

Review of the Employee Handbook

Executive Summary and Recommendations

Introduction

The Employee Handbook contains policies, procedures and guidelines on how the HPC operates and how employees can expect to be treated and are expected to treat their colleagues. It is designed to help enhance the working relationships between employees and between employees and their managers and serves as a comprehensive reference tool for all employees.

As most Committee members will recall, the Employee Handbook was introduced in 2003 and the committee has looked at various elements of the Handbook in subsequent years as detailed below under 'Background Information'. Although some changes and updates have been made since 2003, it has not been reviewed in its entirety until now.

All sections of the handbook were reviewed by Human Resources, with advice sought from employment law specialists where necessary. The majority of changes have been as a result of legislative changes or to clarify existing practice and details are provided in this paper. The reviewed handbook was put out for employee consultation on 10 September 2007 for a period of one month, and the appended Employee Handbook has taken account of these comments. Any changes have been tracked on the Employee Handbook in colour so that these are clear.

A summary of any significant changes to the Employee Handbook has also been provided in this paper (Appendix 1), prior to the Employee Handbook (Appendix 2), for the Committee's ease of reference.

Decision

The Committee is invited to:

- Approve the reviewed Employee Handbook.

Background information

The benefits that HPC offers have been discussed in the past by the Committee and details are provided below:

Finance & Resources Committee 20 November 2003, Item 57:

The new Employee Handbook including all employee benefits was considered by Committee.

Minutes of this meeting can be viewed at:

http://www.hpc-uk.org/aboutus/committees/financeandresources_archive/index.asp?id=110

Finance & Resources Committee 21 November 2005, Item 14:

The Committee discussed the amount of paid sick leave offered to employees and noted that the policy on sick leave would remain unchanged.

Minutes of this meeting can be viewed at:

http://www.hpc-uk.org/aboutus/committees/financeandresources_archive/index.asp?id=124

Finance & Resources Committee 18 September 2006, Item 14:

A new Gifts and Hospitality Policy was discussed and approved by committee.

Minutes of this meeting can be viewed at:

http://www.hpc-uk.org/assets/documents/10001726finance_and_resources_committee_2006_0918_minutes.pdf

Remuneration Committee 21 June 2007:

Papers were submitted to committee on:

Non-Pay Related Benefits (Excluding Pension)

Pension

Process to Set and Adjust Employee Salaries

It was agreed that non-pay related benefits would remain unchanged, that the employer pension contribution rate would decrease from 16.5% to 7% and the process to set and adjust employee salaries was agreed.

Resource implications

Time has been taken by the Human Resources Department and managers to consult with employees.

Financial implications

Nil

Appendices

Appendix 1: Summary of Changes Made

Appendix 2: Employee Handbook (including Contents Page)

Date of paper

8 November 2007

Summary of Significant Changes Made

Please note: Numbering within this summary is for reference purposes and does not relate to Handbook paragraph numbers.

1 Overtime and TOIL (Section 3d)

- 1.1 The eligibility criteria for overtime and time off in lieu (TOIL) have been clearly specified to formalise current practice. A reference to double-pay payments in exceptional circumstances, instead of the usual time and a half payment, has been removed as this had never been applied and was undefined.
- 1.2 Entitlement to TOIL for employees who work away from their usual place of work with overnight stays has been clarified. Departments had previously been informally defining arrangements within their teams and this policy update will ensure future consistency.

2 Pension Plan (Section 3e)

- 2.1 The pension plan policy has been completely re-written to reflect the new HPC pension plan which was approved following the difficulties experienced with HPC's previous pension scheme provided by Capita.
- 2.2 The previous scheme provided by Capita was a targeted money purchase scheme which related to final pensionable earnings. The new pension plan provided by Friends Provident Ltd is a Group Personal Pension Plan.
- 2.3 The maximum age for entry has increased from 59 to 65 years of age.
- 2.4 The employer contribution rate was lowered from 16.5% to 7% as a result of a decision by the 21 June 2007 Finance & Resources Committee. This change did not affect any employees who were already receiving the more generous contribution rate.

3 Flexible Working Policy (Section 3k)

- 3.1 There were previously two flexible working policies at HPC; one which outlined options for flexible working and one which detailed the criteria for making a statutory request for flexible working. These policies have been incorporated into one comprehensive policy containing statutory and non-statutory processes and include the legislative updates of April 2007.

(Summary of Significant Changes Made - continued)

- 3.2 From 6 April 2007 employees who care for adults can request flexible working. Previously only employees with children under the age of 6 (or with disabled children under the age of 18) could request flexible working.
- 3.3 Application forms have been added which will allow a structure for obtaining all relevant information.

4 Absence and Sickness Policy (Section 4b)

- 4.1 Clauses regarding sickness during periods of annual leave have been added to the policy to provide consistency with statements already in employment contracts.
- 4.2 To formalise current practice, detail has been provided on how time is recorded for attending hospital or GP appointments.
- 4.3 Sickness pay entitlement lengths have been written in weeks rather than months to align with payroll processes. Entitlements remain unchanged.
- 4.4 More detail has been provided on sickness review meetings processes and a new section has been added to define the process for absence due to travel disruption.

5 Maternity Leave (Section 4c)

This policy has been re-written to reflect the below legal changes of April 2007 and to provide pro-forma notification forms. No benefits have been removed.

- 5.1 Addition of a definitions chart to explain maternity law terminology.
- 5.2 Period of statutory maternity pay increased from 26 weeks to 39 weeks.
- 5.3 Period of notice given by the employee to the employer when returning to work early is increased from 28 days to 8 weeks.
- 5.4 Health and safety requirement for risk assessments to be carried out has been added and a pro-forma risk assessment form created.
- 5.5 Maternity leave is automatically triggered if there is a pregnancy-related sickness after the beginning of the fourth week before the Expected Week of Confinement (EWC). This was previously after the sixth week before the EWC.

(Summary of Significant Changes Made - continued)

5.6 Introduction of Keeping in Touch Days whereby employees on maternity leave can work up to a maximum of 10 days during their maternity leave without losing their right to statutory maternity pay. This is optional and would be by prior agreement between the employee and their manager.

5.7 Addition of pro-forma Notification Letter for employees

6 Capability Policy (Section 5b)

The name of this policy has been changed from incapability to capability and contains more detail on both informal and formal procedures.

6.1 There is more clarification on ill health and disability.

6.2 Introduction of capability warnings at each stage of the formal procedure, this was not previously included in the policy.

6.3 As a result of the discretion to apply warnings, the number of formal stages undertaken can be two or three stages whereas it was previously always three stages. There is more detail about the right for employees to be accompanied and by whom.

7 Dismissal and Disciplinary Policy and Procedure (Section 5c)

This policy has been re-written in parts to be in a clearer structure and format however the processes remain unchanged aside from the key points below:

7.1 Specific detail has been provided on what degree of contact an employee can have during suspension and with whom. Specific detail has also been provided on who a companion may be at a hearing and a section has been included on confidentiality requirements.

7.2 An informal procedure has been incorporated to enable minor matters to be dealt with informally when possible.

7.3 The period of notice given to an employee before a disciplinary hearing was previously 5 days and it has been changed to 2 – 5 days following feedback from managers and employees involved in the process that they would have preferred to have been able to progress matters more quickly.

7.4 The period of time allowed for an appeal to a disciplinary decision was previously 10 days and it is proposed to change this to 5 working days. This was again following feedback that the process is too drawn-out.

(Summary of Significant Changes Made - continued)

7.5 Appeal hearings in cases of dismissal were previously chaired by the President or their nominee. This still occurs, however, given the number of levels in the hierarchy at HPC now, the policy now contains the flexibility that this is the Chief Executive or their nominee (which may be the President). The President will always hear any appeals by EMT members.

7.6 Specific detail has been provided on the levels of warnings or sanctions that may be administered following a disciplinary hearing and alternative actions short of dismissal have been introduced to allow flexibility. Examples of misconduct, in addition to gross misconduct, are now provided.

8 Grievance Policy and Procedure (Section 5e)

8.1 Procedures have not been changed but greater detail has been provided around the investigatory, companion options and confidentiality requirements. Greater detail has been provided on informal processes.

9 Anti-Bullying and Harassment Policy (Section 5g)

This policy has been renamed from the previous Harassment Policy and provides definitions for bullying and harassment.

9.1 The legal framework has now been defined and includes definitions of bullying and harassment. Greater detail has been provided on the processes and procedures involved and the rights of the employee and employer in addressing these issues.

10 Information Technology Policy (Section 5h) formerly Internet and Email Policy

10.1 This has been updated to outline the legal framework. The policy is a combination of three previously separate policies around security, confidentiality and email use.

11 Study Policy and Reimbursement of Professional Membership Fees (Section 7c)

11.1 Exam leave reduced significantly - from up to 5 days per exam to a capped maximum of 5 days per year.

11.2 Funding of a course by the HPC now has a guideline of £1,000 per year per employee, with a maximum of £2,500 per year for exceptional circumstances. This amount was not previously capped however most managers have traditionally budgeted for £1,000. The

(Summary of Significant Changes Made - continued)

procedures around reimbursement for professional memberships have now been clarified.

11.3 More clarification has been provided on agreeing timeframes at the initial stage of approval.

11.4 There has been an addition of new consequences for failure of study or exams. This includes an ability by HPC to recover payment from employees upon failure of exams and HPC's discretion to withdraw support for the study.

12 Entirely New Policies

12.1 Adoption Policy (Section 4)

12.2 Retirement Policy (Section 5)

12.3 Recruitment of Ex-Offenders Policy (applies only to FTP) (Section 6)

12.4 Criminal Records Checks and Disclosure Policy (applies only to FTP) (Section 6)

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Section 1a – Welcome

Welcome to the Health Professions Council. We are the statutory regulator for 13 health professions across the UK and as such have been charged with protecting the public and upholding standards among these professions.

You are about to play a vital role in ensuring we fulfil these obligations.

What you will find within this handbook are guidelines on how the HPC operates along with how you as an employee can expect to be treated while you are part of our team. It draws on a wide range of different experiences and resources and can be used in conjunction with our Intranet to provide you with the most up-to-date information available for employees. It is designed to help enhance the working relationships between you and your colleagues and offer you a support structure, should you need it, during your time with us.

From time to time, legislative or organisational changes lead to revisions or updates of the Employee Handbook. The policies will therefore be regularly reviewed by the Human Resources Department and employees informed about or consulted about any changes as appropriate.

You have joined an organisation that sets extremely high standards of professionalism for its employees. We will ask you to contribute your knowledge, experience and enthusiasm to our organisation and in return we will offer you the opportunity to grow and develop professionally while working as part of a dedicated and diverse team.

I genuinely believe that the people here at the HPC have the ability to make us the very best health regulator in the UK. You have been chosen to work with us because you have the qualities that will help us achieve that. We believe we offer a high standard of employment conditions and opportunities many of which are encompassed in this Handbook. I look forward to working with you.

