeatedly we will follow the formal procedures detailed below.

What is inappropriate behaviour?

4. We would consider any form of bullying or harassment as inappropriate behaviour at work. Harassment is unwanted verbal, non-verbal or physical conduct which affects the dignity of an individual or a group of individuals in the workplace. It is actions or comments that are seen as demeaning or unacceptable to the recipient.

5. Bullying can be defined as action(s) instigated over a period of time which cause an individual(s) to feel stressed and upset. It is also defined by the impact it has on the individual and not the intention of the perpetrator. Bullying is unreasonable, unwelcome and offensive workplace behaviour which adversely affects the dignity of the recipient. Examples include shouting, unfair or persistent criticism, excluding individuals, threats and instilling fear, inappropriate use of email and jabber chat, spreading malicious rumours, constantly undervaluing effort, withholding information, removing areas of responsibility and imposing inappropriate tasks.

6. Bullying is generally action that occurs over a period of time, or on more than one occasion. One off incidents where one individual feels that their dignity has been
affected may constitute inappropriate behaviour, however this does not necessarily amount to bullying.

7. Certain behaviour or actions may be acceptable to one individual while unacceptable to another. It is the deed and the impact on the recipient which constitutes harassment and/or bullying.

8. Everyone has a responsibility to behave in a way that is not offensive to others and to acknowledge that views and opinions held by others, and decisions made by managers may not always coincide with their own. Such differences are unlikely to constitute harassment.

9. Those employees in positions of authority have both a right and responsibility to discharge managerial duties. In so doing they may need to adopt an assertive style, but they should take care not to demean, devalue or intimidate others, treating all with respect.

10. If an employee appears to be making mischievous or malicious complaints, they may be subject to disciplinary action in line with the Council’s disciplinary procedure. Disciplinary action will not be taken however if a complaint made in good faith is judged to be unfounded.

If issues occur, how will they be resolved?

11. All complaints will be dealt with confidentially. However we have a duty of care to all employees and occasionally it may be necessary to investigate and take action regarding a complaint without the consent of the complainant.

12. The complaint procedure follows a standard dispute resolution process:

- Informal complaint: This involves the parties discussing the issues informally with support from the manager, HR consultant and trade union representatives.

- Mediation: On occasions the Council may suggest the introduction of a mediation process to assist in either achieving a solution or assisting with work place relationships. This process is only acceptable if all parties voluntarily agree to its introduction. HEFCE Mediation procedure: D2014/36817.

- Formal grievance: If following the informal process no agreeable solution is achieved, then employees may take a formal grievance – they must outline the details of the case in writing – this will then be investigated as outlined in the Council’s Grievance/Bullying and Harassment procedure link which includes an appeal process.

- An outcome of the formal grievance may be that formal disciplinary action is taken.

Informal complaint and mediation
13. If any employee feels uncomfortable as a result of the behaviour of another employee/visitor, they should discuss this with their manager, a HR consultant, the union, or a work colleague. They could also contact the Council’s employee assistance programme provider (Right Management previously Corecare). All forms of harassment including bullying are inappropriate and prejudice dignity at work.

14. Following this initial discussion a meeting will be arranged if required, where the parties involved can have an open and honest discussion. Both parties should be provided with support if requested. Support and advice can be provided from the HR team or union representatives. In specific cases it may be appropriate to mediate between the two parties. The HR team will arrange any mediation process.

**Formal grievance/complaint**

15. If difficulties cannot be resolved informally, formal redress is available through the Council’s grievance/bullying and harassment procedure. Any complaints made about harassment, bullying or other inappropriate behaviour will be investigated thoroughly and without delay, according to the approved procedures.

16. If a complaint appears to be vexatious or malicious, disciplinary action in line with the Council’s disciplinary procedure may be taken against the complainant; however disciplinary action will not be taken if a complaint made in good faith is judged to be unfounded.

**Disciplinary action**

17. If appropriate, disciplinary action will be taken against an employee who has subjected any other employee/visitor to unacceptable treatment. In extreme cases, where the behaviour was seriously in breach of this policy, the employee may be dismissed.

18. These procedures are consistent with the Council’s diversity and equal opportunities policy. All colleagues involved in the grievance/complaint and disciplinary/capability process must act in accordance with these policies. To comply with the Data Protection Act 1998 all records concerning grievance/complaint and disciplinary/capability action will be kept confidential.

**How will we monitor the impact of this policy?**

19. We expect this policy to contribute to an increase in the understanding and behaviour of people regarding dignity and respect, with more people reporting positively on their perceived on the level of respect within the Council and the eventual eradication of any disrespectful behaviour such as bullying or harassment over time. This is because we hope there will be an increase in awareness regarding what is acceptable behaviour and we hope people will be more aware of the support available to them. We will monitor this annually through the staff survey (including people who
have left the Council during the year). We will also monitor the number of disciplinary and grievance cases.

**HEFCE Mediation process**

**Introduction**

To assist with the resolution of issues, HEFCE encourages employees to consider using the mediation process to help them come to agreements and solve issues. Mediation is a completely voluntary and confidential process that operates totally outside the normal working environment and structure.

The mediation process is managed by a totally impartial trained mediator, who will assist two or more individuals or groups - who have a difference of opinion or are unable to come to an agreement on an issue - to reach a solution that is acceptable to everyone. The mediator can discuss the issues with both sides separately or jointly. Mediators do not make judgments or determine outcomes, they remain impartial at all times - they ask questions that help to uncover underlying problems, they assist the parties to understand the issues and help them to clarify the options for resolving their difference or dispute.

The overriding aim of workplace mediation is to restore and maintain the employment relationship wherever possible. This means the focus is on working together and moving forward, this process is not about determining who was right or wrong in the past. The mediation process concentrates on the future. Also the mediation process takes place outside the normal workplace environment and structure and is always a totally confidential process.

Many kinds of dispute can be mediated, if those involved want to find a way forward. It can be used at any stage in a dispute but will be more effective the sooner it is introduced.

Mediation agreements are not intended to be legally binding or enforceable, but binding in honour only, however, some employment contract changes may be made as a result of the mediation.

**Mediation code of conduct**

Mediation practice standards are based on key elements, this code of conduct must be adhered to at all times.

- **Voluntary participation**
  The process is totally voluntary, both parties chose whether or not to participate and can withdraw from the mediation at any point. The parties are encouraged but not pressurised to take part. If any pressure is exerted on either party o attend then a resolution is much less likely.

- **Informed choice**
Mediation is one option for the resolution of conflict, however this may not be the ideal option and the pros and cons of mediation must be discussed with each party. Both parties have the opportunity to decide whether they wish to take part in the process and to decide whether mediation is an appropriate tool to use in their situation.

- **Confidentiality**
  Mediation is a totally confidential process. The mediator will not pass on information received without permission and no discussions can be voiced elsewhere, unless both parties agree to this. All those involved must undertake to keep the mediation discussions confidential. Total confidentiality will ensure that the process is a totally safe and secure environment for both parties to discuss their issues.

- **Impartiality**
  The mediator will remain impartial at all times and will not judge or advise the parties at any time. The role of the mediator is to facilitate and manage the process and not to make decisions or provide options or a solution. The mediator will ensure confidentiality and respect are adhered to at all times.

- **Fairness**
  The mediator will ensure that the whole mediation process is fair at all times and will check with the parties that they feel this is the case.

- **Respect**
  During the mediation process, all those involved will treat each other with respect at all times. The mediator will agree the ground rules with the parties and this will encourage respect and safe confidential discussions during the mediation.

- **Non discriminatory**
  The mediator will not discriminate in any way against either party, also both parties must ensure that they treat the other party and mediator with respect at all times.

- **Safe**
  The mediator will ensure that the whole mediation process is “safe”; the environment must be respectful and sensitive to both parties. The mediator will remind the parties that the process is confidential and respectful at all times. The whole process is also voluntary, so either party can halt the process at any time, if they wish to do so.

- **Clear**
  The mediator will explain the process fully to both parties, so that all those involved are aware and understand what the process is for and what will occur at each stage, the parties are free to ask questions and seek clarification at any time during the process.

- **Self awareness**
  The mediator will ensure that he/she is self aware and fully understands the effect of his/her behaviour on the parties at all times.

- **Evaluation**
  The mediator will reflect and evaluate during and after the process, to ensure that the process is being followed correctly and identify any areas for improvement. The mediator will also ask the parties for their opinions at the end of the process.
The key practice standards set out above and the requirements of the code of conduct maintain the professionalism of the mediation process. All those involved will be made aware of and must abide by the key elements of confidentiality, respect, impartiality and voluntary participation at all times. This will maintain the professionalism, reputation and confidence in the process which in turn creates trust and respect for the process and the outcomes.

Mediator’s role

- Mediators are impartial facilitators/managers of the mediation process, they will be totally neutral; the mediator is not a judge or an advisor, but they ensure that the process is followed correctly.
- All notes that the mediator takes will be destroyed at the end of the process to demonstrate the confidentiality in the process. The mediator will not discuss anything they have listened to from either party with the other party, or outside with anyone else after the joint meeting.
- The mediator must continually reaffirm that nothing of the mediation process will be raised again and the mediator will not take sides at any time, but will facilitate the process and hopefully assist in creating the environment for the two parties to find a solution. The mediator remains impartial.
- The mediator is the manager and protector of the process and ensures that the parties adhere to the rules at all times. It is vitally important that the mediator continues to stress the confidentiality element of the process and also the voluntary nature of the process. Both parties should only be at the mediation because they want to be.

In summary, the mediator is the protector of the process and ensures it remains fair and equal, confidential and voluntary.

Mediation stages

Stage 1 - Separate meetings with the parties, planning and preparation.
The mediator has an introductory and fact finding meeting with each party. The mediator also plans and prepares for the next stage of the mediation. Both introductory meetings will include an explanation of the mediation process and roles and also include discussion regarding the issues in question. These meetings will be held confidentially outside the normal workplace. Attendance is voluntary, and the parties may end the meeting at any time if they wish to do so.

At this initial stage the mediator meets the parties separately and explains the role of the mediation and mediator. The mediator also seeks commitment to the process from the two parties. In the initial meeting the mediator also finds out more about the issues and actively listens to the parties building empathy and trust. It is also important that the mediator establishes their impartiality and both parties agree to the confidentiality of the process. Having gained agreement to continue with the process, the mediator prepares the parties for the joint meeting.

After these meetings the mediator assesses the suitability of the process to the parties and the issues in question and considers face to face or separate mediation and also whether the mediator requires a co mediator to assist with the process. They will also make all the appropriate arrangements for the next stage meeting.
Stage 2 – Hearing the issues
The mediator invites the two parties to a joint meeting, or joint discussions in separate rooms, depending on the issues. The mediator will run through the roles once again, outline the process of the day and agree ground rules with the participants. The mediator will also ask each party to outline the situation as they see it and from these outlines will agree an agenda for the discussion with both parties.

The mediator will meet the parties and recap on the process and the key elements of the mediation process, in particular the confidentiality and voluntary nature of the process. The mediator will remind the parties of the process and the mediator’s role. The mediator and the parties will agree the ground rules and agree that respect throughout the process is paramount, ensuring that there is uninterrupted time for both parties. The parties will be able to state how they see the issues and the mediator will clarify these for all. From this summary the parties will agree an agenda.

Stage 3 - Exploring the issues
The mediator will then facilitate discussion around the issues in question, encouraging both parties to become future focused and discuss how they feel about the issues and possible solutions.

The mediator will guide the parties through the agenda, sorting the items for discussion and encouraging communication on these issues, clarifying what has been said, checking assumptions and understandings. It is also important that the mediator moves the focus from the past to the future and identifies conciliatory gestures and areas of common ground.

Stage 4 – Building and writing agreements
Through discussion the parties begin to build agreements on the issues in question and as they do agree to the forward management of these issues. When all the issues have been discussed the mediator will write any agreements that have been made, any unsolved issues will be highlighted as such.