Best Wishes

MARC SEALE

**Chief Executive and Registrar
Health Professions Council**

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2007-07-30	a	HRD	PUB	Section 1a - Welcome	Draft DD: None	Internal RD: None

Section 2a - Induction

1. Policy Statement

1.1 The Health Professions Council is committed to providing a relevant induction programme for new members of the organisation and for existing employees switching to a new job.

1.2 In doing so, everyone new to a job will have the necessary knowledge and understanding to carry out the functions of their job.

1.3 The Induction Process is threefold and involves:

- An induction with Human Resources on core business practices, policies & procedures.
- An induction with their manager on their role and specific departmental practices
- An induction with a member of each HPC Department to outline that department's key functions and their interaction with the department of the new starter (see 5.0 below).

1.4 The HPC does not regard induction ~~as the same as~~ any other training: it is not an event but a process. Those new to a job require increased support from their line manager during the induction period.

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1.5 The HPC induction programme is built around three principles:

- That overall responsibility for implementing the programme rests with the line manager and new starter, supported by Human Resources as appropriate;
- That all new to a job come within the scope of the programme and that some aspects of the programme will differ according to the experience level and job needs of the employee; and
- That individuals have ultimate responsibility for their own development and must be willing to contribute to the process.

2. Objectives

2.1 Objectives of the HPC induction programme are to:

- Recognise that everyone has expectations and concerns when starting a new job and to address these early in employment;

- Help individuals settle in quickly and start the process of commitment to business objectives, their departments and their new jobs;
- Help individuals achieve performance standards and produce results as quickly and smoothly as possible; and
- Support line managers in planning the training and development of their teams.

3. Responsibilities

3.1 Line Manager

Line managers have primary responsibility for inducting members of their team. They are in the best position to identify training needs, and with their knowledge of the job, monitor, support and encourage the new employee's progress. The expectation is that managers will achieve this through regular meetings and reviews.

3.2 Inductee

The inductee has a responsibility for increasing their own knowledge of the job and HPC by making use of all the learning methods available to them. They are also expected to develop networks of people who can support them through their induction process.

3.3 Human Resources

The role of Human Resources is to advise and support line managers on the content of the induction programme ensuring that the necessary links to other HPC systems are made such as performance management and probation. Human Resources will also be responsible for delivering components of the core induction programme.

4. Procedure

4.1 In advance of the new starter's first day managers are expected to ensure that the essential IT and administrative details which contribute to a positive start are in place. This includes ensuring that an Induction is arranged with a member of Human Resources.

4.2 The manager should use the New Starter Induction Form to prepare the induction period, deciding how each area is to be covered (eg meetings with key personnel, training events and reading) and by whom.

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 <#>Core Areas of the Programme¶
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About the business, local department and the job¶
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 Strategy and objectives of HPC¶
 Our product, i.e. UK, EEA, international and grandparenting registration, and the service we provide, i.e. protection of the public.¶
 Departmental structure, function and contribution to the business¶
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 Probationary period¶
 Booking arrangements: holidays, overtime, sickness¶
 Use of Information Technology and systems¶
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 Arrangements and organisation¶
 Accident and incident reporting procedures¶
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4.3 Drawing on the selection process, account should be taken of what the individual already knows and any areas of expertise. There may also be areas that the new starter needs to develop.

4.4 Regular meetings should be built into the induction period in order to evaluate progress and identify further learning needs. To facilitate this, Human Resources will give the new starter an induction checklist which shows which areas must be discussed with them by their manager or delegated colleague within 2 weeks of their start date.

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4.4 . The induction programme should be sent to the new starter at least one week before the start date.¶

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4.5 The complete induction programme should be evaluated within the first six weeks of joining. Further induction needs may be identified and acted upon at that time

4.6 In parallel with this, performance management objectives and a learning and development plan should be agreed.

4.7 The agreed performance metrics should be used to provide an objective method of assessing the new starter at the end of the probationary period.

5. Procedure for Departmental Inductions

5.1 Each department holds an induction for approximately 30 minutes on a particular day once a month and all recent new starters attend. Inductions are held in the departments' offices unless notified otherwise. New starters then attend inductions by department as and when they occur throughout the first two weeks of each month.

5.2 Managers will add new starters to the next month's induction timetable when they join HPC and ensure that they attend.

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5.3 Managers should ensure that their induction times are in their diaries and that they have at least one other person in their department who can give inductions if necessary. The timetable is posted on the intranet.

Section 3a – Pay Arrangements

- 1.0 All employees are paid monthly directly into their bank or building society account. Pay for each calendar month is paid no later than 20th day of that month, the precise day being dependant on when weekends and bank holidays fall.
- 2.0 At the beginning of each financial year the Finance Department provides employees with details of the actual pay dates for the year.
- 3.0 Any queries regarding pay should be directed to the Financial Accountant.
- 4.0 Pay in advance is not provided to employees under any and all circumstances.

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2007-08-29	a	HRD	AOD	Section 3a - Pay Arrangements	Final DD: None	Internal RD: None

Section 3b – Pay Policy

1.0 Introduction

1.1 The policy outlines the process that the Health Professions Council (HPC) uses to set the salaries of employees. The pay policy is designed to:

- attract suitably qualified people to work at HPC
- retain people who have the required competencies or who make a particularly valuable contribution and are performing to the standards expected
- reward people for their individual contribution
- be free from unfair discrimination; and
- be affordable.

1.2 To attract and retain suitably competent people we:

- benchmark jobs against the inner London market rates for the public sector as advised by an independent job evaluation organisation;
- determine pay on the basis of the contribution of each job to the organisation as defined in the job description;
- determine a market range for each individual job;
- set the minimum of the rate at the lower quartile and the maximum at the upper quartile figures of the range provided by the job evaluation company and determine a starting salary within this range; and
- take account of a number of factors including competencies, current salary, recruitment difficulty and internal consistency to determine starting salary.

2.0 Job Descriptions

2.1 All HPC jobs have a job description. Therefore, all employees have a job description. However it should be noted that in some situations where a number of employees are undertaking similar roles they will have identical job descriptions, for example Registration Officers or Fitness to Practise Case Managers. When a new position is created the job description is jointly agreed by the Line Manager and the Human Resources Department before an appointment is advertised.

2.2 It should be noted that all HPC's job descriptions use a similar format as recommended by HPC's pay evaluation company and employment advisors.

3.0 Annual review of salaries

3.1 Once a year all salaries for all jobs are compared to the market rate. This exercise takes place in the last quarter of the financial year in January to March so that any adjustments can be included in the draft annual budget.

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2007-07-30	a	HRD	PUB	Section 3b - Pay Policy	Draft DD: None	Internal RD: None

4.0 Expectation of an annual salary adjustment

4.1 An annual salary increase is not a contractual obligation. It is therefore possible that no salary increase will occur due to a number of factors. These include for example the financial well-being of the HPC, poor performance by an employee, or changes in the labour market.

5.0 Changes to Job Descriptions

5.1 If the responsibilities of a job change significantly, then the job description is revised. This can be at the request of the line Manager or the employee. Any changes to the job description have to be formally agreed in writing by the next line manager.

6.0 Salary Changes linked to Job Description Changes

6.1 If the job responsibilities change significantly during the year, the job description is revised at the time and sent to the external company who evaluate HPC's job descriptions, Incomes Data Services (IDS). If there is an increase in the salary amount awarded to the post as a result of the amended job description, a contract variation process is undertaken which involves written justification from the Manager, and approval from the Director of Finance, Director of Human Resources, and Chief Executive. This process is used infrequently as HPC job descriptions are generic in nature and are flexible, high level and not prescriptive.

7.0 Performance Appraisals and Salaries

7.1 All HPC employees undergo a performance appraisal once a year. Copies of the relevant documents are found in Section 7 of the Employee Handbook. The result of the performance appraisal is directly linked to any future salary increase.

7.2 It is anticipated that the majority of employees will receive a salary increase in line with the market rate if there has been a change in the market rate.

7.3 In exceptional circumstances only, employees who perform significantly above and beyond the expectations for their role are eligible to be considered for an extra pay increase. Equally for particularly poor performance, employees may receive inflation only and not the full salary increase awarded to that post. Some may receive nothing at all.

The employee does not have any influence on any additional or lesser amounts awarded. The ratings provided in the performance review and comments need to reflect the justification for such measures, particularly when compared to other ratings awarded within that team. For each year the amount of any additional salary awarded for employees who perform significantly above and beyond the expectations of their role is usually 1% to

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2%. However, this can vary in addition to any increase which was already going to be awarded accordingly to market rate and an average performance.

8.0 Market Sector Comparisons

8.1 HPC salaries are set in line with the employment market for Central London. The HPC is a relatively small organisation in terms of employee numbers. It is also not a subsidiary of a much larger organisation. The HPC therefore adjusts salaries in relation to the market rate for a specific job. The salaries of jobs at HPC can be relatively easily linked to market rates, unlike other organisations such as some larger organisations.

8.2 HPC sets its salaries in relation to general public sector rates. Private rates are also obtained however these are used for observation purposes only and to gauge an idea of any potential difficulties there may be to attract recruits to public sector rates if the private industry rate is much higher for that profession generally. HPC does not set its salaries in relation to highly profitable sectors, for example the financial services industry. HPC does not set its salaries against local government or the charities.

8.3 The size of the amount of money available for salaries increases is determined by reference to forecast information, HPC's financial status, the ratio of salaries to total operating expenses, and the outcome of performance reviews. This "pot" is presented to and approved by the Remuneration Committee, Finance and Resources Committee, and Council. There is therefore not an expectation of an annual salary increase, salaries are not reviewed in line with inflation, and discretionary bonuses are not paid.

9.0 Process to ascertain market rates

9.1 Once a year all job descriptions are reviewed by an external organisation that has extensive and up to date data on the salary market. Following advice from the Work Foundation, this organisation was changed to Incomes Data Services (IDS) in April 2007.

9.2 IDS are an independent research organisation providing information and analysis on pay conditions, pensions, employment law, and personnel policy and practice. They are a part of Thomson Corporation, a worldwide organisation.

9.3 When pay benchmarking, IDS establish the appropriate comparators for benchmarking, for example whether specific industries or locations are required and if the jobs are common to many employers. They consider the job description details provided by HPC and research the market pay information. IDS's approach is to use a number of different sources, their internal databases and others, and to give named sources for the data. Typical data sources are the IDS pay benchmark database, IDS salary surveys and research including Executive Compensation Review and Pay in the Public Services. They also have access to a wide range of salary surveys

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by commercial providers and other regulators. No additional London weighting allowance is awarded to posts by HPC.

9.4 The IDS market data is then matched to HPC salaries by either:

- job title. This is appropriate in the case of jobs that are common across many organisations; or
- job level. A generic set of work levels are used to provide a common job-matching framework across the disparate sets of employers. They provide a relatively easy method of ranking jobs according to the skills, knowledge, responsibility and decision-making required by the role to provide a consistent matching of jobs by size. "Size" includes all of the factors outlined above as well as recognising the complexity and largeness of the organisations concerned.

10.0 Salaries for new starters

10.1 Each job description will have a minimum, median, and a maximum wage. On the advice of the line manager and the HR Department, a new starter's salary will be set between the minimum, median or maximum. Considerations for the Manager in determining this level are the experience of the candidate, the salary of the candidate where they currently work, and comparisons with salaries of other people in the relevant Department and also across the business holding similar posts. Difficulty in finding and appointing candidates is also a factor. This amount forms a mid point for their salary and they can then move along this scale each year as appropriate (outlined in further detail below).

10.2 The IDS amounts are kept confidential from employees as these amounts change every year.

10.3 An example of information provided for a common post is as follows:

IDS Evaluation

Department	Job Title	Public			Private		
		LQ	MED	UQ	LQ	MED	UQ
xxx	xxx	27,072	31,850	36,946	27,213	32,015	37,138

The first three evaluations are the public sector amounts which form the basis of the market range for that individual job. The starting salary and any salary adjustments made from here onwards will then be determined within this range between the lower quartile (minimum starting point for the range for this post) and the upper quartile (maximum starting point for the range for this post). The second three are the private sector rates which are noted for information (comparison purposes) only.

In very exceptional circumstances only, a starting salary may be awarded below the lower quartile amount. Such circumstances may be where a

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candidate requires significant training and development to meet the skills required for the post.

11.0 Maximum Salaries

11.1 For any employee whose salary matches the maximum upper quartile amount recommended by IDS, there will only be a potential inflationary increase (provided the employee receives a satisfactory performance appraisal). However, if the upper quartile amount increases the next year to an amount higher than inflation, this would be applied rather than inflation. The decision to impose an upper limit to salary information was taken in 2007 as it was the first time this situation occurred.

For all other employees who have a salary amount between the lower quartile and upper quartile, the maximum salary increase that can be achieved is 10% above the lower quartile or median amount (provided this does not exceed the upper quartile recommended amount).

12.0 Adjustment

12.1 Once all the annual appraisals have been completed and the IDS Report applied, a potential total salary increase for all existing jobs is calculated. This is calculated based upon the salary estimates for each post.

12.2 This is then compared to:

- Wage inflation forecast
- % salary costs of operating expenses
- HPC financial well-being
- Results from performance appraisals

The total figure may therefore be adjusted before incorporation into the draft annual budget.

13.0 Approval process

13.1 The draft proposed salary increases are reviewed by the Remuneration Committee then incorporated in the draft annual budget.

13.2 The budget including salaries is presented to the Finance and Resources Committee. The Committee then recommends its approval by the Council.

14.0 Banding

14.1 HPC does not use banding where employees are placed into a band with other employees regardless of the market value of their own post and progress within those set bands each year. However, HPC jobs can be grouped into five similar salary groups. They are as follows.

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2007-07-30	a	HRD	PUB	Section 3b - Pay Policy	Draft DD: None	Internal RD: None

- i The Executive Management Team (EMT)
- ii Middle Managers
- iii Coordinators
- iv Specialists
- v Administrative and support employees

These groups do not have an impact on how salaries are calculated for individual employees. The only potential reason that these salary groups may be referenced is to ensure that for new starters and increases for existing employees, salaries are awarded which are not inconsistent with those awarded to similar positions within the organization.

15.0 Incrementals

15.1 Some employers divide the salary for a job into a number of equal slots or increments. Each year the majority of employees have a salary increase of one increment. HPC does not use this process.

16.0 New starters

16.1 The salaries of any new starters who join the HPC after 1st January are not reviewed until the following April, ie a maximum period of fifteen months.

17.0 Secondments

17.1 Employees who are seconded to a different post are paid at the same rate of pay as their substantive post. No salary increase or decrease is applied according to the salary of the particular post to which they are seconded.

18.0 Discretionary Annual Bonuses

18.1 HPC does not currently pay discretionary bonuses. Bonuses are defined as one-off payments related to performance.

19.0 Wage Inflation

19.1 HPC does not apply salary information to salaries as the IDS annual comparison to the market includes salary inflation. The only occasions where salary inflation may be applied is (as mentioned above) where performance is poor and a non-standard pay rise of no increase or inflation only may be awarded or where the employee has reached the maximum salary recommended by IDS.

20.0 The Executive Management Team (EMT) and Chief Executive Salaries

20.1 The Chief Executive presents a summary of the EMT's annual performance appraisals to the Remuneration Committee in March each year,

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along with the proposed salary increases. These are then formally endorsed by the Remuneration Committee and recommended to Council for approval.

21.0 Chief Executive

21.1 The Chief Executive undergoes the same performance review process as the rest of the organisation with the President of HPC conducting the Chief Executive's performance review. The President presents a summary of the Chief Executive's annual performance appraisal to the Remuneration Committee in March each year, along with the proposed salary increase. This is then formally endorsed by the Remuneration Committee and recommended to Council for approval.

22.0 Temporary Agency Workers and Contractors

22.1 The HPC occasionally uses temporary agency workers or contractors for urgent or specific tasks and projects. These are not HPC employees and do not go through the HPC employee salary process.

23.0 Council Members, Committee Members and Partners

23.1 Council members, Committee Members and Partners are not HPC employees and are therefore excluded from the HPC employee salary process.

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Section 3c – Acting-Up Allowance

1.0 Policy

- 1.1 Acting-Up is defined as a temporary arrangement where an employee undertakes the full range of duties and responsibilities of a higher grade to resolve a short-term staffing problem or to undertake a specific project. In exceptional circumstances only Acting-Up may arise where there is no vacant post and a manager can only add to the duties of an existing post. The employee must be qualified to do the job, must have the capability to do the job and take full responsibility for the job.
- 1.2 Where Acting-Up is used to cover a short term staffing need, advertising is not required and may be inappropriate in some circumstances. However if a number of employees are likely to be interested in a particular Acting-Up position it may be good practice to advertise within the HPC. This decision would be at the Manager/Director's discretion with advice from the Human Resources Department to achieve consistency of approach.

2.0 Allowance

- 2.1 For anyone authorised by their Manager to take full responsibility for acting in a higher level position for a period of three (3) weeks or more, there is an eligibility for Acting-Up Allowance, which would be paid from the date the duties first commenced.
- 2.2 Employees who are acting-up in a position for less than three (3) weeks are not eligible for Acting-Up allowance.
- 2.3 The Acting-Up allowance is an amount equivalent to 15% of the employee's current salary in their substantive position, which is paid in addition to their current salary.

The Acting-Up allowance is applied only to the time actually worked in an Acting-Up capacity. The Acting-Up opportunity and allowance may be ended at any time, at the employer's discretion.

- 2.4 Whilst there is no formal upper limit to the time period for Acting-Up, it would be good practice for this not to exceed six (6) months. For periods exceeding six (6) months, a case must be put to the Chief Executive and Registrar by the relevant Director. This will be considered on its individual merits.
- 2.6 No additional sick leave or annual leave will be awarded whilst in the Acting-Up role (although the employee will be receiving a greater salary, they will not receive more leave over and above their existing

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level). Any sick leave or annual leave accrued during the period of Acting-Up and taken after the period has ended will be paid at the rate of pay applicable to their substantive position only.

- 2.7 If employees are working in an Acting-Up capacity, they cannot be on long term maternity leave or extended annual leave while in the Acting-Up role. Employees will only be paid the Acting-Up allowance if actually performing the management role.

3.0 Procedure

- 3.1 The relevant Director to fill in an *Acting-Up Allowance Form* as soon as possible. This form to be returned to Human Resources, who will notify the Financial Accountant for the next monthly pay to be amended.
- 3.2 Individuals taking responsibility for Acting-Up as Heads of Departments should (if the Acting-Up replacement is sudden and has not therefore been notified to the Human Resources Department by the actual Head of Department) contact the Human Resources Manager as soon as possible.

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Section 3d – Overtime and Time Off in Lieu

1. Policy

1.1 The HPC does not wish to encourage long working hours and prefers that overtime to be kept to a minimum, covering essential work only.

1.2 Time in lieu or payment is agreed between the manager and the employee. Ultimately it is the manager's discretion on whether time in lieu or payment will be offered for overtime hours worked (with budget restrictions, peak workloads, and the employee's personal preferences in mind).

1.3 At all times the provisions of the Working Time Regulations will be adhered to in the application of this policy to employees.

2.0 Overtime for additional hours worked in employee's usual place of work.

2.1 For overtime payments awarded during the week, the employee must work a full half hour to be eligible for the overtime payment. Any time worked less than a half hour will not qualify for payment of overtime. Overtime will be paid at the flat rate for all employees until a minimum of 35 hours are worked in any week.

2.2 Overtime can only be claimed after 35 hours in any one week has been worked. However, whilst annual leave is not classed as hours worked, it will contribute to the accrual of the 35 hours to qualify for overtime. Overtime may be authorised by Managers if annual leave has been taken in any one week. However overtime cannot be worked or paid on a day of annual leave. Overtime must be approved in advance by the line manager.

2.3 Overtime is paid at 1½ times normal hourly rates. Details of hourly rates are available from the Financial Accountant.

2.4 For those working part time, additional hours will be payable for hours worked up to 35 hours. Over and above 35 hours will be paid at 1½ times the hourly rate.

2.5 Employees receiving overtime payments are not eligible to claim time in lieu for the same period worked.

2.6 Overtime must be approved by managers in advance and must be for specific projects, duties or backlog of work.

3.0 Time Off in Lieu (TOIL) for additional hours worked in employee's usual place of work

- 3.1 Time in lieu is awarded at an amount equal to the extra hours worked by the employee. For example, if one extra hour was worked, one hour of time in lieu will be awarded. As with overtime, time in lieu must be approved in advance by the manager **and must be for specific projects, duties or backlog of work.**
- 3.2 Time in lieu should not be accumulated and should be taken within one calendar month of the time worked.

4.0 Time off in Lieu (TOIL) allowance for regular work away from the employee's usual place of work.

4.1 For some posts (which include, but are not limited to, those in the Communications, Education – Approvals and Monitoring, and Fitness to Practise Departments), regular travel is an inherent duty and requirement of the job. This is made clear at interviews, and through other mechanisms such as job descriptions and contracts of employment as appropriate, when the employee initially accepts the offer of employment with HPC.

4.2 Hours worked away from the usual place of work or work-related traveling hours in addition to 35 hours per week qualify for a late start or TOIL under defined conditions:

- Where an employee has been working away from their usual place of work for a day and they return to their home at a time less than twelve hours before their contractual start time the following day, they may have a late start and come into the office by 10:30 am. If the employee arrives home 12 hours or more before their contractual start time the following day no late start is provided.
- Where an employee has been working away from their usual place of work and they are required to spend a night or nights away from home the following TOIL applies:

1 – 2 consecutive nights away: ½ day TOIL
3 or more consecutive nights away: 1 day TOIL

4.3 This will normally be taken as soon as the employee would normally be due to return to the office, however, can be taken on another day if agreed in advance by the employee and their manager.

5.0 Eligibility

5.1 Some posts are not eligible to receive overtime, or time in lieu, and this will be specified in contracts of employment and/or interviews where

applicable. Overtime and time in lieu are not payable/ provided to members of the EMT or to managers who have supervisory and line management responsibilities. **However, they may request a late start the following day which is at the discretion of their manager to award.**

5.2 Overtime payments are only awarded for hours worked in the HPC offices or the employee's home if that is their usual place of work.