Stage 5 – closure and follow up
The mediator will close the session and the parties will confirm through the written agreement if any element of the agreement will be available to others or will remain confidential between the two parties. If there is no agreement the parties will agree their actions after the meeting and discuss the process of follow up if this is required.
3 Human Resource Policies and Procedures

3.14 Grievance / Bullying and Harassment Complaint Procedure

Informal resolution

1. All Council employees are encouraged to discuss any possible grievances / bullying and harassment or other contraventions of the Council’s dignity at work policy informally with either their manager, a member of the HR Team, a union representative or work colleague, at the earliest possible stage. The Council aims to create an open and consultative culture where all employees should feel able to discuss any issues of concern, and encourage the informal, effective and efficient resolution of any possible conflicting situations.

2. Any employee who is approached by another work colleague, concerning possible grievance/ bullying and harassment issues should make themselves aware of the grievance / bullying and harassment procedure available on Councilnet and advise the concerned employee to approach their manager, a HR manager or a union representative. The employee who has been approached could of course accompany the concerned employee when they discuss their issue with one of the above.

3. Colleagues are also encouraged to use the Council’s Employee Assistance Programme provider (currently Right Management), which will be able to provide confidential advice and assistance.

4. Any issue concerning the management of the team, should normally be addressed to the employee’s manager. However, if the employee feels uncomfortable approaching their manager they could approach either a member of the HR Team or a union representative to discuss their concerns in the first instance.

5. A HR Consultant will be available to attend any informal grievance meeting between an employee and their manager as an impartial source of information for both parties.

6. On occasions the Council may suggest the introduction of mediation to assist in either achieving a solution or assisting with work place relationships. This process is only acceptable if all parties voluntarily agree to its introduction. The HR consultant involved will advise on this process as appropriate.

Formal resolution

7. Whilst the Council aims to encourage informal resolution of problems, there may be occasions when an employee is not satisfied with the outcome of the informal approach and the matter remains unresolved. The Council encourages all employees to use informal routes in resolving the problem before moving onto the formal grievance / bullying and harassment procedure if at all possible.

8. The formal grievance / bullying and harassment complaint procedure is as follows:
a) The employee states their grievance/complaint in writing, giving as much detail as possible and setting out the details of the case. This written statement could also include their preferred remedy for the resolution of the grievance / complaint.

b) The employee sends their written grievance / complaint to their manager with a copy to their manager’s manager and the HR consultant. (If the grievance / complaint is against the employee’s manager then the written document should be addressed to the manager’s manager).

c) The manager will respond to the written grievance / complaint within five working days of its receipt. The manager will then arrange to hold a meeting with the employee to discuss the grievance / complaint. This initial meeting should take place within ten working days of the receipt of the written grievance / complaint. At this meeting the employee and manager will discuss the issues of concern. The HR manager will also be at the meeting to advise and record the meeting. The employee may bring a work colleague or a union representative to the meeting.

d) At the meeting the employee will have the opportunity to explain their grievance / complaint and have the opportunity to say how they think it should be resolved. The manager will ask questions for clarification if necessary.

e) The manager will then adjourn the meeting to investigate the grievance / complaint. This may involve interviewing other employees involved. Individuals interviewed during this process, may have a work colleague or union representative with them at that interview. If the grievance / complaint has been taken out against the employee’s manager, then the managers’ manager will need to interview the manager in question. The manager may have a union representative or a work colleague with them at that interview. This investigation process will take place as soon as is practically possible.

In bullying and/or harassment cases it will be possible for someone unconnected with the incident, usually a member of the HR Team to conduct the investigation. It may be possible to ask for an alternative person to carry out the investigation – for example in a case of sexual harassment, you may ask for the person carrying out the investigation to be someone of your own gender. The Council will endeavour to meet all valid requests where practicable

f) Following the investigation the manager will inform the employee of the outcome of the investigation by reconvening the meeting. The outcome of the meeting will be confirmed in writing. The employee will also be advised of his/her right of appeal.

9. If any employee is unclear about the procedural aspects of the grievance / complaint procedure, they should discuss these with the HR consultant.

10. Please note that until the matter is resolved status quo shall prevail unless in specific circumstances involving bullying and harassment complaints where it may be appropriate for the parties involved to work apart from each other. This may not always be possible.
11. Every effort will be made to adhere to the prescribed timescale, there may be reasonable circumstances where this may not always be possible, due to work commitments, leave or sickness. In the event, an explanatory letter will be sent and alternative timescales set out. However, the resolution of a grievance / complaint will remain a priority issue and will be dealt with as swiftly as possible. Overall we would aim to ensure that this process is completed within a two month period.

12. The grievance / complaint procedure may also be applied to collective grievances / complaints, i.e. that which directly effects more than one colleague. In these circumstances the process will be the same.

13. If a grievance / complaint is taken out against the Chief Executive it should be addressed to the Chair, with a copy sent to the HR consultant.

Appeal
14. If an employee is not content with the outcome of their initial grievance / complaint they have the right to appeal. This appeal will be heard by the relevant director.

15. If the original grievance / complaint meeting was chaired by the director, and if the employee appeals against this decision, the appeal will be heard by another director/ Chief Executive. If the original grievance / complaint meeting was chaired by the Chair, any appeal against the Chair’s decision should be addressed to the Chair of the Audit Committee.

16. When deciding to appeal the individual must write to the relevant director stating the grounds for appeal and outlining the reasons for the appeal. This must be sent no later than ten working days after receipt of the letter outlining the decision of the grievance / complaint. A copy of this must also be sent to the HR manager.

17. The director will then invite the employee to an appeal meeting to discuss the issues. The appeal meeting will be normally be held within ten working days of the receipt of the appeal. A HR consultant will also be at the meeting to advise and record the meeting. The employee may bring a work colleague or a union representative to the meeting.

18. At the meeting the employee will have the opportunity to explain their reason for appeal and the director will ask questions for clarification if necessary.

19. The director will then adjourn the meeting to investigate the appeal, this may involve interviewing any other employees involved. Individuals interviewed during this process including the manager if appropriate, may have a member of the union or work colleague with them at that interview. This investigation process will proceed as soon as is practically possible.

20. Following the investigation the director will inform the employee of the outcome of the investigation by reconvening the meeting and confirming in writing. This decision will be made within ten working days of completion of the appeal
investigation or the appeal meeting, if there is not an appeal investigation. The decision made at the appeal stage will be final.

**Monitoring and Review**

21. This policy and procedure do not form part of an employee’s terms and conditions of employment and will be reviewed and updated as appropriate.

22. The number of cases subject to this procedure will be recorded in the annual Board paper on People.
3 Human Resource Policies and Procedures

3.15 Capability and Disciplinary Policy and Procedure

1. This policy sets out the procedures that apply in cases of capability or discipline.

2. The procedures are designed to:
   - Set standards of performance and conduct
   - Encourage employees to meet those standards
   - Deal in a consistent and fair manner with employees who do not meet those standards and identify ways to help them improve
   - Be applied in a consistent, fair and prompt way.

3. The procedures are not contractual and the Council reserves the right to amend the procedures from time to time as it considers necessary.

Scope of the Procedures

4. The **disciplinary** procedure is appropriate in cases of misconduct. The disciplinary procedure may also be followed in cases of continued or wilful poor performance.

5. The **capability** procedure is appropriate where an employee has not wilfully or deliberately fallen short of satisfactory standards, but where a lack of skill, aptitude or training is preventing them from performing at the required level. The procedure focuses on improvement and development and should be linked to the annual performance review process where possible.

6. The Council understands that disability, long term or episodic ill health may affect performance or attendance levels. If the capability or disciplinary procedure is invoked the Council will take account of any relevant health issues and these will be managed appropriately or will have been dealt with prior to this process. If by reason of a relevant health issue an employee requires any adjustments to this procedure they should discuss the situation with a member of the Human Resources Department as soon as possible.

7. The day-to-day management of employees and monitoring of their performance and conduct is part of the normal managerial process. Minor misconduct or under-performance can usually be dealt with informally, by the manager discussing the issues with the employee.

8. The formal capability and disciplinary procedures are designed to deal with situations where the informal approach has not led to the required improvements, or where a case is sufficiently serious that immediate recourse to the formal procedure is necessary. In all cases employees will be clearly made aware of the situation and notified accordingly.

9. The procedures can be invoked at any stage depending upon the seriousness of the misconduct or poor performance: each case will be dealt with on an individual basis. The procedures do not apply to employees during any probationary period.
10. The Council will investigate complaints or allegations of misconduct or poor performance to establish the facts of each case. Following the investigation, the Council will decide whether to take the matter further under the procedure or not.

11. At every stage in the procedure the employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any capability/disciplinary action is taken.

12. In all formal capability/disciplinary meetings the employee will have the right to be accompanied by a work colleague, or trade union representative. The employee will give reasonable notice to the manager conducting the meeting of who will be accompanying them to the disciplinary/capability meeting. The companion will be able to address the meeting, confer and assist the employee in giving his/her answers, but will be unable to answer questions on the employee's behalf.

13. The Council will record any disciplinary action taken. This information will be retained on the employee's personnel record. All warnings given under the procedures will typically be 'live' for a period of 12 months, however, subject to satisfactory behaviour, conduct and performance, this 12 month period may be extended where the Council considers it to be reasonable to do so in view of the seriousness of the offence or poor performance. Further, the Council reserves the right to take account of prior conduct and expired warnings when dealing with subsequent allegations of misconduct or poor performance.

14. The Council reserves the right in its absolute sole discretion to extend the period of time in which the warning is live to reflect any period of time for which the employee is absent from work (not including annual leave) whilst the warning is live.

15. All employees have the right to appeal against any disciplinary/capability penalty.

16. Each step and action under the procedures will be taken without unreasonable delay. We would normally expect this to be within 2 months from the instigation of the procedure, however circumstances may mean that it could take more or less time.

17. Employee's will be provided with appropriate evidence supporting the complaint against them and also advised of the issues prior to the hearing. The Council reserves the right to take such steps as it considers appropriate to protect confidentiality and/or the interests of itself and other people. Any information communicated to the employee in connection with an investigation or disciplinary matter must be treated as confidential.

18. The employee, and anyone accompanying the employee (including witnesses), must not make electronic recordings of any meetings or hearings conducted under the Procedure.

**Capability/Disciplinary Penalties**

19. When imposing penalties under the capability/disciplinary procedures the Council will endeavour to follow the guidance set out below. However, the Council may
omit one or more stages of the procedure where it considers that to be appropriate because of the seriousness of the conduct and/or extent of the poor performance.

**Verbal warning**

20. A verbal warning will normally be appropriate in cases of minor acts of misconduct or a failure to improve performance where informal counselling has failed to resolve the problem. In such cases, a note that a warning has been given (and the details of it) will be placed on the employee's personnel file. Any further misconduct or a failure to improve performance whilst that warning is "live" could lead to further disciplinary action being taken against the employee. A period of review and/or improvement may also be set.

**Written warning**

21. In the event of misconduct or unsatisfactory performance of a more serious nature and/or, after a verbal warning has been given, a further offence of misconduct or unsatisfactory performance occurs or if there has been a failure to improve and performance is still unsatisfactory, the employee will be given a written warning and a copy placed on their personal file. Any further misconduct or a failure to improve performance whilst that warning is "live" could lead to further disciplinary action being taken against the employee. A period of review and/or improvement may also be set.

**Final written warning**

22. In the event of misconduct or unsatisfactory performance which is considered sufficiently serious to warrant a final written warning, but insufficiently serious to justify dismissal and/or, after a first written warning has been given, a further or repeated offence of misconduct occurs or poor performance occurs, the employee will be given a final written warning. Any further misconduct or a failure to improve performance whilst that warning is "live" could lead to further disciplinary action being taken against the employee. A period of review and/or improvement may also be set.

**Dismissal**

23. In the event of gross misconduct, and/or, after a final written warning has been given, a further or repeated offence of misconduct occurs or if there is still a failure to improve and performance is still unsatisfactory, the Council will consider dismissal or summary dismissal. Dismissal for gross misconduct will be summary, i.e. immediate and without notice or pay in lieu of notice.

**Other sanctions**

24. The Council reserves the right to impose such other disciplinary sanctions as it considers appropriate, including demotion, transfer to a different role, a period of suspension without pay, a reduction in salary, loss of seniority, loss of future performance related/team award.

**Gross misconduct**
25. Gross misconduct is behaviour which, in the opinion of the Council, is so serious or so unacceptable that it is calculated, or likely, to irreparably damage the relationship of trust and confidence between the Council and the employee. It is not possible to set down a definitive list of all the specific offences constituting gross misconduct and, in any event, all cases will be dealt with on their own facts. However, the following examples give some guidance as to types of behaviour which, in certain circumstances, could be judged as gross misconduct:

- theft, fraud, dishonesty or deceit (including the provision or false or misleading information, bribery or corruption, or falsification of Council records)
- breach of safety rules potentially involving loss of life or injury to self or others
- a major breach of Council policies and procedures, for example, a serious or deliberate breach of your employment contract or of the Council’s policies or operating procedures
- serious misuse of Council property or the Council’s name
- a breach of duty including a disclosure of confidential information, for example, unauthorised use, processing or disclosure of personal data contrary to the Council’s policies and procedures in relation to data protection
- deliberate damage to Council property or property of other colleagues or third parties
- disorderly or indecent conduct/fighting/physical violence/threat of violence
- being charged with or convicted of a criminal offence (other than an offence which, in the opinion of the Council, does not affect the employee’s suitability to do the job and/or their relationship with the Council, colleagues or customers
- serious negligence, neglect or failure in the performance of duties
- undertaking unauthorised paid or unpaid employment during your working hours
- refusal to carry out reasonable management instructions, rudeness, or extreme discourtesy to other employees or third parties
- being under the influence of alcohol or unprescribed drugs during the course of employment
- possession, use, supply or attempted supply of illegal drugs
- indecent or illegal behaviour during employment
- misuse of council resources, including but not exhaustive:
  - deliberately accessing internet sites containing pornographic, offensive or obscene materials
  - a serious breach of the Council’s policies and procedures in relation to the use of IT, telecommunications, email and the internet
- breach of the Council’s Dignity at Work Policy, Diversity and Equal Opportunities Policy including racial and/or sexual discrimination and or discrimination based on disability, harassment and/or victimisation
- any other behaviour considered by the Council to be prejudicial to the interests or reputation of the Council

**Disciplinary Procedure**

**Suspension**

26. At any stage of the disciplinary procedure, if the case is serious enough, the employee may be suspended, with pay, whilst the circumstances of any complaint are being investigated.
27. Suspension is not a form of disciplinary action nor does it automatically follow that a disciplinary hearing will be called as a consequence of a suspension.

28. Employees should be informed clearly that they have been suspended; that the suspension will be for as short a period as possible and that they will be called back for an investigatory meeting.

Informal Warnings/Discussions (Disciplinary)

29. It is expected that minor cases of misconduct will be dealt with informally through the employee’s manager. If the situation is not resolved or if the issue is sufficiently serious, the line manager may instigate the formal stage of the disciplinary procedure.

Formal Warnings/Procedure (Disciplinary)

30. Formal disciplinary meetings will be chaired by an appropriate manager. A HR consultant will usually also be present to provide advice on the process and take notes of the meeting.

31. If formal action is necessary the employee will be invited to the disciplinary meeting and given reasonable notice of this meeting in writing/by email if the employee agrees to be contacted by email. The letter will outline the Council’s concerns and the potential consequences if they are found to be true.

32. The Council will consult the police in all cases of illegal activity such as theft or fraud. The Council will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where the employee is unable or has been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, a decision may be taken based on the available evidence.

33. The employee (and any companion) must make every effort to attend the disciplinary meeting. If the employee (or their companion) cannot attend the disciplinary meeting they must inform their manager and the HR consultant in advance (and as soon as possible) and another meeting time will be arranged. A decision may be taken in the employee’s absence if they fail to attend an arranged meeting without good reason.

34. The aim of the disciplinary meeting will be to establish the facts and, if appropriate, identify the cause(s) of the conduct to determine what action, should be taken. At the meeting the details of the allegations and relevant evidence will be explained to the employee.

35. The meeting is an opportunity for the employee to set out their case and to answer the concerns raised by the Council. The employee will be invited to give an explanation of the matter at the meeting and to make representations.
36. It may be necessary to adjourn the meeting for further investigation into the facts, following the employee’s explanation. During the adjournment, the evidence and the employee’s responses will be considered.

37. After the meeting a decision will be taken concerning the relevant action to be taken. The manager will decide whether any, and if so what, disciplinary action is appropriate. The Council may implement the procedure at any stage if it considers that the misconduct warrants it.

38. The employee will be informed of the manager’s decision as soon as reasonably practicable after the meeting. In some circumstances this decision may be delayed, for example, where the employee has raised issues that require further corroboration or investigation or where complex issues requiring detailed consideration have arisen.

39. The decision will be confirmed in writing/by email if the employee agrees to be contacted by email, unless the decision is a verbal warning, in which case a note of this verbal warning will be placed on the employee's personal file, a copy of which shall go to the employee.

40. Continued or wilful poor performance/behaveiour may result in further action being taken under the disciplinary procedure, up to and including dismissal.

41. Employee’s will not normally be dismissed for a first act of misconduct, unless the Council decides it amounts to gross misconduct or is sufficiently serious to warrant dismissal or the employee has not yet completed your probationary period.

**Capability Procedure**

**Informal Warnings/Discussions (Capability)**

42. If an employee’s standard of work or quality of performance is of concern, their manager should discuss this with the employee, explaining the clear standards of performance that must be attained. The manager should also identify activities and support measures to effect the necessary improvement and should set a review period. A progress meeting should then be held with the employee at the end of this review period to discuss the outcome.

43. If the employee's performance does not improve to the required standard and there are still concerns regarding the capability of the employee to reach the required standard, or the problems are sufficiently serious, the line manager will instigate the formal stage of the capability procedure.

**Formal Warnings/Procedure (Capability)**

44. Formal capability meetings will be chaired by an appropriate manager. A HR consultant will usually also be present to provide advice on the process and take notes of the meeting.
45. If formal action is necessary the employee will be invited to the capability meeting and given reasonable notice of this meeting in writing and by email if they agree to receiving communication by email. The letter will outline the details of the capability issues and the potential consequences if the employee's performance fails to improve.

46. The employee (and any companion) must make every effort to attend the capability meeting. If the employee (or their companion) cannot attend the capability meeting they must inform their manager and the HR consultant in advance (and as soon as possible) and another meeting time will be arranged.

47. The aim of the capability meeting will be to establish the facts and, if appropriate, identify the cause(s) of the poor performance. At the meeting the details of the shortfall in performance and relevant evidence will be explained to the employee. The manager will initially outline the issues and the current level of the employee’s performance.

48. The meeting is an opportunity for the employee to set out their case and answer the concerns raised by the Council. The employee will be invited to respond to the issues raised at the meeting and to make representations.

49. Following this discussion the manager will specify the required standard of performance to be achieved and the level of support the employee should expect. This will form the improvement plan for the employee. The improvement plan will also include:
   - details of any additional training and development required,
   - the required timescales in which improvements in the employee's performance are expected,
   - the frequency of review meetings,
   - the consequences of failing to meet the targets set,
   - the date of the next formal review.

The manager and employee should agree to follow the improvement plan in order to assist the employee to achieve the agreed required standard.

50. At the end of the review period the manager will assess the employee’s improvements achieved against the improvement plan. If the employee's performance has not improved to the expected standard, a disciplinary meeting may be held under the disciplinary procedure to determine the appropriate penalty and/or to set a further monitoring period and improvement plan.

51. Continued or wilful poor performance may result in further action being taken under the disciplinary procedure, up to and including dismissal.

Right of Appeal (Capability / Disciplinary)

52. All employees have the right of appeal against any formal action under the procedures, including dismissal. If an employee wishes to appeal they should appeal in writing within ten working days of receiving the written notification to the director identified in the letter, clearly stating the grounds for appeal. Please note, that an appeal will not suspend or delay any disciplinary/capability action taken (including dismissal).
53. The Council will deem that the notification of the disciplinary/capability decision will have been received by the employee within two days of it being posted. All correspondence will be sent to the employee's home address/email (personal/work) if they agree to receive communication by email, as notified by the employee to the Council from time to time.

54. An appeal meeting will be arranged. If a director is personally involved in a disciplinary case, the appeal will be heard by another director/Chief Executive. If the Chief Executive is personally involved in a disciplinary case, the appeal will be heard by the Chairman. The employee must make every effort to attend the appeal meeting. If the employee fails to attend the appeal meeting, the Council reserves the right to take a decision on the appeal in the employee's absence.

55. The employee has the right to be accompanied by a work colleague or trade union representative at the appeal meeting.

56. The employee will be notified of the outcome of the appeal meeting as soon as reasonably practicable.

57. The outcome of such an appeal is final.
3 Human Resource Policies and Procedures

3.16 Health and Safety at work policy

1. Our aim is to do all we reasonably and practically can to provide a healthy and safe environment for our staff, whether on HEFCE’s premises or elsewhere while on HEFCE business; and a safe environment for visitors and contractors while on HEFCE’s premises.

2. We will re-assess the risks to meeting this aim at least annually, including ensuring that we continue to identify the measures needed to comply with all relevant legislation, including safety audits. Actions will be taken to manage these risks with these actions being monitored by the Health, Safety and Environment Committee at each meeting, as necessary. Actions will also include other activities and working practices to ensure a healthy and safe environment and to promote the well-being of staff. These will include ensuring that adequate training is provided where necessary for staff to fulfil their health and safety roles; and ensuring we continue to meet the requirements of ISO 14001 and OHSAS 18001 (and its successor standard ISO 45001).

3. All new staff will receive a health and safety induction when they start work with HEFCE/OFFA. Refresher sessions will be available for all staff through online self-assessments. All Bristol Office contractors will receive a health and safety briefing before being allowed to commence work. Contractors working at the London Office are required to work in accordance to the London Office building policies. Visitors to the Bristol and London Offices will be advised through a notice in reception and information on the back of their passes. There will be a structured approach to these inductions and briefings so that staff, visitors and contractors consistently receive the key information they require.

4. In addition staff are reminded of their own responsibilities under the Health and Safety at Work Act 1974, namely:

To take reasonable care of their own health and safety and that of others who may be affected by their actions or omissions

To co-operate with HEFCE/OFFA to enable them to carry out their responsibilities properly.

5. In addition, if staff identify any potential or actual health or safety issues, whether on HEFCE/OFFA premises or while elsewhere on HEFCE/OFFA business, they should report this promptly to the Head of Facilities Management, or another member of the Facilities Management team for safety issues; and to the Human Resources team for health issues. Any accidents or incidents need to be recorded in the Accident and Incidents Book. Should an incident occur, staff are expected to provide assistance (for example, by covering telephones, dealing with visitors or taking other actions), when requested to do so by first aiders or fire marshals.

6. We will also look at the outcomes of the annual staff survey to identify any health issues that are raised and consider how these might be addressed.
7. The HEFCE and OFFA Chief Executives are ultimately responsible for ensuring that both the spirit and the letter of this policy are followed. In meeting this responsibility the Head of Facilities Management will provide advice and recommendations to the Chair of Health, Safety and Environment Committee on behalf of the Chief Executives. The Head of Facilities Management or the Human Resources representative will lead on implementing actions agreed by the Health and Safety Committee relevant to their areas of responsibility.

8. The Health, Safety and Environment Committee will report formally to the Chief Executives at the end of each operational year. An annual management review will also be submitted to the Executive and the HEFCE Board.