5.3 All provisions of this policy apply to international work travel.

6.0 Procedure

6.1 Applications for overtime payments should be made through the line manager or budget holder in advance.

6.2 When approving overtime, line managers are responsible for ensuring that the following criteria are adhered to:

- a) it is for departmental/organisational convenience and not for individual preference;
- b) the circumstances are special and are not caused by poor planning;
- c) there are funds in the budget; and
- d) the individual has already worked 35 hours

6.3 Authorised overtime forms should be sent to Finance Department by the 15th day of each month.

6.4 The Human Resources Department will analyse overtime payments and time in lieu taken from time to time to monitor which Departments are spending in this area and what types of roles are being paid overtime.

Note: This policy has been developed from the existing provisions and will therefore be subject to review after a 6 month period to evaluate it's effectiveness in working for employees and management,

Section 3e - Pension Plan

- 1.0 Following the successful completion of their probationary period, all employees may join the optional pension plan.
- 2.0 The plan currently being used by the HPC is a Group Personal Pension Plan ("the Plan") arranged and operated by Friends Provident Life and Pension Limited. The Plan is not contracted out of the State Pension Plan, which ensures that all pensioners receive the State pension in addition to the pension derived from Friends Provident; however members can choose to opt out of the Second State Pension if they wish.
- 3.0 Under the Plan employees have their own personal account which is set up under their name and belongs to them.
- 4.0 Contributions from both the HPC and the employee are paid into the Group Personal Pension Plan and the employee has discretion to choose which fund(s) they invest the money in from a range of investment options with varying degrees of risk.
- 5.0 The Plan aims to build up a fund of money in a tax efficient way which will provide an income on retirement primarily based on the amount of contributions paid in by the employee and HPC, the performance of the investment fund chosen by the employee and the prevailing annuity rates at the time that the employee chooses to draw benefits.
- 6.0 The value of an investment and any income from it is not guaranteed and can go down as well as up depending on investment performance.
- 7.0 Contributions paid into the Plan currently attract tax relief from the Government.
- 8.0 Employees are eligible to join the Plan if they are aged between 18 and 65; are employed directly by the HPC; have completed their probationary period successfully and are paying a minimum required contribution of 3% gross of their annual salary.
- 9.0 Currently members of the HPC pension Plan contribute 3% of their gross basic salary per annum and the HPC currently contributes 7% (and a further contribution for life cover – see Section 3g Life Assurance). Employees may increase their contribution above the 3% minimum up to the maximum tax relievable allowance set by HM Revenue & Customs.
- 10.0 Previously the HPC contributed 16.5% as the employer contribution. Employees who joined the pension Plan at the time of employer contribution rates of 16.5% retained the more generous contribution rate and the lower 7% contribution rate was applied to new employees

from that date or existing employees who had never joined the pension Plan.

- 11.0 The HPC has sole discretion, with or without notice, to change the contribution rates at any point.
- 12.0 Contributions may be transferred in from employees' previous pension plans when they join and, indeed, can be transferred out to other pension plans should employees leave before retirement age. You will need to seek independent financial advice before effecting any pension transfer.
- 13.0 You are currently allowed to draw retirement benefits from the age of 50 however, from 2010 the minimum age will rise to 55. Again, you should seek independent financial advice before drawing retirement benefits.
- 14.0 The Plan currently allows for retiring members to choose to take 25% of the pension fund as a tax-free lump sum and the rest of the pension fund (or all of it if not opting for the tax-free lump sum) can be used to secure a pension income which will be subject to tax..
- 15.0 Further details of the Plan may be obtained from the Financial Accountant or from the Plan administrators: Friends Provident Life and Pension Ltd, PO Box 1550, Salisbury, Wiltshire, SP1 2TW (telephone 0870 607 1352).

Section 3f – Life Assurance

- 1.0 If you are a member of the HPC pension ~~plan~~ you are automatically covered for Life Assurance. On death in service, a payment will be made ~~equivalent to three and a half times your salary (as defined by the scheme rules) at the date of your death. In addition, a dependents pension of 1/3rd of salary is insured.~~
- 2.0 This life cover has been purchased by the HPC and the employee is not asked to make any contribution towards it.
- 3.0 All employees are asked to complete a form nominating beneficiaries to whom the lump sums should be paid. The Trustee normally accepts all nominations but reserves the right not to. It is the employee's responsibility to keep nominations up to date and, if necessary, request a new nomination form from the Financial Accountant.
- 4.0 The HPC does not provide private medical insurance.

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Section 3g – Redundancy Policy

1.0 Aim

- 1.1 The HPC recognises and draws attention to the fact that changes in external conditions, organisational requirements and technological development may well affect staffing needs.
- 1.2 The aim of the policy therefore, is to ensure that management action in redundancy situations:
- complies with statutory requirements and good employment practice;
 - complies with the HPC's commitment to equality of opportunity in employment; and
 - preserves the HPC's right to operate to high standards of efficiency and service, whilst minimising as far as possible the risk to jobs when changes occur.

2.0 Policy Statement

- 2.1 This policy and procedure will be used within the HPC when it becomes necessary to declare a post or a group of posts redundant. It assumes that the following measures will be adopted where appropriate to avoid the need for individuals to be made redundant:
- There will be appropriate analysis of service needs and corresponding staffing levels;
 - Whilst not compromising the needs of the organisation, recruitment of certain permanent jobs will be restricted if these jobs could be considered suitable alternative employment to someone under threat of redundancy;
 - Restrict the use of agency temporary workers where appropriate;
 - Training and retraining of employees, to enable them to develop skills required to assist their redeployment; and
 - Slotting in and redeployment, as outlined in this Policy Statement and Procedure.

3.0 Consultation

- 3.1 Where circumstances could give rise to redundancy, the HPC will consult with those at risk at the earliest opportunity.

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- 3.2 The purpose of consultation is to see whether there are ways of avoiding redundancy, reducing the numbers involved, or mitigating the effects of the redundancy on the employee concerned.
- 3.3 Employees affected by potential redundancy will receive relevant information. This will include:
- The category of employees that may be affected, i.e. the number and descriptions of posts and employees that are at risk of redundancy;
 - The proposed methods of selecting employees who may be dismissed (see paragraphs 4 & 5); and
 - The proposed timetable for change.
- 3.4 The length of time for consultation will take account of a number of factors, including legislation and linked to this the numbers of staff affected and the complexity of the proposals.
- 3.5 The HPC will ensure that individual queries and concerns about restructuring are answered throughout any period of change. Where possible, established processes will be used such as 1:1's and staff meetings to ensure this.
- 3.6 An important aim of the consultation process is to ensure that employees are fully aware of their rights, options, and the status of the process applied.

4.0 The restructuring/contraction process

In situations where staff at risk of redundancy, the following process will take place:

4.1 Slotting- in

4.1.1 Slotting-in is the process of moving staff from posts in the old structure to similar posts in the new structure in the fairest way possible. Employees are eligible for slotting-in when posts in the new structure are 75% or more similar to the existing post and the remaining percentage of the new job does not involve a major new skill area (for example line management responsibility).

4.1.2 If an employee is the only individual with a slotting-in claim, then they will be slotted –in to the similar post. If there is more than one individual with a claim for a post in the new structure, then competitive interviews would be held for that post.

4.2 Filling remaining posts in a new structure

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4.2.1 Once all slotting-in has been completed, any remaining vacancies will be ring fenced to those not slotted-in to apply for.

4.2.2 When it becomes clear that there are no redeployment opportunities within the area (i.e. the new structure), every effort will be made to redeploy employees into suitable vacant posts elsewhere in the HPC. Redeployment opportunities will be investigated throughout the redundancy notice period.

4.3 **Suitable alternative employment**

4.3.1 Suitable alternative opportunities will take into account specific skills, experience and abilities and where appropriate preferences. When assessing suitable employment account will be taken of any personal constraints raised by the employee that affect the employee's ability to take up the post.

4.3.2 The HPC would not consider a job suitable alternative employment if it was a lower grade or had substantially reduced or changed hours. However, if an employee registered an interest in such employment, they will be considered for such jobs, provided that the nature of the work makes the post suitable alternative employment.

4.3.3 Where an employee can demonstrate that they can carry out available work except for a minor shortfall in practical or theoretical skills which can be bridged within a 3 month period, they will be assessed as potentially suitable for this work.

5.0 **Protection**

5.1 Employees who accept a job at a lower grade will have their salary protected from the date of entry to the new post. They will remain on their existing salary point without any increases until the salary of the new post catches up with the salary of the old post.

6.0 **Trial Period**

6.1 Anyone accepting an offer of alternative employment is entitled to a four week trial period. The purpose of this period is to allow both the HPC and the employee to decide whether the new employment is suitable. The criteria against which the success of the trial period will be measured will be agreed by management and the individual at the outset of the trial period. The criteria should be based upon the essential requirements contained in the person specification of the job description.

7.0 **Unreasonable refusal to accept an offer of suitable alternative employment**

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7.1 The HPC defines an unreasonable refusal to accept suitable alternative employment in the following circumstances:

- where an employee fails to apply for alternative employment which is regarded by HPC as suitable and has been brought to their attention; and
- if they refuse to take up employment where an offer is made.

7.2 Employees who unreasonably refuse suitable alternative employment will forfeit their right to any redundancy payment.

8.0 Redundancy payments

8.1 The formula for the HPC's redundancy payments are based on statutory redundancy pay but not capping the weeks pay.

8.2 The actual payment is based on the redundant employee's age, service and pay, although there are some limitations placed on these.

8.3 The schedule of payment is:

- Half a week's pay for each full year of service between the ages of 18 and 22
- One week's pay for each full year of service between the ages of 22 and 40
- One and a half week's pay for each year of service from the age of 41 to either the retiring age or the age of 65

8.4 Limitations are:

- Age. Service before 18 and after retirement age is excluded. Between 64 and 65, the total sum is reduced by one twelfth for each completed month.
- Service. A maximum of only 20 years can be used in calculating a redundancy payment.

Calculating the payments

To calculate an employee's entitlement, service must be counted from the dismissal date backwards. For example:

An employee is 45 at the time of dismissal and has 12 years' service. The entitlement is:

4 years @ 1.5 weeks pay (service between 41 and 45)	= 6 weeks
8 years @ 1 week's pay (service before 40)	= 8 weeks
Total:	14 weeks' pay

An employee is 53 and has 30 years' service. The entitlement is:

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12 years @ 1.5 weeks' pay (service from 41 to 43) = 18 weeks
 8 years @ 1 week's pay (maximum available within the 20 year limit)
 = 8 weeks
 Total: 26 weeks' pay

An employee is 23 and has 7 years' service. The entitlement is:

1 year @ 1 week's pay (service from 22 to 23) = 1 week
 4 years @ 0.5 week's pay (service from 18 to 22) = 2 weeks
 Total: 3 weeks' pay

9.0 Appeals against slotting-in/redeployment decisions

- 9.1 Employees who feel that this policy has been incorrectly or inappropriately applied to them in relation to slotting-in/redeployment decisions will have the right of appeal to the HPC President or her nominee.
- 9.2 Appeals should be made in writing within ten working days of written confirmation of the decision. Appeals should set out the grounds on which the application is based.
- 9.3 Appeals will be heard within ten working days of receiving the application. The decision following the appeal will be final.