9. A number of members of staff have agreed to act as fire marshals and/or first aiders.

10. Details of specific policies and procedures that support this policy are included as part of the Staff Guide; these are:

   First aid procedures
   Fire safety policy and procedures
   Workstation & DSE Information/Eye tests
   Use of mobile phones whilst driving
   Smoke free environment
   Lone worker policy
   Wellbeing at work
   Work life balance
   Sickness Policy and procedure
   Stress management policy

This policy will be reviewed annually to ensure it continues to meet HEFCE/OFFA’s needs. Any revisions will be agreed with the Chief Executives.
Annex A: First Aid Procedures

1. In the event of an employee or person on the premises feeling ill or suffering an accident, please ensure the following procedure is followed.

2. Call one of the first aiders who will act in accordance with their guidelines. They cannot issue medicine but can practice basic first aid techniques including the appliance of bandages. Cold packs, plasters, burns dressings etc. Our first aiders are also trained in the use of a portable heart-start defibrillator.

3. Anyone using the First Aid room must be accompanied by a First Aider (unless you have permission for a private or medical need by standing or prior agreement).

4. Only First Aiders are allowed access to the first aid boxes under normal circumstances. In the unlikely event that a First Aider is not available, please contact a member of the Facilities Management Team or a member of the Human Resources Team.

5. If you have been injured or involved in an accident whilst off site but on HEFCE/Offa business, please report this to First Aid coordinator. If you see a potential problem on site that is likely to cause injury, please advise Facilities Management.

6. All accidents must be recorded in the accident book by a First Aider and will be given to the First Aid Co ordinator. All incidents are reviewed by the Health and Safety Committee to ensure that there are no ongoing health hazards, individuals names are treated with confidence.

7. Under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR), more serious incidents will also need additional reporting. The responsibility for making this report lies with Facilities Management. The report is made to the local Environmental Health Officer.
Annex B : Fire Safety Policy and Fire Procedures (Bristol/London)

Introduction

1. It is HEFCE’s policy to:-
   • ensure that all employees, contractors and visitors are protected from the risk of fire;
   • carry out fire risk assessments and identify, implement and maintain appropriate control measures;
   • ensure that all premises comply with the statutory requirements and minimise the risk of fire or the injuries that result from a fire incident; and
   • provide staff, contractors and visitors with sufficient and appropriate instruction and training.

2. The primary legislation for fire safety is The Regulatory Reform (Fire Safety) Order 2005 which came into effect in October 2006. The Order covers the general fire precautions and other fire safety duties which are needed to protect persons in case of fire in and around premises. Responsibility for complying with the Order rests with the “Responsible Person”.

3. The Chief Executive is designated as the “Responsible Person” on behalf of HEFCE. The Chief Executive delegates duties to the Directors, the Head of Facilities Management, and the appropriate employees within the Facilities Management team in Bristol and London, but remains responsible for ensuring that:
   • fire precaution are taken to protect employees, contractors and visitors
   • appropriate risk assessments are carried out when necessary and HEFCE is reviewed regularly; and
   • arrangements are put in place for the effective planning, organisation, control, monitoring and review of the preventative and protective measures against the risk of fire and that appropriate records are kept.

4. HEFCE employees have their own responsibilities under the Health and Safety at Work Act 1974 to take reasonable care of their own health and safety and that of others who may be affected by their acts or omissions and to co-operate with the Council to enable it to carry out its responsibilities properly. (See Staff Guide – 3.16 HEFCE Health and safety at work policy).

A list of Fire Marshals can be found on the Health and Safety page of CouncilNet.

Specific Responsibilities

5. The Chief Executive is designated as the “Responsible Person” on behalf of HEFCE, in addition to the general responsibilities listed above he/she is also responsible for ensuring adequate resources and skills are allocated to the management of fire safety and promoting a positive fire safety culture across the Council.

Directors
6. All Directors are responsible for promoting a positive fire safety culture in their areas of responsibility. They are responsible for ensuring adequate employee resources are made available for Fire Marshal duties.

**Head of Facilities Management**

7. The Head of Facilities Management has delegated responsibility from the Deputy Chief Executive for all the duties of the “Responsible Person” including the promoting of the positive fire safety culture across the Council.

8. In addition the Head of Facilities Management is responsible for ensuring that all premises comply with statutory requirements and that suitable arrangement for new projects are in place both on a temporary basis while being undertaken and the permanent implications are considered and accounted for by incorporating any necessary changes to the existing fire prevention and detection equipment and procedures. The Head of Facilities Management is responsible for ensuring that fire safety is managed appropriately within the Facilities Management Team.

**Facility Management Team managers for Bristol and London**

9. The Facility Management Team managers for Bristol and London have delegated responsibility from the Head of Facilities Management for:

- promoting a positive fire safety culture throughout the Council
- appointing sufficient Fire Marshals to carry out their duties under the Fire Procedures
- ensuring adequate training is provided for Fire Marshals and that the records are kept of all training undertaken
- carry out Fire Risk Assessments, provide reports to the Health and Safety Committee and maintain records to comply with legislation
- liaising with the fire authorities on any areas that may require specialist knowledge or information
- acting on the recommendations of the Health and Safety Committee
- carrying out inductions for new and temporary employees and contractors as well as refresher updates for long standing employees ensuring that all occupiers are aware of the fire risks and positive culture relating to fire risks.
- bring to the attention of the Head of Facilities Management and/or the Health and Safety Committee any matter that compromises the fire safety of the Council premises
- reviewing and updating the Fire Procedures to take account of changing physical or legislative circumstances
- In London liaising with our Landlord or their agents to ensure that the Councils Fire Procedures and those of the Landlords are not in conflict and provide a seamless and effective response to fire safety.

**Contractors**
10. All contractors must comply with the HEFCE Health and Safety Site Rules and in this context the Fire Procedures. No work is to be carried out without the prior knowledge of the Bristol and London FM Managers.

16. Contractors must also ensure that all personnel for whom they are responsible are adequately trained and instructed in fire safety procedures and risk minimisation.
Fire Procedures - Bristol

1. If you discover a fire, sound the alarm using the nearest break glass call point. Do not approach or attempt to tackle the fire.

2. On hearing the alarm, exit the building immediately via the nearest fire exit route, following the fire exit signs. Exit quickly and safely without stopping to collect any belongings. The main entrance can be used as an emergency exit.

3. On exiting the building, proceed to the nearest assembly point, regardless of where you exit the building. Nearest assembly points are signposted at each exit. On the Bristol campus several fire exits have steps, please ensure you exit the building carefully to avoid injuries. Nicholson House is shared with CareUK staff, who will also be evacuating the building.

4. You are individually responsible for exiting the building and making your way safely to an assembly point.

5. Fire Marshals are trained volunteers who act to support staff in any incident related to evacuating the building. Staff must follow fire marshals instructions.

6. EVAC Chairs are located at either end of Westward House on the 1st floor. These are provided for fire marshals ONLY to assist less mobile colleagues down the stairs in an emergency situation. EVAC chairs will be deployed AFTER all other colleagues have exited the building in line with fire safety guidance.

7. Visitors are advised of the fire procedures on arrival. It is the responsibility of the meeting organiser or chair to draw the attention of visitors to the fire evacuation procedures or any planned drills, at the beginning of each meeting.

8. Further queries can be directed to a fire marshal or the Facilities Management team.

9. Fire Alarms on the Bristol Campus when a fire alarm sounds in either Westward House or Nicholson House, a quieter alarm will sound in the foyer of the opposite building. This is to notify staff of the evacuation in the opposite building and does not require you to evacuate.

Fire Procedures - London

1. Visitors need to comply with the following:
   - Be alert to general aspects of health & safety
   - Report incidents and illness to your host in the first instance or reception team
   - No smoking policy
   - Stay with HEFCE staff or building staff in the event of an emergency
   - Request assistance from HEFCE staff or building reception, if required

Emergency procedures

- Evacuate Finlaison House via your nearest fire exit
  HEFCE fire wardens or building staff will need to escort you to the assembly point (see map). Access is via either two emergency exits in Furnival Street and Took’s Court, please go to the assembly point as indicated or instructed by HEFCE fire wardens or building staff.
• Remain at the assembly point; and await further instruction
• Visitors unable to use the staircase unaided will be taken to a refuge point on the 2\textsuperscript{nd} floor, by a HEFCE fire warden or building staff. Building security and Fire Safety officers will need to be notified or anyone left in the refuge point.
Annex C  Critical Incident Policy (Bristol/London)

1. This policy sets out our response in the event of a critical incident in our Bristol or London offices (which may include for example, explosion, terrorist attack, fuel or chemical spillage and any other serious event).

2. Facilities Management (FM), the Fire Marshalls and/or First Aiders will provide instruction to staff based on the specific situation: in some circumstances it may be that leaving the building or area is the appropriate response, whereas in others it could be that staying inside the building(s) is the safest option.

3. Whereas a fire in the building would require an orderly evacuation, the range of possible ‘incidents’ means that we cannot define the required action precisely. The response must be informed by the type of incident, the extent of the understanding of the situation, and the availability of advice from outside agencies.

4. An incident during occupation hours affecting either or both Nicholson House and Westward House – or affecting our 2nd floor office and other tenants within Finlaison House or the surrounding areas – will be managed using the following procedures.

   **Deciding what action to take:**

5. When an incident is reported or discovered, FM will assess the best course of action to protect the welfare of staff and occupants (including tenants), and where possible, will agree this with a Director or member of the Senior Management Team. If this is not appropriate or possible, FM will take the actions which are considered necessary. FM – or a senior manager taking control – will continually review and assess developments responding to the likely course of events.

   **Communication:**

6. FM will communicate with Fire Marshalls and/or First Aiders who will cascade information to all occupants of the building(s). If that involves an evacuation, the chosen assembly point(s) will be communicated to occupants, together with any other details available at that time.

7. If appropriate, the Fire Alarm may be used to initiate the evacuation. Alternatively ‘word of mouth’ may be used to lessen any risks. If the incident requires occupants to stay inside the building(s), there will be telephone communication between the building(s) via the Fire Marshalls and First Aiders network who will cascade information.

8. Facilities Management are best placed to make contact with Emergency Services as they hold detailed knowledge of the site (e.g. location of water and gas mains). However it is understood that individual members of staff may feel the need to call the Emergency Services directly. In this case – as soon as it is safe to do so – staff should advise the Facilities Management Team that they have called the Emergency Services.

9. In an evacuation situation Fire Marshalls will seek to ensure all areas are clear. ‘Grab bags’ located near the exits of buildings contain important information for the emergency services, and will be collected on leaving the area, ready to be passed on to them.

   **Safe areas:**
10. These could be either to a designated assembly point outside or to a protected space within the building(s). The designated safe area will be determined at the time, depending on the information available to FM. The assembly point may vary as appropriate to the situation, so all occupants must respond promptly to instructions.

11. Attempts to locate and identify all personnel will be made. Individuals should not leave the designated areas without compelling reason, and without letting a Fire Marshall know.

**Improving preparedness**

12. There should be opportunities to evaluate our capabilities for dealing with incidents other than fire: this may be through announced exercises or unannounced tests.

**Staff working away from the office who are caught up in major incident**

13. If staff are caught up in a major incident elsewhere while on HEFCE duty, wherever possible they should contact their manager/team to inform them that they are safe, or to report any health and safety concerns that they may have.

Produced by FM July 2016
Annex D Workstations and DSE information / Eye tests

1. Please find attached a link to the health and safety executive guidelines for employers and employees in the use of display screen equipment.


2. If you have any queries regarding the use of your DSE and/or workstation, please contact the ergonomics network - email “ergonomics network” where our in house trained assessors will be able to help you.

Eye tests and spectacles

3. It is important for employees to view their screen comfortably. They may need different spectacles for this. Employees should consult their GP or an optician if in doubt. All employees who regularly use a VDU will be entitled to an eye test on joining the Council and may subsequently be re tested once a year

4. All employees who regularly use a VDU/Screen are entitled to claim £30 towards the cost of an eyesight test and £25 towards the total cost of the spectacles/lenses if used when working with a VDU/screen. If spectacles/lenses are required solely for VDU/screen use (confirmed by the optician in writing) the Council will contribute a maximum of £120 towards the cost of the spectacles. This figure has been quoted by local opticians as the cost of a basic pair of spectacles.

5. To claim reimbursement please use the normal on line expenses claim form and retain the appropriate invoices/receipts and if appropriate written confirmation from the optician.
Annex E Use of Mobile Phones whilst Driving

1. It is illegal to use a handheld mobile phone or any similar device that is held in the hand for any part of its operation, whilst driving. Any person caught in breach of this law will be liable for prosecution. This action can be regarded as driving without due care and attention, as the driver’s concentration is reduced. The penalty for contravention will be a fixed fine of £200 and 6 penalty points, with sentencing guidelines indicating two incidents may result in a 6 month ban.

2. HEFCE/Offa requests that all employees comply with this legislation and therefore should not use their mobile phones when driving. They should leave calls unanswered when driving. Any unanswered calls will automatically divert to the answering service and messages should be retrieved when it is safe and legal to do so.
Annex F: Smoke Free Environment

1. Smoking is prohibited in all enclosed and substantially enclosed areas of the Council's workplace. This means anywhere within either the Bristol or London offices. Any person who wishes to smoke or use e-cigarettes/vape should do so in the designated area, in the main Bristol office this is a smoking shelter in the car park, this avoids smoke/vapour coming into the buildings or any open windows or doors. Smokers/e-cigarette users should also take care to avoid fire risks and minimize litter. Smokers/e-cigarette users are not allowed to use the bike sheds to smoke/vape as these are not for the use of smokers/e cigarette users. Failure to comply with this policy may lead to disciplinary action.

3. If an employee has visitors or service providers who wish to smoke/use e-cigarettes, they should be directed to the designated area.
Annex G Lone Worker Policy

1. This policy outlines the appropriate systems we have in place to ensure the health, safety and welfare of any employee who becomes a lone worker during their employment with HEFCE.

2. Although the majority of our employees are based in either the Bristol or London offices, many of our employees will, during a normal working week, work elsewhere. Many staff work in Higher Education Institutions, at home, in hotels, on the train, or at other government premises, such as the BEIS/DFE offices. This means that any employee who travels and works in different locations could be a lone worker, some or part of the time. Also office based employees, who work at the beginning and at the end of the day could also become lone workers for part of their working hours, however we do not require employees to work outside normal working hours when in the office and this would be their choice. In addition there may also be visitors/contractors from other organisations who may be working in our buildings out of hours.

3. HEFCE has a legal obligation, under the Health and Safety at Work Act 1974, to ensure the Health Safety and Welfare of its employees. HEFCE has a duty to identify any significant risks to employees, visitors and contractors working on HEFCE premises, and to reduce those risks as far as is reasonably practical.

4. All HEFCE employees and visitors are required to take reasonable care for their own health, safety and wellbeing and of others who may be affected by their work and actions. As such any employee, visitor/contractor who finds themselves working on their own, whether due to working times or location should be aware of the possible risks they may be subject to, and discuss these with HEFCE through their line manager, if they require assistance in mitigating these risks. In turn HEFCE will provide any reasonable support to workers if required.

5. It is the responsibility of HEFCE managers to avoid the need for lone working wherever is reasonably practicable. Wherever it is considered necessary the Manager should confirm with HR that the requirement is reasonable. Where this is confirmed the manager should ensure that a risk assessment is carried out and that reasonable control measures are introduced.

Identification:

6. Any employee who feels that they are a lone worker (during some part of their working time), should contact Human Resources (HR) and Facilities Management (FM) to review the possible risks of their situation and agree reasonable mitigations to these risks. FM should also record basic details of location/times of those employees who are lone workers.

7. Those employees who are responsible for visitors or contractors that are likely to become lone workers whilst on HEFCE premises, should also contact FM and
provide information regarding the lone work situation, to ensure FM are able to carry out a risk assessment and provide reasonable assistance to mitigate these risks.

Risk assessment:

8. Generic Risk assessments are available for common occurrences of lone working. Where these are not appropriate FM will provide a specific risk assessment

Monitoring:

9. FM will monitor the number of identified lone workers and risk assessments undertaken annually and report all relevant details to the HEFCE Health and Safety Committee.
3 Human Resource Policies and Procedures

3.17 Well-being at work

1. We aim to promote the well-being of colleagues at work. There are a number of ways of promoting well-being at work, including good job design, ensuring that people have appropriate skills and knowledge, work in a safe and healthy workplace, and are well equipped with appropriate technology.

2. In addition we also provide policies and procedures to promote health and well-being such as the work life balance policy and guidelines, stress management policy and guidelines and health and safety policy and procedure. We also provide services to promote well-being, these are outlined below.

HEFCE health screening service

3. The Council currently provides a voluntary, confidential, health screening service for all staff who have completed their six month probationary period. Employees may take up this option once every two years and subject to budget availability. This service is currently provided by Nuffield Hospitals, which have 38 locations throughout the UK including Bristol, London, Cheltenham and Cardiff. Further details of health screens and booking details are outlined below. Information booklets can also be obtained from the HR team. Also further details of locations can be found at www.nuffieldhealth.com/business. Any Employee who has completed their 6 month probationary period who wishes to take up this option should contact the central booking service number below. Well person health screens are provided from the central medical budget however; please note the cancellation/rearrangement fee clause. Any cost incurred due to cancellation or re arrangement must be paid by the individual team budget and not by the central medical budget.

4. HEFCE now offer three different updated health screens which are designed to identify any appropriate health requirements.

Lifestyle Assessment

This screen takes around 1 hour and is designed for those staff below age 45. This assessment includes the very latest technology. The particular feature of this assessment is its focus on today’s lifestyle and health issues and its delivery by a highly trained health and wellbeing physiologist to motivate behavioural change where necessary. Please note women aged 40 - 44 are unable to have an optional mammogram with this screen. Please see the female assessment below if you are aged 40-44 and wish to have the optional mammogram. The attached pdf attached outlines further details of the lifestyle assessment.

HA Lifestyle 2011.pdf

Female Assessment
This assessment is designed for female staff aged 40 - 44 who may opt for a specific female health assessment and if they wish to take the option of a mammogram.

The attached pdf outlines further details of this assessment.

360 Health Assessment
This screen is available to all staff aged 45 and above. This is a comprehensive wellbeing assessment that lasts approximately two hours. This assessment includes access to the full range of the latest technology. The attached pdf file outlines further details.

Partner access
The Nuffield will provide either the Lifestyle Assessment, Female Health Assessment or 360 Health Assessment to HEFCE staff partners at a reduced rate. Partner’s screens are to be paid for by the individual. If your partner wishes to take up this option, please confirm your name when arranging the screen for your partner and request the invoice to be sent to your home address.

To make your appointment:
Please contact the Nuffield Hospitals Central Bookings Service on:
Tel: 0845 671 3000. Please quote the following reference number when calling – HEFCE2551

Cancellations / re arrangements
If appointments need to be rearranged or cancelled with less than 3 clear working days’ (Monday to Friday) notice, a fee of £75 will be charged. If an appointment is rearranged/cancelled with less than 1 clear working days notice, then the full fee will be charged. Failure to attend will also bear a charge. These charges must be paid by the team budget and not the central medical budget. Weight Programme Corporate Client 20% discount

Nuffield Health have recently launched a new Weight Management Programme available in Bristol, Cannock, Warwick, Nottingham, Reading and Surbiton Fitness & Wellbeing Centres. This programme is delivered by a Physiologist and is based on scientific evidence to reduce weight and improve lifestyle. It provides 1 to 1 practical, physical and emotional support for 9 months to help lose weight and keep it off for good. All employees will receive a 20% discount on this programme meaning the programme is available from a little as £6.50 a week. The PDF file below provides more information about the programme and a discount coupon. If you are interested in this print the coupon attached and present it to their local Fitness and Wellbeing Centre or call and quote corporate-offer/weightprogramme to be entitled to the discount.
If you require any further information please do not hesitate the HR team.

**Gym/Fitness and Sport Options**

<table>
<thead>
<tr>
<th>Facility</th>
<th>Membership</th>
<th>Provision</th>
<th>Comments</th>
</tr>
</thead>
</table>
| **UWE Centre for Sport**      | Active Card membership | • Full use of fitness suites  
• Free use of all exercise classes  
• Free Badminton, Table Tennis and Squash Courts, Climbing Wall  
• Subsidised sports hall, coaching | **Off-peak gym hours:**  
0730 - 1500 weekdays  
0900 - 1500 weekends |
| **Tel:** 0117 3286 200 | Gym only membership |  |
| **SGS Wise**   | Pay-as-you-go membership | Non-members can use the gym and attend classes and activities (Induction required) | **New provision from the college which will be reviewed 2015** |
| Bristol Academy of Sport      | Pay-as-you-go membership (Induction required) | 40-station gymnasium and weights room  
Evenings only: Mon, Fri: 1900-2200  
Tues, Wed, Thurs: 1800-2100 |  |
| Stoke Gifford, BS34 8LP       | 5-a-side football pitches | 3G pitches available  
1 hour booking available all day (more availability from 1600) | Bookings via [Goals Soccer centres](#) |
| **Xercise4Less Bristol**      | Corporate membership | • Over 400 pieces of equipment  
• Helpful team of Personal Trainers |  |
| **0117 3707200**  
Fishponds BS16 2EA | • Ladies Only Gym Area  
• Fitness Studio with 40+ classes per week |
|---|---|
| **Nuffield Health Gyms** | Corporate membership  
Further details: [http://www.nuffieldhealth.com/gyms/membership](http://www.nuffieldhealth.com/gyms/membership)  
12% discount |
| **Living Well Health Clubs**  
01454 893420  
Hilton Bristol, BS32 4JF | Corporate membership  
• gym facilities  
• swimming pools  
• sauna and steam rooms |
| **Virgin Active**  
Stoke Gifford Bristol BS34 8HN | Corporate membership  
• Gym  
• gym facilities  
• Pool  
• Creche  
• Food & beverage |

**General health information and advice**

5. Further information and general health advice is available for both men and women from the attached health charities - the men’s health forum and women’s health concern, internet links to their websites below:

- [www.menshealthforum.org.uk](http://www.menshealthforum.org.uk)
- [www.womens-health-concern.org](http://www.womens-health-concern.org)

The Council also provides booklets on general health and advice from these organisations; these are available in the downstairs kitchen/social space and from the HR team

**Benenden Healthcare**

6. All Council employees, as public sector employees, are entitled to become members of the Benenden Healthcare Society. Benenden is a not for profit, mutual organisation. Members are eligible for a range of benefits which are outlined below:

Immediate benefits:

- 24 hour counseling helpline
• 24 hour GP telephone advice line
• Health concern advice line
• Long term care advice

After six months:

• Up to £1,000 for consultations, diagnostic tests and any minor treatments that can be done at the time of the consultation. If the member goes on to need one of the 250+ surgical procedures, the full costs are covered by Benenden
• Financial help to support living with cancer
• Up to £300 towards GP referred physiotherapy

Benenden does not cover:

• Consultations with consultants who do not have an NHS post and are not registered with a royal college such as the Royal College of Surgeons or Physicians
• The cost of appointments with specialists such as podiatrists, radiologists, dentists, opticians or complementary therapists
• IVF treatment
• Treatment for mental health problems
• Cosmetic, breast, plastic, sterilisation, nerve, dental or maxillofacial surgery, or surgery for transplants
• Surgery for arterial, cardiac, neurological or complex orthopaedic problems
• Consultations, tests and treatment outside of the UK
• Financial assistance for cancer care services which are delivered by non-UK, non-VAT registered organisations

For further information please contact Benenden on:

Call 0845 052 5731 (please quote ANT) or visit www.benenden.co.uk (please quote reference ANT)

HEFCE cholesterol tests
7. Any member of staff who wishes to test their cholesterol level may purchase a test kit from “Boots the Chemist”. The Council will reimburse the cost of this test kit from the central medical budget if staff claim the cost, with receipt, on the normal staff expenses form. Further details from the HR team.