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Section 3h – Employee Assistance Programme

1.0 Introduction

- 1.1 The Employee Assistance Programme (EAP) is a 24 hours a day, 7 days a week, 365 days a year counselling service. It is available to all employees and members of their immediate household.
- 1.2 This service is paid for by the HPC but provided by one of the leading companies in this field – Personal Performance Consultants UK Ltd (PPC). It provides a point of contact and professional counselling advice across a range of problem areas including bereavement, marital, financial, legal, emotional and alcohol/drug misuse.
- 1.3 The EAP does not remove responsibilities. The HPC's duty to provide effective management continues as do the requirements for employees to meet expected standards of performance and behaviour. However, the EAP does provide positive confidential help when needed.
- 1.4 All employees are encouraged to learn more about the EAP and make use of the programme whenever they or a member of their immediate household would like professional help in dealing with a problem.
- 1.5 In addition, the EAP provides a consultation service for managers and those that supervise team members. PPC has specialists from both counselling and organisational backgrounds who are available to support managers when they are faced with difficult situations.
- 1.6 Typical examples of calls PPC receive via this service include:
- A manager has a member of the team who is a safety risk and might benefit from counselling but refuses to seek help.
 - A manager wants to think through how to confront his team about offensive graffiti.
 - A manager asks how PPC can help a team member with financial problems.
 - A manager has one member of the team off sick and suspects bullying by a colleague at work.
- 1.7 A summary of all the services provided by PPC and frequently asked questions are set out below.

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2.0 Summary of EAP Services

- Available to all HPC employees around the clock, 7 days a week, 365 days a year.
- Access number – **0800 282 193**
- [Website – www.ppcworldwide.com](http://www.ppcworldwide.com) (Access codes as follows: Username: hpc, Password: Health).
- All employees and family household members are eligible to use this programme.
(A family household member is defined as any family member living under the same roof as the employee and is extended to include dependents living away from home – such as children at university.)
- Totally confidential.
- Face to face counselling – up to 8 one hour sessions available for each presenting problem.
- Unlimited access to:
 - Legal Information
 - Financial Information
 - General Information service (similar to Citizens Advice Bureau)
 - Childcare
 - Dependant Care
 - Telephone Counselling
 - Management Consultation

3.0 Frequently Asked Questions

3.1 What does the EAP provide?

The programme provides confidential, professional, prepaid counselling to help overcome such problems as psychological or emotional distress, abuse of alcohol or other drugs, marital difficulties, problems with children, stress, bereavement, etc.

The EAP provides access to legal and financial helplines and also a general information service.

3.2 Who will provide the EAP?

Personal Performance Consultants UK Ltd (PPC) is owned by PPC International in the USA. The company in the USA was established in 1975 and now has a \$25 million turnover business. The UK organisation was formed in 1987 and has many major clients. PPC have specialist employees and considerable experience. They also assure complete anonymity. The programme is not intended to replace the confidential advice and support offered by managers and the Human Resources Department.

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3.3 Why did HPC introduce an Employee Assistance Programme?

The HPC introduced an Employee Assistance Programme in July 2002. As a responsible employer, the HPC recognises that personal problems can adversely impact on the way in which employees perform their jobs and decided to introduce the programme as a benefit for all employees and their households.

3.4 Does it cost employees anything?

No, this service will be fully paid for by the HPC. Inland Revenue do not consider it to be a benefit in kind for tax purposes.

3.5 How can anyone find out more about the EAP?

By contacting PPC on **0800 282193**, looking on-line at www.ppcworldwide.com, or by talking to the Human Resources Department.

Eligibility for the Programme

3.6 Who can use the service?

All employees and any person living in their household.

3.7 Are part-time employees eligible?

Yes, all part-time employees are eligible to use this programme.

3.8 Will the programme be extended to dependents of eligible employees who die in service?

Yes.

3.9 Will the EAP provide services to minor dependents without parental knowledge?

Unless required to notify the parents of minors by law, the confidentiality of minors will be maintained. In most instances the successful resolution of a minor's problem depends on active support from the parent and the EAP counsellors will encourage the minor to involve parent(s).

Contacting PPC

3.10 How can the Employee Assistance Programme be contacted?

Initially by telephoning **0800 282193** for an appointment. You can also access their website at www.ppcworldwide.com (the access codes being a Username: hpc, and Password: Health). It is a voluntary

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programme and services are obtained through self referral. Only in exceptional circumstances will HPC refer someone to the EAP.

3.11 When can the EAP be contacted?

24 hours a day, 7 days a week [or on their website](#). A trained Service Representative will answer the call and advise on what help is available.

Scope of the Programme

3.12 What problems does the EAP offer assistance with?

Any personal issues including marital, family, depression, anxiety, stress, alcohol and drug related problems can be helped via face to face counselling.

3.13 Where will employees see an EAP counsellor once they have made an appointment?

PPC guarantees to arrange for employees to see a counsellor within a 30 mile radius of their home or place of work.

3.14 Will employees get time off to attend counselling sessions?

Individuals are encouraged to make appointments within non-working hours. If necessary, however, personal time off can be requested and this will be dealt with using the existing guidelines for authorising time off.

3.15 Can an EAP counsellor be asked to speak at a departmental meeting?

No. The contractual agreements between PPC and the HPC do not call for this type of activity. Moreover, having an EAP counsellor speak could create the perception that there was a very close relationship between PPC and the HPC and thereby raise doubts about the confidentiality of the EAP service.

3.16 How many counselling sessions is one person entitled to?

Some problems may be dealt with in one session, the vast majority take three or four, but there will be up to eight sessions made available to each person.

3.17 Is it possible for employees to have further sessions with a counsellor than provided for in the programme?

PPC will help the employee to identify appropriate resources for help. This will sometimes need to be paid for privately or may be covered by private medical insurance.

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- 3.18 What happens if employees need further treatment or advice outside the scope of this programme?

Individuals will be referred for further help as required, perhaps via their GP, their private medical insurance or some other service as appropriate.

- 3.19 If an employee has received eight EAP counselling sessions for a problem, may they use the EAP again?

Yes, a participant may seek EAP assistance for different problems. If there is a recurring problem, the participant may also contact the EAP. However, a participant must be prepared to work with the EAP counsellor on the recurring problem within eight sessions. The programme is not intended for long term treatment of an ongoing problem; if such treatment is required, the counsellor will provide referral to resources outside the EAP.

- 3.20 If an employee is unsure whether the EAP handles a particular kind of problem, what should they do?

Employees should contact PPC directly. That is the best way to find out if the programme, which is designed to address a wide range of problems, can help.

- 3.21 If an individual raises a job-related subject – for example, salary, transfer or promotion – with an EAP counsellor, what action will the counsellor take?

The counsellor will redirect the employee to channels within the HPC.

- 3.22 If a person asks an EAP counsellor to intercede on his/her behalf with HPC will the counsellor comply?

No. On job related issues, as stated above, the person will be redirected to HPC. On matters that are medically related, if the person requests the counsellor to intercede on their behalf, this will only be done with their written consent and the approach will be via their GP.

- 3.23 How does financial counselling work?

All financial counselling is given over the telephone. If you have financial problems, then the Services Representative will ask you for your telephone number and a convenient time for you to be contacted. The financial advisor will then contact you during the times you specified.

- 3.24 How does legal counselling work?

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All legal counselling is given over the phone. If you have a legal problem, the Service Representative will give you a unique reference number and a telephone. Ringing the number and giving the reference number will enable you to get help from a legal advisor.

3.25 What types of issues are dealt with by the Information Service?

PPC has an information, Debt and Advice Team who are all trained and experienced Citizen Advice Bureaux advisors and are available to give advice on a range of issues for example, consumer issues, holiday complaints, Child Support Agency, statutory sick and maternity pay, community care, writing to non priority creditors i.e. credit cards, personal loans. All information given is supplied and updated by the Citizen Advice Bureaux.

This service is available via the helpline number, 0800 282193, and the Service Representative will arrange for a member of the team to call you back at a time and place convenient to you.

Monitoring the Services provided by PPC

3.26 What information will be provided about individual employees as a result of the counselling sessions?

The counsellor will hold a personal file on all attending individuals. No information will be related outside PPC unless employees expressly wish the HPC or another person/organisation to be informed. In such instances, employees must sign a consent form which will specify to whom the information is to be released.

3.26 How will the HPC monitor the programme?

PPC will provide the HPC with periodic statistical information. This will not include information identifying those who use the programme. PPC will advise the HPC of the number of people accessing the EAP, the services used and the types of problems presented to the counsellors, in a manner that in no way allows users to be identified.

On completion of the counselling sessions an individual will be given a feedback card to complete and return anonymously to the Human Resources Department.

All of these will help HPC monitor utilisation and gauge the degree of employee satisfaction with PPC.

Role of Managers

3.27 What role will managers play in the EAP?

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The support of managers is vital if the scheme is to be successful. They need to show by their words and actions that it is OK to ask for help via the EAP and that employees understand the programme. Managers should be prepared to answer questions of a general nature and encourage employees to take advantage of the programme if they think it can help.

3.28 If managers are concerned about employees and they know that they are using PPC, can they help them by calling the EAP and discussing their concerns?

No. Managers must not contact the EAP to discuss their concerns about employees. They should consult the Human Resources Department.

3.29 Can managers refer employees with performance problems to the EAP?

No. The HPC does not operate a management referral system.

3.30 Will the EAP be involved in disciplinary actions?

No. The HPC has sole responsibility for disciplinary actions. Performance issues should be dealt with under the HPC's incapability procedure.

3.31 Who should managers contact if they have a question about the EAP?

The Human Resources Department.

3.32 Will new employees be told about the EAP?

Yes. Information on the EAP will be included in the induction material given to employees by the Human Resources Department.

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Section 3i – Season Ticket Loans

- 1.0 Season ticket loans are available to employees following successful completion their probation period.
- 2.0 Loan forms are available from Finance Department and the HR part of the intranet. They should be completed prior to start date for the ticket so that funds can be available on time. The HPC will only make cheques payable to the service provider, e.g. London Underground, and not to HPC employees. Employees should not purchase the ticket themselves and then seek recompense.
- 3.0 Anyone leaving the HPC who has an existing season ticket loan will have the balance of the loan recovered from their final salary payment.

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Section 3j – Supplier and Employee Expenses

In this document, supplier covers things like; trade suppliers, council members, partners and witnesses. Trade suppliers are all suppliers other than council members, partners (assessors and visitors) and witnesses.

1 Supplier Expenses

- 1.1 For new trade suppliers, an “initiator” needs to set them up as an authorised supplier, via the Lotus Notes New Supplier set-up procedure. Typically, an EMT member will do this.