'Flu injections
8. The Council will reimburse the cost of 'flu injections as provided by identified medical firms/supermarkets at the appropriate time of year (September - November) from the central medical budget if staff claim the cost, with receipt, on the normal staff
expenses form. HEFCE also offer flu injections to employees on-site in the autumn months.
3 Human Resource Policies and Procedures

3.18 Stress Management Policy

Introduction

1. The Council has a strategic approach to the management of adverse workplace stress. The cornerstone of this approach is the stress management policy. This policy links to other Council initiatives to assist in the alleviation of adverse workplace stress. These include:
   * the work life balance policy
   * the ergonomics project/policy
   * the health and safety policy and the work of the health and safety committee
   * the bullying and harassment complaint procedure
   * the sickness absence policy and procedure
   * the employee assistance programme
   * the disciplinary and capability policy and procedure

2. Stress can be an effective motivator and improve employee performance in normal circumstances. However, excessive amounts of stress cause adverse reactions. The Council is concerned with the effect of adverse stress, where employees experience either a prolonged period or significant episodes of adverse stress.

Aims

3. The Council aims to provide a healthy and safe environment in which:
   * adverse stress is minimised
   * all staff are equipped with appropriate knowledge and skills to retain their wellbeing and provide effective work performance
   * all staff are supported in recognising, securing and managing their and others wellbeing at work.

Responsibilities

4. To achieve these aims the Council and its employees should work in partnership. The responsibilities of this partnership are that:
   * the Council should take reasonable measures to reduce adverse stress at work. It will, within reason, provide a safe and secure environment with systems and procedures that take account of the wellbeing of staff
   * all employees are responsible for co-operating with the systems and procedures provided by the Council, including all health and safety requirements and the alleviation of excessive adverse workplace stress. Any breach of this responsibility by any employee will be viewed seriously.

Approach

5. There are three levels of activity, which underpin this policy:
   Level 1 Good management of the Council

   6. Effective management of all possible situations, from which adverse stress can arise, will reduce the level of such incidents. For example, high standards in the quality and safety of the Council’s approach to:
      * accommodation
      * equipment and technology
      * good management practices
the effectiveness of time and workload management
* work life balance and associated activities
* effective communication.

7 These will all contribute to an environment in which there is minimal adverse stress.

Level 2 Standard support for all individual employees and teams
8 Suitable support should be available to both individuals and groups of employees in recognising and managing their wellbeing at work. This support will include for example:
* guidelines for both employees and managers on the effective management of adverse stress in the workplace, including the identification and amendment of causes such as workload levels and deadlines where appropriate
* the performance review ‘enablers’ which highlight the need to take account of others’ work life balance.

Level 3 Specific support services to all staff
9 The Council also provides specific support to individuals. For example:
* the employee assistance programme (currently provided by Right management) which is available to all staff at all times
* the wellness scheme that provides a choice of support services to all staff.

Evaluation and Measurement of policy
10 The Council will regularly review and measure the effectiveness of the policy and the management of adverse stress by:
* the annual staff survey
* exit interview responses and annual exit interview report
* employee assistance programme annual review and reports
* sickness absence statistics.

Health & Safety Executive Guidelines on Tackling Work Related Stress

What is work related stress?
11 Stress is an adverse reaction people have to excessive pressure or other types of demand placed upon them. Work related stress is not an illness, but it can lead to increased problems with ill health, if it is prolonged or particularly intense, people can suffer from:
* heart disease
* back pain
* gastrointestinal disturbances
* various minor illnesses
* anxiety and depression

12 In the workplace, the Management of Health and Safety at Work Regulations 1999 require employees to inform their employer about any shortcomings in health and safety arrangements. This is particularly important when tackling work related stress; it requires a partnership between you, your manager and the Council, a partnership based on honesty and trust.
What can you do at work?

13 As an employee you can help at work by:
* talking to your manager about any possible work related stress problems, if they don’t know there’s a problem, they can’t help. If you don’t feel able to talk directly to your manager, talk to the Human Resources Team or ask either a work colleague or a PCS rep. to raise the issue either with you or on your behalf.
* supporting your colleagues if they are experiencing work related stress, encouraging them to talk to their manager, the Human Resources Team, or a work colleague/PCS rep. to raise the issue with them or on their behalf.
* contacting our employee assistance programme “Right Management” on 0800 181392.
* speaking to your GP if you are worried about your health
* discussing with your manager whether it is possible to alter your job to make it less stressful whilst recognising both your own and your colleagues needs (please refer to the work life balance guidelines)
* trying to channel your energy into solving the problem rather than just worrying about it. Think about what would make you happier at work and discuss this with your manager.

Further information

14. For further information please speak to the Human Resources team or a PCS rep.

15. Visit the HSE website at www.hse.gov.uk to download “work related stress – a short guide”. Also you can email the HSE at hseinformationservices@natbrit.com
3 Human Resource Policies and Procedures
3.19 Working in Excess of Contracted Hours

Our approach

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective leadership</td>
<td>All our managers are good role models of self management, time management and stress management. In other words, our managers make the best use of their time, prioritise well, managing their stress and energy levels effectively, in particular if they choose to work in excess of contracted hours</td>
</tr>
<tr>
<td>Effective management</td>
<td>All our managers are sensitive to the consequences of work carried out by their employees in terms of the time required to complete it.</td>
</tr>
<tr>
<td></td>
<td>In particular, if their employees choose to work in excess of contracted hours, all our managers are sensitive to any work life balance, energy and stress consequences for their employees.</td>
</tr>
<tr>
<td></td>
<td>Effective action is taken where possible by managers to help and support their employees in these areas</td>
</tr>
<tr>
<td>Effective people</td>
<td>Our people make the best use of their time, prioritise well, managing their stress and energy levels effectively, in particular if they choose to work in excess of contracted hours</td>
</tr>
<tr>
<td></td>
<td>They feel confident to be able to raise any issues of these kinds with their managers and are confident that they will be listened to well and where possible, effective action will be taken</td>
</tr>
<tr>
<td></td>
<td>Our people do NOT have a clock watching culture, but focus instead on effectiveness</td>
</tr>
<tr>
<td>A clear set of guidelines</td>
<td>These are set out on the next page</td>
</tr>
<tr>
<td>Contractual terms and conditions which are consistent with the results we seek to achieve</td>
<td>These are set out in the staff guide and are negotiated in the collective bargaining forum, along with pay</td>
</tr>
</tbody>
</table>
Guidelines

1. Within the hours that our offices are open, we have flexibility to work hours, agreed in advance by the manager, which are most convenient for our stakeholders, individual employees and the needs of the team. Full time contract hours are 37 hours per week: the normal expectation is 7.5 hours Monday – Thursday and 7 hours on Friday.

2. In line with the working time regulations, employees who work in excess of 6 hours per day are entitled to have rest break of 20 minutes. In the interest of personal wellbeing, the Council advises employees to have a least an hour break for lunch.

3. In the interests of work life balance, we would not normally expect any individual in any year to have to work more than 10% additional hours as overtime.

4. Eligible employees shouldn’t have more than 3 days of TOIL at any one time to be built up, because after that it becomes difficult to take without affecting one’s work and possibly creating problems for employees who may have to cover for you.

5. Employees can record their hours in whichever way is most appropriate for them (form, spreadsheet etc.), but there needs to be a record for audit purposes, and staff managers will look at this at monthly updates as a way of understanding your current work load. Employees need to have TOIL taken signed off by their line manager.

6. If employees are traveling and staying overnight, you should normally claim TOIL/ overtime up to the point at which you check into the hotel, and from a reasonable time in the morning. Employees will of course apply commonsense to such circumstances.

7. We appreciate and value the fact that currently, part time employees frequently exercise flexibility in their working pattern to get the job done, even if it means re-arranging child care etc.

8. Managers must be aware of the need to exercise their discretion and commonsense to ensure that decisions on working patterns, whilst informed by these guidelines, are wherever possible, the result of high quality 2 way discussions resulting in a win: win for both the Council and the individual. This point applies both to part time staff and full time employees.

9. Periods of less than 30 minutes do not count towards TOIL/overtime. Completed overtime claim forms should normally be made within three months of when the over time was worked.

10. Employees claiming TOIL/overtime whilst traveling by train should normally have worked within contracted hours during the travel period.
11. It is very important that these guidelines are applied consistently across the Council. If anyone has any doubts about how to interpret them, they should seek advice from the HR Team.
3 Human Resource Policies and Procedures
3.20 Employee Assistance Programme

1. Our aim is to do all we reasonably can to support employees who may experience personal problems at some stage in their working lives and to provide confidential assistance through an external, professional source, (currently a company called Workplace Wellness).

2. The service can help with a wide range of issues, including stress, bereavement, relationships, legal and financial problems. The service is voluntary and all Right Management counsellors are bound to confidentiality by their code of practice. No specific information is given to anyone without the individual’s prior permission.

3. Employees can contact Workplace Wellness free of charge by telephoning 0800 1116 387. The phone line is open 24 hours a day, 7 days a week. Where appropriate, the telephone advisors can recommend face to face counselling, debt or legal advice. This will be free of charge for up to 6 sessions of counselling. All counsellors are registered professionals, fully trained and qualified. Alternatively see the Wellness Right management web-site: Employee Assistance Programme. The login password is hefcowell and must be entered to access the site.

4. Workplace Wellness’ services are available to dependents (partners and children in full time education) although this is limited to helpline support only. Please also note that most secondary schools have confidential counselling services.

5. Information leaflets are available from the HR team. If you have any queries relating to this service please do not hesitate to contact the HR team.
3 Human Resource Policies and Procedures

3.21 Discretionary Compassionate and Domestic Responsibility Leave

1. Occasionally employees are unable to maintain their normal working pattern due to unforeseen incidents in their personal lives. In these situations employees are entitled to a short period of authorised absence.

2. **Compassionate leave** is normally available for up to 5 days (paid) Compassionate leave must be agreed by the manager. Managers should use their discretion in each situation, taking into account the circumstances, the amount of untaken leave and the possibility of unpaid leave. In exceptional circumstances, an initial period of compassionate leave may, with the agreement of the relevant manager, be extended by an agreed period of leave (paid or unpaid).

3. The relevant manager should ensure that any agreed periods of compassionate leave are fully recorded in the ‘Absence’ section of Workday.

4. **Domestic responsibility** leave is available for those employees who require time away from their normal working hours due to a personal/household emergency situation, such as a burglary, emergency home repairs due to flood/fire, or emergency responsibility as a carer for a short period of time. The employee may choose to work back the time at a later date, take annual leave or take the time as unpaid leave. Any leave (whether annual or unpaid) should be logged in the ‘Absence’ section of Workday.
3 Human Resource Policies and Procedures

3.22 Discretionary Unpaid Leave

1. Occasionally employees may request periods of unpaid leave from work.

2. Following any request for a period of unpaid leave Managers should seek further information from the work life balance guidelines and the HR team if necessary.

3. Managers should ensure that any agreed periods of unpaid leave are fully recorded in the ‘Absence’ section of Workday so that the appropriate adjustments can be made for payroll purposes.
3 Human Resource Policies and Procedures

3.23 Scheme for Reimbursement of Exceptional Childcare Expenses

1 Our aim is to compensate employees, in certain circumstances, for additional costs incurred in child care. We will meet the cost of the childcare when exceptional costs are incurred due to unavoidable official commitments.

2 Childcare costs incurred in the course of an individual's normal working time and working pattern are regarded as part of their normal family costs and as such should be met by the individual. We will meet the cost of the childcare when exceptional costs are incurred due to unavoidable official commitments.

3 Exceptional costs may be incurred if an employee: whose work does not normally involve overnight absences has to attend a residential training course, seminar or conference or has to undertake unavoidable early or late work for a short period.

4 The Council expects its employees to act reasonably in these situations and to make alternative arrangements at no extra cost if at all possible. This will normally be easier if the household consists of two or more adults who share responsibility for child/children's care and welfare.

5 Exceptional childcare costs are not payable if the individual is also receiving overtime payments for the hours concerned.