Once approved as a new supplier, the Finance Dept is automatically notified to set new trade suppliers in the Purchase Ledger system, so they can be paid in future. NB: For non trade suppliers (new council members, partners and witnesses), there are manual set-up forms to complete (refer Secretariat, Partner Manager and FTP Dept respectively). Once approved, these are manually sent to the Finance Dept for set up in the Purchase Ledger system, so expense claims can be paid in future.

- 1.2 To order goods or services from trade suppliers, once approved as an authorised supplier, an HPC purchase order (PO) must be completed and signed by the relevant signatory (refer latest Invoice/Purchase Order Signatory list maintained by the Purchase Ledger Officer).

PO's are required for all purchases, including non UK travel, with the following exceptions; P&O travel costs, witnesses, staff, council member and partner expenses. PO's should always be completed AFTER the trade supplier is approved, and BEFORE receiving the supplier's invoice relating to the purchase.

For purchases, including legal and professional services, an authorised PO should be raised in advance, with an estimate of the likely costs obtained from the supplier.

For Kingsley Napley (KN), a PO needs to be raised in advance for each Case Number (non general advice). For general KN advice, one PO per financial year should be raised, with an overall cost estimate for HPC as a whole.

For Bircham Dyson Bell (BDB), PO's should be raised in advance for estimates of legal services (non general advice) e.g. specific HR Employment legal issues and drafting of specific commercial contracts. For general BDB advice, one PO per financial year should be raised, with a cost estimate for HPC as a whole.

For short-hand writer services (case transcripts), Braille services and small mail-outs (not Print UK), one PO is set up each financial year for

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the estimated cost of services provided. This PO needs to be quoted on all the relevant supplier invoices to HPC.

- 1.3 For details of who is authorised to raise PO's and up to what VAT-inclusive amounts per invoice/PO, please refer to the latest Invoice/PO Signatory list. This list is maintained by the Purchase Ledger Officer.
- 1.4 Pre-numbered, three part purchase order books are held by budget-holders and issued to budget-holders by the Finance Department.

Failure to ensure authorised purchase orders are raised at the initial stage, or failure to ensure that invoices are authorised by the valid signatory will be treated very seriously (may result in disciplinary action).

Step One - the authorised, white top copy of the PO goes to the trade supplier, the pink and blue copies remain in the PO book. When the trade supplier sends their invoice to the Finance Dept to arrange payment, the Purchase Ledger (P/L) Officer attaches a header sheet (Springfield>Finance>Forms>Purchase Ledger Detail Form), dates and reference-stamps the header sheet and forwards both to the relevant budget-holder.

Step Two - The budget-holder attaches the pink copy of the relevant PO to the invoice. The budget-holder authorises (refer Invoice/PO Signatory list for the valid list) and completes the details on the Detail Form and forwards the three forms (Detail form, invoice and PO) to the P/L Officer for payment processing. NB: By keeping the blue copy permanently in the PO book, the budget-holder has a record of what they've ordered over time, in case the supplier disputes what was ordered, or multiple invoices relating to one PO are sent. The budget-holder also knows if the pink copy is still in their PO book, then the invoice hasn't yet been received and paid by HPC.

For pro-forma payment requests (special situations where an urgent payment *must* be made to a supplier in advance of an invoice being obtained), Step One above still applies, but a payment detail form (see Springfield>Finance>Forms>Purchase Ledger Detail form) needs to be completed and attached to the pink PO before payment processing can occur. The P/L Officer maintains the register of pro-forma payments made and *it is very important that the employee requesting the pro-forma promptly obtains the actual trade supplier's invoice and gives it to the P/L Officer*, for Audit and Tax compliance purposes. At Step Two, only the completed Detail Form and Invoice are forwarded to the P/L Officer.

Trade supplier credit notes (these are typically where the supplier invoiced HPC in error, incorrect quantities etc) should be agreed between the budget-holder and the supplier first. The supplier sends the credit note to the HPC P/L Officer. The P/L Officer attaches a

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“Request for Credit Note form” – refer Springfield>Finance>Forms>Request for Credit Note, completes section 1 of the form and attaches the form to the supplier’s credit note. The P/L Officer then passes the form and supplier credit note to the relevant budget-holder. The budget-holder then checks the details as agreed with the supplier and completes section 2 of the Request for Credit Note form. Credit Note authorisation levels are the same as for Invoices and Purchase Orders (who can authorise and the authorising limits). The budget-holder promptly passes the form and credit note on the P/L Officer to complete section 3 of the form and complete processing in the Purchase Ledger.

Final Step - the Finance Department run fortnightly pay runs; to pay trade suppliers and councillors, witnesses and partners for expense claims submitted – refer published payment timetable on Springfield>Finance>Payment Dates>Purchase Ledger Payment Dates.

2. Employee Expenses

2.1 The claimable rates quoted in section 4 of this policy document may change from time to time. Changes will be sanctioned by the Finance and Resources Committee in advance. Finance Dept will update the rates in this Handbook and send an email notification to all employees.

2.2 Employee expense claims, authorised by the relevant budget-holder with supporting tax receipts, should be submitted as soon as the expense is incurred. Full details must be made on the claim form provided for the purpose – refer Springfield>Finance>Forms>Staff Expense form.

Spare expense claim forms can be taken on a work field visit and posted back (with supporting receipts) to the budget-holder at Park House, to ensure prompt processing. Late submissions will result in late settlement.

2.3 All payments will be made into employees’ bank accounts. Payments will not be made by manual cheque, unless in exceptional circumstances. After the pay run, please allow a couple of working days for the funds to hit your account.

2.4 Receipts are required to substantiate claims, which should be made on the form provided. Vouchers for items below £5 VAT inclusive are not required where receipts are not available.

2.5 The current policy relating to staff credit cards is that no credit cards will be issued to staff.

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3 Legitimate Business-related expenditure

- 3.1 Employee expense re-imburement will only occur where expenses identified in the claim are *actually and necessarily incurred* for business purposes. For example, employees claiming lunch costs that are of a personal nature are not able to be claimed. Exceptions to this are meal costs (refer section 3.1 below) claimable for tax purposes as travel-related costs, where they clearly relate to a work-related trip, travelling or staying away (from the normal place of work) on work business. Refer also section 4.1 "Hotel, Accommodation and Meals" below.
- 3.2 Wherever possible travel and hotels must be booked through the HPC travel agent (Springfield>Finance>Policy & Procedures>P&O Booking Procedures). This allows HPC to get the best bulk deals on such costs in the long run.

4 Travelling and Subsistence

- 4.1 Rates are payable for travelling and subsistence costs to reimburse the out-of-pocket work-related expenses of employees. Expenses will only be reimbursed if actual expenses are incurred. The following expenses will normally be paid:

Rail Fares: Standard Class rail fares at the cheapest available rates. For members of the Executive Management Team, First Class rail may be claimed where train journeys exceed one hour and work is done on the train.

Air Fares: Economy Class airfares will be reimbursed where appropriate and authorised. Business class fares may be claimed by the Executive Management Team following prior authorisation by the Chief Executive and Registrar.

Tube, Coach and Bus Fares:

Will be reimbursed as incurred.

Mileage Allowances:

Mileage allowance is payable for the use of own cars. Use of cars by employees will only be permitted if rules for such use as published by the HPC from time to time are followed. Mileage rates are in accordance with Inland Revenue rates, which are subject to annual change.

The rates to be used until any notification of change is made are as follows:

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Miles 1st 10,000 miles Additional

Any rating 40p
25p

Rates for lease cars are available upon request.

The mileage allowance for (pedal) cycles is 20p per mile for all business miles.

The mileage allowance for motorcycles is 24p per mile for all business miles.

Taxi Fares: Will be reimbursed where a taxi journey can be justified as quicker or more economical than using public transport.

Other Travelling Expenses:

Expenses incurred in respect of tolls, parking and ferries may be claimed.

Hotel Accommodation and Meals:

Bed and breakfast arrangements up to a daily maximum of £120 will be reimbursed. A daily allowance up to a maximum of £30 will be reimbursed.

Members staying with friends or relatives may claim £30 towards subsistence.

Meals taken during travel will be similarly reimbursed if within the spirit of the clause above.

5 Petty Cash

5.1 Petty cash is provided to reimburse employees for small, out-of-pocket and emergency expenses which are difficult to anticipate in advance. Petty cash should be used only where absolutely necessary. NB: Although the float held by the Finance Department is £70, the effective float is only £50, due to a rolling advance for kitchen supplies.

5.2 A business expense of £30.00 or less may be reimbursed through petty cash. Any amounts greater than this, or business expenses subject to other policies (for example, the Travel and Subsistence Expense Claims outlined earlier), are not to be processed as petty cash.

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- 5.3 A petty cash expense invoice or receipt should be submitted within ten (10) working days of incurring the business expense. Supporting documentation in the form of original receipts should be attached to the Petty Cash Claim Form.
- 5.4 Before approaching the Financial or Management Accountant for a petty cash advance, an Expense Claims Form needs to be filled in and signed by all relevant parties. An employee cannot approve his/her own petty cash transactions. They must be authorised by the employee's manager or director. Upon receipt of this form, the Finance Department will provide petty cash at short notice.
- 5.5 Petty cash should not be used for the following:
- Travel expense reimbursements
 - Travel advances
 - Payments for invoices for which a purchase order should be issued
 - Payments to independent contractors, consultants and similar
 - Personal borrowing
 - Payments to employees for services, awards, bonuses and similar.
- 5.6 The petty cash fund is held in the Finance Department. The Financial Accountant as custodian maintains the fund, using an imprest system (issues, coding and replenishment). If there is a change of custodian, the Finance Department will make a note of the change and audit and document the fund level at the time of the change.
- 5.7 The custodian is responsible for ensuring that the petty cash fund is used only to cover those expense reimbursements for which is it not possible, or is unfeasible, to use normal purchasing methods (purchasing on supplier account). The custodian performs a cash book reconciliation of the fund on a weekly basis, ensures weekly replenishment and is responsible for reporting all instances of lost funds.
- 5.8 The custodian is responsible for properly documenting each petty cash transaction by maintaining a detailed journal of all transactions identifying who, purpose, transaction details and date of expense, as well as cost centre/account to be charged, appropriate signature approvals, and retention of the original receipt(s).
- 5.9 An increase to the petty cash fund level must be approved in writing by the Finance Manager.

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6. Capital Expenditure

- 6.1 Each year, the Finance and Resources Committee approves both an operating budget and a capital budget for HPC for the forthcoming financial year (1st April to 31st March of the following year). The operating budget includes income (fees) and operating expenses (salaries, legal costs etc). The capital budget covers capital expenditure i.e. asset purchases – see Springfield>Finance>Policies & Procedures>Asset management and impairment>Asset recognition policies.doc for further information about assets. Assets once purchased, are recorded in the Fixed Assets ledger by the Finance Dept.
- 6.2 Capital expenditure may arise as part of a project or as routine spending associated with running a department e.g. covering the replacement of an existing asset. At HPC, most capital expenditure occurs relating to either building or IT areas and the budget-holder should allow for such spending when their budget is formulated. The Director of Corporate Services is the default budget-holder for Capital Expenditure.
- 6.3 IT Assets are given an asset number (apart from land) and their purchase cost is written off over their useful life (apart from land). If assets are issued to employees, it is the responsibility of the person they are issued to, to ensure they are kept secure (from theft) and safe from damage e.g. water – see also Springfield>Information & IT>Computer use and security of physical and electronic data at HPC>Security policy20040908.doc, section 4. Any occurrences of damage or loss should be notified to the issuing party as soon as possible. The issuing party needs to ensure that custody arrangements comply with HPC insurance cover for that type of asset.

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Section 3k - Flexible Working Policy

1. Background to Policy

- 1.1 The HPC appreciates that flexible working opportunities benefit employees and their families by enabling a balance between home and work responsibilities. The HPC also recognises that flexible working can improve the organisation's retention of employees, raise employee morale and reduce absenteeism.
- 1.2 This flexible working policy gives employees an opportunity to request a change to their working pattern. The HPC will consider requests from employees who meet the statutory criteria set out below and who apply under this policy to change their working pattern. The HPC will also consider applications from employees who do not meet the statutory criteria (see section 10 for these applications).
- 1.3 No employee who makes a request to work flexibly will be subject to any detriment or lose any career development opportunities as a result, regardless of whether or not a request is granted.
- 1.4 For employees covered by the formal statutory procedures, sections 2 to 9 of this policy apply. For employees not covered by the formal statutory procedures, section 10 applies.

2. Eligibility – Employees covered by the Formal Statutory Procedures

- 2.1 Those employees who have caring responsibilities for certain children and adults (see below) have a legal statutory right to request to work flexibly. That right is recognised by the formal procedure set out in this policy.
- 2.2 Formal applications for flexible working cannot be made for any purpose other than caring for certain children and adults.
- 2.3 To be eligible under the formal procedure, employees must:
 - have worked for the HPC continuously for 26 weeks at the date the request is made; and
 - have not made a formal request to work flexibly during the previous 12 months.
- 2.4 If an employee is unable to satisfy all of the relevant eligibility criteria above then they do not qualify in law to make a formal request to work flexibly. Employees who do not satisfy the relevant eligibility criteria should submit a request under the informal procedure (see below).

3. Caring for a Child – Employees who meet the Statutory Criteria

- 3.1 If an employee wants to work flexibly to care for a child they must:

- make the application in respect of a child who is under six years old or, if the child is disabled, under 18 years;
- be responsible for bringing up the child and be making the application to enable the employee to care for the child;
- make the request no later than two weeks before the child's 6th birthday or, if the child is disabled, before their 18th birthday; and
- be either:
 - the mother, father, adopter, guardian or foster parent of the child; or
 - married to, or the partner of, the child's mother, father, adopter, guardian or foster parent.

4. Caring for an Adult – Employees who meet the Statutory Criteria

4.1 Employees who want to flexibly to care for an adult who is aged 18 years or over and who is in need of care must be (or expect to be) the person who cares for that adult, and:

- be married to or be the partner (or civil partner) of the adult; or
- be a relative of that adult; or
- be neither of the above, but be living at the same address as the adult for whom they care.

5. Application Process for Employees who meet the Statutory Criteria

5.1 Formal requests to work flexibly can only be made by eligible employees who meet the statutory criteria to carry out caring responsibilities. This may cover a range of circumstances. For example, an employee may want to spend more time with their child or may want to drop their child off at or collect their child from school.

5.2 The statutory right to request flexible working does not provide an automatic right to work flexibly. There may be situations in which the HPC will be unable to accommodate an employee's desired work pattern.

5.3 If an employee does meet the statutory eligibility criteria and if their request to work flexibly is granted, permanent changes will be made to their terms and conditions of employment to reflect the new working arrangement. There is no right to revert to original terms and conditions or pattern of working without the HPC's prior agreement.

5.4 Employees who meet the eligibility criteria, but who do not want to make permanent changes to their terms of employment should consider making an informal request to their line manager who will consider such request according to the HPC's business needs and operational requirements.

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6. Forms of Flexible Working for Employees covered by the Formal Statutory Procedures

6.1 Flexible working can incorporate a number of changes to working arrangements. Employees can request to:

- change the hours or days they work (moving from full-time to part-time)
- reduce or vary working hours throughout the week or on specific days each weeks (this is different to flexitime, where the start and finish times vary from day to day based on core hours). This can be a permanent or temporary arrangement to enable employees to deal with special circumstances, such as a family or personal emergency
- reduce the number of days worked each week, or
- job sharing – the division of a full-time single job between two people who share the responsibility, pay and benefits
- phased return to work (following an extended absence such as maternity leave or a prolonged illness) – normal hours will be reduced on a temporary basis.
- working at a different location (i.e. working at home on an occasional basis or where a proportion of the working week is at home).

7. Application Procedure for Employees covered by the Formal Statutory Procedures

7.1 If an employee wishes their request to be considered under the formal procedure they should complete the relevant application form (child or adult) at the end of this policy and submit it to their manager.

7.2 It will help the HPC consider a request if employees provide as much information as possible about their existing and desired working patterns, including working days, hours and start and finish times. Employees should think about what effect the changes to their working patterns will have on the work that they do and the effect on their colleagues as well as on the HPC's business needs and service delivery. If employees have any suggestions as to how any potential negative effects can be minimised, they should include details in their written application.

7.3 It would also assist if employees provide details of their caring responsibilities. If their request cannot be accommodated, discussion with manager may result in an alternative working pattern that assists them.

7.4 Within 28 days of the HPC's receipt of an employee's written request to work flexibly, we may arrange to meet with them. If they wish, they may bring a workplace colleague to the meeting.

7.5 The meeting will provide an opportunity to explore the proposed working pattern and discuss how it might be accommodated. Employees will be able to explain why the proposed arrangements accommodate their caring

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responsibilities and discuss what impact their proposed working arrangements will have on their work and that of the rest of their team or department. If there is difficulty in granting the request as outlined in the employee's application, the meeting will provide scope to consider alternative working patterns.

7.6 Employees will be notified of the HPC's decision in writing within 14 days of the formal meeting. If the HPC requires more time to make a decision we will ask the applicant to agree to a further 14 day decision period.

7.7 There will be circumstances where, due to business needs and operational requirements, the HPC is unable to agree to a request. In these circumstances, the employee will be notified as part of this decision feedback clear business reasons why their application cannot be accepted. This letter will:

- confirm the business ground(s) why the request cannot be agreed;
- provide an explanation of why the business reasons apply in the circumstances; and
- explain the appeal procedure.

7.8 The eight business grounds on which the HPC may reject a request are:

- 7.8.1 The burden of additional costs;
- 7.8.2 Detrimental effect on ability to meet customer demand;
- 7.8.3 Inability to reorganise work among existing staff;
- 7.8.4 Inability to recruit additional staff;
- 7.8.5 Detrimental impact on quality;
- 7.8.6 Detrimental impact on performance;
- 7.8.7 Insufficient of work during the periods the employee propose to work; and
- 7.8.8 Planned changes.

8. Approval of Request

8.1 If a request is granted, or where the HPC proposes an alternative to the working arrangement requested, the employee's manager will write to them confirming details of the new working arrangements, details of any trial period, an explanation of any changes to terms and conditions of employment, and the date on which the new working pattern will commence.

8.2 Under the formal procedure any changes to terms of employment will be permanent and employees will not be permitted to make another formal flexible working request within 12 months of the date of their original application.

9. Appeal for Employees covered by the Formal Statutory Procedures

9.1 If a request is rejected, employees have the right to appeal. An appeal must:

9.1.1 be in writing and be dated;

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- 9.1.2 set out the grounds of appeal (explaining why the employee believes the request can be accommodated); and
 - 9.1.3 be sent to their manager within 14 days of the date on which they received the written rejection of their request.
- 9.2 The HPC will arrange for an appeal meeting to take place within 14 days of receipt of a written appeal. If an employee so wishes, a work colleague can act as their companion at that meeting.
- 9.3 A member of management will hear an appeal – they will either be equivalent to or more senior than the individual who considered the original application.
- 9.4 Employees will be informed in writing of the appeal decision within 14 days from the date of the appeal meeting.
- 9.5 If an appeal is upheld, employees will be advised of their new working pattern as outlined at paragraph 11.1 above.
- 9.6 If an appeal is rejected, the written decision will state the grounds for the decision and provide an explanation as to why the grounds for refusal apply in the circumstances. Employees will not be able to make another formal request within 12 months of the date of their original application.

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10. Application Procedure for Employees not covered by Statutory Rights

- 10.1 Employees who wish to make a non-statutory) request for flexible working may make a written request to their line manager . The line manager will consider the request according to the HPC's business needs and operational requirements.
- 10.2 Employees should also confirm whether any proposed change to their working pattern is intended to be permanent or temporary and provide as much information as possible about their existing and desired working pattern, including working days, hours and start and finish times. Employees should include in their application suggestions how to minimise any potential negative effects that might be caused to their department by their working flexibly.
- 10.3 Managers will provide an outline of the steps they propose to take when considering non-statutory requests to work flexibly. This may include inviting the employee to attend a meeting before advising them of the outcome of their request. If their request cannot be accommodated, discussion with their manager may result in an alternative working pattern than can assist them meet their caring responsibilities.
- 10.4 The manager's decision will be final and there is no appeal in relation to a decision taken under this procedure. Employees may submit only one informal application to work flexible during any 12 month period.
- 10.5 The HPC will be as accommodating as is practicable when considering non-statutory requests to work flexibly. A flexible working arrangement should not be detrimental or cause inconvenience to others. Flexible working arrangements should be reciprocal and beneficial to both the employee and the HPC.

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Flexible Working Application Form

Statutory Application Form (Child Related)

Personal Details

Name:

Department:

Manager:

Current Working Pattern

Describe your current working pattern (days/hours/times worked):

Proposed Working Pattern

Describe the working pattern you would like to work in the future (days/hours/times):

Date of Commencement

I would like this working pattern to commence from:

Date:

Impact of New Working Pattern

I think the proposed change to my working pattern will affect my employer and my colleagues as follows:

Accommodating the New Working Pattern

I think the effect on my employer and my colleagues can be dealt with as follows:

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-30	a	HRD	POL	Section 3m - DRAFT Flexible Working Policy	Final DD: None	Internal RD: None

Dear :(Manager name)

In accordance with my legal right, I would like to apply to work a flexible working pattern that is different to my current working pattern.

I confirm I meet each of the eligibility criteria as follows:

- I make this application in respect of a child who is under six years old or, if the child is disabled, under 18 years;
- I will be responsible for bringing up the child and make the application to enable me to care for the child;
- I make this request no later than two weeks before the child's 6th birthday or, if the child is disabled, before their 18th birthday; and
- I am:
 - the mother, father, adopter, guardian or foster parent of the child; or
 - married to, or the partner of, the child's mother, father, adopter, guardian or foster parent.

- I have worked continuously as an employee of the HPC for the last 26 weeks.
- I have not made a formal request to work flexibly during the past 12 months.

Name (print).....(employee name)

Signed.....

Date:.....