6 If an employee is asked to carry out duties that will result in exceptional and additional childcare costs being incurred, they should first discuss the situation with their manager to see whether it is possible to make alternative work arrangements that will better suit their domestic circumstances and avoid additional costs, such as swapping working days if they work less than five days a week, or claim overtime. If their manager judges that alternative arrangements cannot be made then they should authorise the reimbursement of exceptional costs.

7 To apply, employees should complete an application form which should be approved by the budget manager. Copies of the form are available from the Human Resources Team. Once the additional hours have been worked, part 5 of the form should be completed, signed by the budget manager, and sent to the Accounts Team who will ensure payment.

8 Applications should be made in time for authorisation to be received before the costs are incurred. Late applications will only be considered when it is clear that the time constraints made it impossible to apply before the costs were incurred. The application in any case must be forwarded for approval as soon as possible after the expenditure has been incurred.

9 Additional childcare expenses are both taxable and subject to National Insurance contributions, and will therefore be paid through the payroll. We will,
however, calculate an additional payment to ensure the claimant receives the full amount of the claim after statutory deductions have been made.

The application form for Childcare expenses:

HEFCE
Application for Additional Childcare Expenses

You must apply in advance for additional childcare expenses. Staff who receive overtime payment for the hours worked or time off in lieu are not eligible for these expenses.

If you need more space for any of your answers, please continue on a separate sheet and attach it to this form.

(To be completed by claimant)

FULL
NAME__________________________________TEAM__________________________________

Give details of your NORMAL hours worked each week (please give days and hours):

________________________________________________________

________________________________________________________

Give details of your NORMAL childcare costs each week (please give time covered and cost per hour)

________________________________________________________

________________________________________________________

What is the reason for your additional childcare application? (eg training course/overtime etc)

________________________________________________________

________________________________________________________

What additional days / hours do you expect to work? (Please include the times)

________________________________________________________

________________________________________________________

For what days / hours do you wish to claim additional childcare expenses? (This period must NOT include any time for which you receive salary or time off in lieu)

________________________________________________________

________________________________________________________

Give details of the cost for additional childcare (for example, per hour or per night)

________________________________________________________

________________________________________________________
What is the total amount of your claim?

£            p

I declare that the information given is correct, that alternative childcare arrangements at no extra cost was not possible, and that the costs claimed were unavoidably incurred as a result of my official duties. I understand that this is a taxable allowance and will be paid through the payroll.

Signed___________________________________________________
Date___________________

Budget holder approval

I agree this claim against my budget

Name of budget holder (print please)
___________________________________________________________

Signature of budget holder
___________________________________________________________

Date
___________________________________________________________

PAYROLL USE ONLY

Value of claim £______________ “grossed up” to £______________ to ensure the claimant receives the full amount of the claim after statutory deductions have been made.

Date of payment

Tax year        Tax month

Processed by
___________________________________________________________
3 Human Resource Policies and Procedures

3.24 Redundancy Policy

1. From time to time changes in our resourcing levels, in organisational requirements or technology may affect the number and type of posts the Council needs to carry out its business. We may need to reduce the number of posts or change our skills profile. This policy sets out the steps we would take to avoid the need to make posts redundant and the general approach to be taken if redundancies become unavoidable.

2. Our employees are covered by the rules set out in the Civil Service Compensation Scheme December 2010. If the Council is unable to retain all its employees through normal employment processes, due to a change in resourcing levels, the Council will request approval from the Cabinet Office to implement the CSCS voluntary exit/redundancy process.

3. Our policy is to provide, through careful forward planning, as much security of employment for employees as possible, and to take all reasonable steps to avoid the need for compulsory redundancy.

Measures to Avoid or Minimise Compulsory Redundancy

4. In the event of a need to reduce the number of posts, whether in a particular part of the Council or specialism or more generally, we would first have recourse to any or all of the following measures in order to avoid the need to make employees redundant:
   * natural wastage
   * restrictions on recruitment and/or promotion
   * review of the use of casual and short term employees
   * reduction or elimination of overtime
   * re-deployment of employees to other areas of work in the Council
   * retraining employees for transfer to other work where vacancies exist

5. In line with its commitment to Investors in People, we seek to equip our employees with the skills and knowledge needed for their current job and to enable them to adapt to the changing needs of the Council. Individuals are therefore encouraged to develop their potential to take on broader responsibilities with the Council or, where the Council cannot offer suitable career opportunities, in employment outside.

Selection Criteria

6. In the event of redundancies being necessary, we are committed to the establishment of fair, consistent and non-discriminatory selection procedures.

7. The criteria for determining the individual posts or class of posts where reductions need to be made (known as the "unit of redundancy") may include one or more of the following:
   * pay band
   * specialism/discipline
   * geographical location
   * functional area of work
8. If some posts within the unit of redundancy are to remain, it will be necessary to decide which employees are selected for redundancy. The selection criteria may include one or more of the following (this list is not written in any priority order):
   * skills, experience and aptitude of the employee
   * standard of work performance
   * attendance
   * disciplinary record
   * adaptability of the individual to transfer to alternative work

9. The choice of the selection criteria may vary in different redundancy situations and we will consult on the precise details at the appropriate time. In deciding which criteria to apply, we will take into account the need to maintain a balance of skills and experience to meet the future needs of the business.

Information and Consultation

10. If the possibility of redundancies arises, we will consult on the options, including the action to be taken to avoid or reduce the number of redundancies, ways of mitigating the effect of redundancies and the criteria for selecting colleagues for redundancy. Employees will be kept as fully informed as possible.

11. We will comply with the periods of consultation required by law in redundancy situations. Current legislation requires employers to engage in consultation as soon as possible, and, where 10 - 99 employees are being considered for redundancy, no later than 30 days before a first dismissal from such a group; and where 100 employees or more are being considered for redundancy, no later than 45 days.

12. Employees directly affected will be provided with full details of any relevant compensation packages.

Assistance to Employees

13. We may provide professional outplacement support and counseling to employees affected by redundancy situations and will meet legal obligations for employees to take time off work to seek alternative employment.

Compensation packages

14. We are an admitted body of the Principal Civil Service Superannuation Scheme. Employees who are members of this scheme are contractually entitled, in approved cases, to have access to the Civil Service Compensation Scheme 2010 and its successor schemes.

15. Full details of this scheme will be provided to relevant colleagues at appropriate times. General queries can be made at any time to the Human Resources Team.

Appeals

16. We will provide an appeals procedure for employees who believe that their selection for redundancy is unfair. Employees and the PCS will be consulted on the details of appeals procedures at the appropriate time.
3 Human Resource Policies and Procedures

3.25 Arrangement of the Working Day/Flexible work location

1. Our aim is to ensure that managers and employees are able to achieve Council objectives effectively, balancing the needs of the organisation as far as possible with colleagues’ personal circumstances.

2. Subject to this condition being met, managers have discretion to agree different working patterns for their employees, taking into account relevant legislation, the total contracted hours of individuals and their particular circumstances.

3. Managers are responsible for monitoring the timekeeping of their employees. Workloads at any particular time and the overall working pattern in a team may mean that managers may require their employees to start work no later than 0900 hours.

Flexible work location

4. The normal place of work for HEFCE employees is either the Bristol offices or the London office, however because of the nature of our business, employees may work in other locations, such as other business premises, hotels or at home.

5. When working at other business premises, in hotels and at home employees should be aware of health and safety requirements e.g. not causing themselves undue stress/aches/pains, especially if they are working from their laptop. All employees have a responsibility to ensure that their working environment is safe and healthy and may request a health and safety risk assessment and guidance to assist with out of office working. This is also available to all employees working within the office environment.

6. When employees are out of the office they must leave a number on which they can be contacted, we also require employees to display a contact number in their outlook calendar and regularly check their emails (and voicemail) where possible.

7. Employees will be required to work in other business premises and/or stay in hotels because their job role requires meetings away from the office, however employees should be mindful of our corporate social responsibility policy and discuss the option of video and telephone conferencing when possible.

8. Employees work from home to gain quiet uninterrupted time, this can also help to minimise travel time and costs and is therefore consistent with our corporate social responsibility policy. As with other employees working away from the office, those working at home should be contactable during their working hours and a contact telephone number should be in their outlook calendar. They must also regularly check their emails/voicemail.

9. All employees need to balance the needs of our stakeholders and colleagues when working remotely from the office. In some cases employees will be unable to work remotely but there will always be limits for most roles within the Council. Employees should always discuss remote working with their manager. It is important
that the Council’s quality of service should not be compromised and also that those employees remaining in the office are not put under undue pressure.

10. Remote working is possible because we have very good information technology available, however this will normally be limited to the agreed standard equipment and support supplied by the ITS team.

11. The cost of any work-related calls made from personal telephones either landline or mobile may be reimbursed, all claims must be supported by an itemised bill. Alternatively, employees may wish to use a pool mobile phone when they are away from the office. Employees working at home may not claim subsistence allowances.

Natural occurrences that prevent office working

12. Further details regarding natural occurrences that prevent office working can be found on the Business continuity section of the intranet.
3 Human Resource Policies and Procedures

3.26 Sickness Policy and Procedure

1. This Sickness Absence Procedure sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.

2. Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).

3. We wish to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work.

4. This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.

On-Going Health Issues

5. We are aware that sickness absence may result from on-going health issues. Where this is the case, particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of an employee's working arrangements that will provide support at work and/or assist a return to work.

6. If an employee considers that they are affected by an on-going issue or any medical condition which affects their ability to undertake their work, they should inform their manager, who will subsequently inform the relevant HR BP.

Sickness Absence Notification

7. Any member of staff taken ill or injured while at work should follow the advice given in Annex A of the Council’s Health and Safety Policy (section 3.16 of the Staff Guide). Where necessary, managers should make arrangements for anyone who is unwell to be accompanied home and receive medical treatment.

8. If a member of staff cannot attend work because they are ill or injured they must notify their manager by telephone as early as possible on each day of absence (unless it has been agreed otherwise) and by no later than 10am. The following details should be provided:

   - the nature of the illness or injury;
   - the expected length of absence from work;
   - contact details (for regular contact during longer absences);
   - diary commitments/meetings to cancel or change;
   - Line Manager name (in the event they can’t be reached);
   - any outstanding or urgent work that requires attention; and
   - confirmation that sickness absence has been/will be recorded on Workday.

9. If the employee cannot contact their manager by telephone they should contact the HR Team and then subsequently speak to their manager.

10. Managers should ensure that:
- their member of staff has completed the period of sickness absence on Workday before midday on the day of notification; or
- they have completed the sickness absence record on Workday if their member of staff doesn’t have access to the system [in exceptional cases the HR team can do this];
- they have alerted the employee to provide a Fit Note for any periods of continuous absence exceeding 7 days;
- arrangements are made, where necessary, to cover work and to inform colleagues (while maintaining confidentiality).

11. Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence (unless, it has been agreed otherwise by the manager). Cases of unauthorised absence may be dealt with under our Disciplinary Procedure.

Evidence of Incapacity

12. All periods and reasons for sickness absence must be recorded on Workday.
13. For continuous periods of absence of more than seven calendar days employees must obtain a Fit Note from their doctor (a “Statement of Fitness for Work”) stating the duration that they are not fit for work and their reason(s) why. This should be forwarded to their manager as soon as possible. The manager must forward the certification to the Human Resources team immediately. If the absence continues, further fitness certificates must be provided to cover the whole period of absence.
14. If the certificate states that the employee "may be fit for work" they should inform the manager immediately. The manager will discuss with the employee, after consultation with a member of the HR team, any additional measures that may be needed to facilitate a return to work, taking account of the doctor’s advice. This may take place at a return-to-work interview (see below).
15. Where we are concerned about the reason for absence, or frequent short-term absence, we may require a medical certificate for each absence regardless of duration. In such circumstances, HEFCE will cover any costs incurred in obtaining such medical certificates, for absences of a week or less, on production of a doctor’s invoice.

Sick Pay

16. Employees will be entitled to receive sick pay provided they have complied with this policy in all respects. Sick pay is inclusive of any SSP that may be due for the same period, and is paid on the following basis:

| First 6 months of sick leave: | Full pay |
| Sick leave after 6 months up to 12 months: | Half pay |
| Sick leave after 12 months | No entitlements |
17. Employees are entitled to no more than 12 months’ sick pay in any rolling four year period. Once sick pay entitlement has expired employees will not be entitled to any further sick pay until they have returned to work.

Third party compensation

18. Where sickness absence results in a situation where the employee claims or receives any compensation from a third party, for example where damages may be recoverable, the employee must notify a member of the Human Resources team of the full details and any financial reward received. Employees must co-operate in any related legal proceedings and refund to HEFCE that part of any damages or compensation recovered that relates to lost earnings for the period of sickness absence, less any costs incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded will not exceed the total amount paid to the employee in respect of the period of sickness absence.

19. Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of sick pay.

Sick leave and Annual leave

20. If an employee becomes sick or injured while on annual leave such that they would be unfit for work they may ask for the period of incapacity to be treated as sick leave and reclaim the annual leave.

21. To be able to claim HEFCE sick pay the employee must notify the manager of their incapacity as soon as is practically possible, and provide medical evidence of the illness/incapacity if not already sent in, when they return to work. This is a requirement even if the employee is outside the UK on annual leave.

22. Annual leave entitlement continues to accrue during long term absences. If the period of sick leave extends into the next holiday year, or if there is not enough time left in the current holiday year to make it impracticable for the employee to take their remaining holiday entitlement, the employee can carry any unused holiday entitlement over to the following leave year to be used within three months of the return to work or within the leave year in which they return, whichever is the longer.

Keeping in contact during sickness absence

23. Employees should expect to be contacted from time to time by their manager or a member of the HR team in order to discuss wellbeing, expected length of continued absence from work and work that requires attention. Such contact is intended to provide reassurance. If necessary, we may also make contact and arrange a home visit with the same objectives.

24. If employees have any concerns while absent on sick leave, whether about the reason for their absence or their ability to return to work, they should contact their manager or a member of the HR team at any time.

Medical examinations
25. We may, at any time, require employees to consent to a medical examination by our Occupational Health Service and/or a doctor nominated by us (at our expense). Employees will normally be referred to the Occupational Health Service after 4 weeks' absence.

26. We will seek agreement from employees to engage in this referral process and they will have access to any report that is sent to us. Employees will be asked to agree that any report produced in connection with any such examination may be disclosed to us and the report findings will be discussed between the employee and their manager. We may also discuss the contents of the report with the relevant health professional.

Return to Work Interviews

27. If an employee has been absent on sick leave for more than 7 consecutive days (or in other circumstances at our discretion) we will arrange for the employee to have a return-to-work interview with their manager.

28. A return-to-work interview enables us to confirm the details of the employee's absence. It also gives the employee the opportunity to raise any concerns or questions they may have, and to bring any relevant matters to the manager's attention.

29. Where a doctor has provided a Fit Note stating that an employee "may be fit for work" or a return to work plan has been produced by Occupational Health a return-to-work interview will usually be held to discuss any additional measures that may be needed to facilitate a return to work, taking account of the doctor's advice.

Returning to work from long term sickness absence

30. HEFCE is committed to helping employees return to work from long-term sickness absence. As part of our sickness absence meetings procedure, we will, where appropriate and practicable, support returns to work by:
   - obtaining medical advice;
   - making reasonable adjustments to the workplace, working practices and/or working hours;
   - considering redeployment; and/or
   - agreeing a return-to-work programme with everyone affected.

31. If on the advice of our Occupational Health Service, an employee is considered unfit for work for the foreseeable future, where appropriate, we will investigate the possibility of early retirement and any other options. The HR Team will be able to advise on the process to be followed.

Sickness Absence Meetings Procedure

32. It may be necessary to invoke this procedure and meet with an employee to discuss their sickness absence, for example, if an employee:
   - has been absent due to illness on 4 or more occasions within 6 months;
   - has discussed matters at a return-to-work interview that require investigation;
   - has been absent for more than 14 consecutive days;
   - has been absent for 14 days or more in total in any 12 month period; and/or
has a recurrent pattern of sickness absence.

33. The manager will give reasonable written notice of the date, time and place of any sickness absence meeting. Any concerns about an employee's sickness absence and the basis for those concerns will be given to the employee in writing and they will have a reasonable opportunity to consider this information before the meeting.

34. The meeting will be conducted by the relevant manager and will normally be attended by a member of the HR Team. The employee may bring a work colleague or a Union Representative to the meeting, if they wish.

35. Employees must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If the employee or their companion are unable to attend at the time specified the employee should immediately inform the manager who will try to agree an alternative time.

36. A meeting may be adjourned if the manager or the employee is awaiting information, needs to gather any further information or give consideration to matters discussed at a previous meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

37. Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given in writing as soon as reasonably practicable following a sickness absence meeting.

38. If, at any time the manager considers that an employee has taken or is taking sickness absence when not unwell, they may refer matters to be dealt with under the Disciplinary Procedure.

Right to be accompanied at meetings

39. Employees will have the right to be accompanied to any meeting or appeal meeting under this procedure by a fellow employee or a trade union official. Employees should inform the manager holding the sickness absence meeting as soon as practicable of the identity of any proposed companion.

40. Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.

41. We may at our discretion permit other companions (for example, a family member) if this would assist with particular difficulties concerning an on-going health issue.

Stage 1: First sickness absence meeting

42. This will follow the procedure set out above on the arrangements for, and right to be accompanied at, sickness absence meetings.

43. The purposes of a first sickness absence meeting may include:
   - Discussing the reasons for absence.
   - Where an employee is on long-term sickness absence, determining how long the absence is likely to last.
   - Where an employee has been absent on a number of occasions, determining the likelihood of further absences.
• Considering whether medical advice is required.
• Considering what, if any, measures might improve an employee's health and/or attendance.
• Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure.

Stage 2: Further sickness absence meeting(s)

44. Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary. Arrangements for meetings under the second stage of the sickness absence procedure will follow the procedure set out above on the arrangements for, and right to be accompanied at, sickness absence meetings.  
45. The purposes of further meeting(s) may include:
• Discussing the reasons for and impact of ongoing absence(s).
• Where an employee is on long-term sickness absence, discussing how long the absence is likely to last.
• Where an employee has been absent on a number of occasions, discussing the likelihood of further absences.
• If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
• Considering the employees' ability to return to/remain in job in view both of their capabilities and HEFCE's needs and any adjustments that can reasonably be made to their job to enable them to do so.
• Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeployment.
• Where an employee is able to return from long-term sick leave, whether to their original job or a redeployed job, agreeing a return-to-work programme.
• Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning that an employee is at risk of dismissal.

Stage 3: Final sickness absence meeting

46. Where an employee has been warned they are at risk of dismissal, they may be invited to a meeting under the third stage of the sickness absence procedure. Arrangements for this meeting will follow the procedure set out in the arrangements for, and right to be accompanied at, sickness absence meetings.  
47. The purposes of the meeting will be:
• To review the meetings that have taken place and matters discussed with the employee.
Where an employee remains on long-term sickness absence, to consider whether there have been any changes since the last meeting under stage two of the procedure, either as regards a possible return to work or opportunities for return or redeployment.

- To consider any further matters that the employee wishes to raise.
- To consider whether there is a reasonable likelihood of the employee returning to work or achieving the desired level of attendance in a reasonable time.
- To consider the possible termination of the employee’s employment.

48. Termination will normally be with full notice or payment in lieu of notice.

**APPEALS**

49. All employees have the right to appeal against the outcome of any stage of this procedure. Appeals should be made within 10 working days of receiving the written notification of the decision, setting out the full grounds of appeal.

50. The employee will be given reasonable notice of an appeal meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.

51. Where practicable, an appeal meeting will be conducted by a manager senior to the individual who conducted the sickness absence meeting.

52. Depending on the circumstances, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.

53. The final decision will be confirmed in writing, as soon as reasonably practicable following the appeal meeting. There will be no further right of appeal.

54. The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay. Also if the appeal is successful the records will be removed from the personal file as is outlined in the Council’s records management policy.
3 Human Resource Policies and Procedures

3.31 Computer Misuse Policy

Policy statement

1. Computer misuse constitutes computer activity not normally accepted by the Council or deemed to be related to the role of staff, computer activity which may be illegal under UK law, copying/distribution/publishing of copyrighted or protected documents, suspected neglect of hardware and any other activity which the Council may deem to be inappropriate, detrimental to the Council’s activities or reputation or a security risk to its computer systems.

2. Any suggestion of activity thought to be outside the normal working practice of an individual or disregard for the Council’s IT Security Policy or Electronic Communications Policy may be considered an act of computer misuse and, where considered appropriate by the Council, this procedure may be invoked.

3. Responsibility for invoking the procedure lies primarily with the manager of the employee about whom an allegation of computer misuse has been made. In exceptional circumstances, the responsibility will lie with the individual’s director. The manager (or Director) will need to take the advice of the HR consultant and the IT Security Officer in their determination of whether or not to invoke this computer misuse procedure.

4. An allegation of computer misuse may arise in a variety of ways. Any employee concerned about computer misuse may approach their manager, HR Consultant and IT Security Officer about their concerns in confidence. In all cases, the individual’s staff manager, the HR Consultant and the IT Security Officer will need to be advised.

5. Where suspected misuse is identified within ITS, the IT Security Officer will inform the Human Resources Consultant and the staff manager/director of the individual of their suspicions. Alternatively, where suspicious activity is identified by the HR consultant or relevant individual’s staff manager, following discussion between them, the HR consultant may ask the IT Security Officer to investigate suspected computer misuse.

6. In all cases the IT Security Officer will provide a record of any incidents to the HR consultant for consideration for further action.
Investigation

7. After discussion with Human Resources and staff management, the IT Security Officer will investigate all situations where there is an indication of any misuse of computer facilities outside normal working practices. The investigation
may involve searching files stored on any of the individual's allocated IT resources and any of the Council's IT systems or storage devices.

8. The IT Security Officer will keep a record of all investigation activity and findings for use by the HR Consultant and the staff manager.

9. If, following an investigation, there is no evidence of computer misuse any information held will be destroyed and no record or log will be kept of the investigation.

10. If the Council concludes any misuse has been of a minor nature, the staff manager, after discussions with the HR Consultant and the IT Security officer will inform the individual of the correct procedures and also what constitutes computer misuse under the Council’s policies.

11. If, in the Council’s view, the investigation findings prove serious or there have been several occurrences of apparent misuse, the staff manager will discuss the issues with the individual and they will be subject to either informal or formal disciplinary processes as appropriate, dependent on the factors involved and seriousness of the issues.

**Withdrawal of Access**

12. After consulting the HR Consultant and IT Security Officer, the HR Consultant may ask the IT Security Officer to withdraw access to any specific IT system or resource from individuals who are suspected of computer misuse. The judgement of what is an acceptable reason to withdraw services lies with the staff manager. This may include:

- Users access to computer facilities (including remote access)
- Computer equipment may be disconnected from the network
- Computer equipment or files may be removed or transferred elsewhere
- Computer services such as internet access, file access, email may be restricted

The withdrawal of these services may occur in the following circumstances:

- If security of a computer system has been compromised
- If computer equipment has been infected with a virus, worm etc.
- If illegal or protected/copyrighted material is found on a computer system
- If the Council’s systems have been allegedly or apparently used for inappropriate purposes for any other reasonable reason

The IT Security Officer will reinstate access only on the request of the staff manager (or Director). The HR consultant may request the IT Security Officer to
monitor the situation for a reasonable period, which should be proportionate to the
circumstances. In such cases, the staff manager should consider advising the individual concerned of the monitoring arrangements.

13. In an exceptional or urgent situation, the IT Security Officer is authorised to withdraw access to any part of the Council's IT systems from any individual at any time at their own discretion. As soon as reasonably possible thereafter, the IT Security Officer should advise the HR Consultant and individual's staff manager and invite them to consider invoking this procedure. The IT Security Officer should also consider advising the Head of ITS of the action taken for information.