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-30	a	HRD	POL	Section 3m - DRAFT Flexible Working Policy	Final DD: None	Internal RD: None

Flexible Working Application Form

Statutory Application Form (Adult Related)

Personal Details

Name:

Staff or payroll number:

National Insurance No:

Manager:

Current Working Pattern

Describe your current working pattern (days/hours/times worked):

Proposed Working Pattern

Describe the working pattern you would like to work in the future (days/hours/times):

Date of Commencement

I would like this working pattern to commence from:

Date:

Impact of New Working Pattern

I think the proposed change to my working pattern will affect my employer and my colleagues as follows:

Accommodating the New Working Pattern

I think the effect on my employer and my colleagues can be dealt with as follows:

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-30	a	HRD	POL	Section 3m - DRAFT Flexible Working Policy	Final DD: None	Internal RD: None

Dear :(Manager Name)

In accordance with my legal right I would like to apply to work a flexible working pattern that is different to my current working pattern. I confirm I meet each of the eligibility criteria as follows:

- I want to work flexibly to care for an adult who is aged 18 years or over and who is in need of care;
- I will be the person who cares for that adult;
- I am:
 - married to, or the partner or civil partner of, the adult; or
 - I am a relative of that adult; or
 - neither of the above, but I live at the same address as the adult for whom I will care.

- I have worked continuously as an employee of the HPC for the last 26 weeks.
- I have not made a formal request to work flexibly during the past 12 months.

Name (print).....

Signed.....

Date:.....

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-30	a	HRD	POL	Section 3m - DRAFT Flexible Working Policy	Final DD: None	Internal RD: None

Application Form for Employees not Covered by a Statutory Right

Dear: (Manager Name)

I wish to make an informal application to work a flexible working pattern that is different to my current working pattern.

Personal Details

Name:

Department:

Manager:

Current Working Pattern

Describe your current working pattern (days/hours/times worked):

Proposed Working Pattern

Describe the working pattern you would like to work in the future (days/hours/times):

Date of Commencement

I would like this working pattern to commence from:

Date:

Impact of New Working Pattern

I think the proposed change to my working pattern will affect my employer and my colleagues as follows:

Accommodating the New Working Pattern

I think the effect on my employer and my colleagues can be dealt with as follows:

Name (print).....

Signed.....

Date:.....

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-30	a	HRD	POL	Section 3m - DRAFT Flexible Working Policy	Final DD: None	Internal RD: None

Section 3I – Working from Home

1.0 Policy

- 1.1 The HPC regards working from home as part of a broad package of measures which enable employees, where possible, to carry out their contracted hours of work more flexibly. Working from home is not considered as an automatic solution to issues that might arise from combining work with caring or other responsibilities as it is not possible to work and undertake caring responsibilities simultaneously. The HPC does recognise, however, that home working can offer an indirect way of managing caring responsibilities more effectively by making it easier to time shift tasks.
- 1.2 This scheme does not replace the ad hoc working from home arrangements employees participate in on occasion. Employees wishing to do this are required to fill in a “Working from Home Authorisation Form”.

2.0 Purpose

- 2.1 This document has been prepared to provide a framework for dealing with requests to work from home; and to answer some of the questions that might arise in connection this provision.

3.0 Features which make a job suitable for working from home

- 3.1 Only jobs that can be carried out without continuous contact with other people and do not have shared office based responsibilities can be considered for home working.
- 3.2 It should be possible to organise the essential face-to-face contact of the job into periodic meetings - e.g. all taking place during one day per week.
- 3.3 Where access to information is necessary on a daily basis, it must be information which can be retrieved remotely, either by phone or electronically.
- 3.4 Where work is time-sensitive there should be an ability to send it electronically.
- 3.5 The HPC will also need to be satisfied that the proposed working environment will meet requirements under the Health & Safety at Work Act and Health & Safety (Display Screen Equipment) Regulations and that home based workers will not be in conflict with their lease or rental agreement.

4.0 Health and Safety considerations

4.1 The Health & Safety (Display Screen Equipment) regulations 1992 mean that equipment is safe and does not affect the user's health. The HPC will be responsible for providing an initial risk assessment for staff who work from home to make recommendations as to the suitability of their user space.

4.2 The Health & Safety at Work Act 1974 requires the HPC to be responsible for their employees' safety at work. To comply with the regulations the HPC will carry out an initial risk assessment of the home based work station and follow this up with periodic health and safety checks.

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4.3 The revised RIDDOR regulations places a duty on the HPC to find out about accidents, incidents, injuries from work related activities. Home workers, are required to report any work related accidents/incidents.

5.0 Managers

5.1 Managers

- ensure that there is sufficient space in the home to work and the equipment installed meets H&S standards;
- ensure that the relevant H&S at Work assessment and regular follow-up assessments, and assessments resulting from other changes (i.e. new and expectant mothers) of home based workers are carried out;
- ensure that technical and data security problems are minimised;
- establish with the employee the core hours of Home working;
- ensure that home based staff have the same access to training and information as staff at Park House;
- maintain regular contact with home workers;
- hold regular supervision meetings with home workers. This will include providing clearly defined targets to manage results by;
- ensure that HPC information is secure and remains confidential;
- ensure that there is sufficient space in the home to work and the equipment installed meets health and standards; and
- ensure that appropriate post and stationery arrangements are in place for home workers.

5.2 Home workers

Employees working from home have a responsibility to:

- have suitable accommodation at a permanent address and do not envisage moving frequently;
- attend meetings at Park House or any other HPC designated place;
- ensure that sickness reporting and certification for such absences is in accordance with the HPC's sickness absence procedure, and ensure that other leave such as Annual and Special leave are certificated in line with the HPC's policies and procedures;
- ensure that they do not carry out other commitments which conflict with the agreed working hours;
- obtain the prior agreement of their manager for any hours worked outside of the 'core' hours;
- obtain the consent of their landlord/freeholder/mortgagee that Home Working is permissible;
- carry out responsibilities relating to equipment owned by the HPC e.g. protect and secure HPC data; and
- inform their home and contents insurer that extra equipment has been provided by the HPC.

5.3 Human Resources' Responsibilities

Human Resources' responsibilities are to advise managers and employees on the application of this scheme.

6.0 Third parties and insurance

- 6.1 Employees working from home are required to inform relevant third parties. This includes insurers, local authorities and mortgage providers or landlords.
- 6.2 Any equipment provided will be insured by the HPC. Employees home working are required to inform their home and contents insurer that extra equipment has been provided by the HPC and that they are working from home. Any changes to premiums will be reimbursed by the HPC (the HPC will reimburse the difference).
- 6.3 The HPC will require proof that no difficulties will arise with mortgage or lease agreements or other relevant third parties as a result of working from home.

7.0 Security in the home

- 7.1 Home based working could include confidential information available at the employee's home. Employees working from home are required to protect and secure any HPC data. This

includes an awareness of computer viruses which can cause damage to their files. Software and files are confidential and remain the property of the HPC. Employees working from home are obliged, regardless of location, not to disclose this information. Lockable storage files will be made available where necessary.

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Employee handbook

Section 4a – Holiday Entitlement

1.0 Purpose

- 1.1 ~~The purpose of this policy is to detail~~ the holiday entitlement for employees and the associated administrative rules to ensure that all employees are fairly and consistently treated, that they have the opportunity, whenever possible, to take breaks when it suits them and to ensure that the organisation still runs smoothly.

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2.0 Principle/Policy

- 2.1 The HPC's annual holiday year operates from 1 April to 31 March. The full-time holiday entitlement for the whole year is 30 days. Part-time employees receive a pro-rata amount. This entitlement is ~~inclusive of~~ the statutory 20 days per annum, pro rata leave entitlement provided for under the Working Time ~~(Amendment) Regulations 2003~~.

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- 2.2 Employees are expected to plan leave in advance and to give reasonable notice ~~to their line manager when requesting leave~~. Holidays must be authorised by the manager before it is taken.
- 2.3 All efforts should be made to use the holiday entitlement during the holiday year. However, it is recognised that there will be occasions when this is not possible and, in such a case, ~~a maximum of~~ five days holidays can be carried over at the discretion of the line manager.

3.0 Procedure

- 3.1 On entry, leave is calculated on a pro-rata basis for that leave year, i.e. for every full month's employment, staff will be entitled to 2.5 days leave.
- 3.2 Employees will accrue the HPC holiday entitlement when receiving full or half pay. Any periods of unpaid leave, including sickness or special leave, will not qualify for accrual of paid holidays. Employees on unpaid leave will accrue statutory annual holiday.
- 3.3 Managers should confirm, in writing, when they have approved carry-over of holiday.
- 3.4 Managers are responsible for maintaining records of leave taken in their areas.

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3.5 Holiday entitlement on leaving the HPC:

Any holiday outstanding and owing to an employee will be paid as salary in lieu with their final salary payment. Anyone who has taken paid holiday in advance of their entitlement will have the appropriate deduction made from their final payment.

3.6 Bank, Public and Privilege Holidays

In addition to the annual leave entitlement, employees are entitled to public holidays. These are as follows although, depending on the dates each year, some public holidays have nominated alternatives:

New Year's Day
Good Friday
Easter Monday
Spring Bank Holiday
May Day Holiday
Late Summer Bank Holiday
Christmas Day
Boxing Day

Section 4b - Absence and Sickness

1.0 Purpose

1.1 The purpose of this policy is to provide employees with information on their entitlement to sick pay and the rules and procedures associated with sickness absence. This document also provides for the effective management of sickness absence.

1.2 It will be applied during the process of managing sickness absence to the point when it is deemed appropriate to institute formal action under the [Capability Procedure](#) or [Dismissal and Disciplinary Policy](#).

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2.0 Principle/Policy

2.1 The HPC recognises that in cases of sickness absence, the interests of both the HPC and employees need to be balanced therefore:

- Employees who are not well enough to work should be absent and most sickness absence will be of a brief and infrequent nature.
- Employees who are absent for a period of time through sickness will be consulted concerning their condition and treated with sensitivity.
- The HPC will endeavour to maintain a safe and healthy working environment.
- Sickness absence will be monitored and managed carefully.
- In circumstances where employees have or may develop disabling or potentially disabling illnesses, proper regard will be given to the provisions of the Disability Discrimination Act 2005.
- In all cases of sickness, employees and management will be required to respect confidentiality. An employee's personal circumstances (illness disability etc) should not be discussed with another employee who does not have an explicit responsibility for dealing with the matter.

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3.0 Responsibilities

3.1 Line Manager

It is a management responsibility to:

- Implement and monitor the sickness absence policy;
- maintain contact with employees especially during periods of long term sickness;

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- ensure that disability, disabling or terminal illness are adequately considered and sensitively addressed when investigating sickness absence and implementing this procedure;
- ensure that employees understand the notification and reporting procedures, including those that relate to health and safety;
- monitor and control sickness absence in his/her area and forward all details on sickness to Human Resources;
- refer to the Capability Procedure or Disciplinary policy when appropriate; and
- determine whether an employee's health is in any way affected by their work and where appropriate refer to and act on the HPC's Health and Safety Policy.

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3.2 Human Resources

It is Human Resources' responsibility:

- to advise managers at each stage of this procedure to ensure fairness and consistency of interpretation;
- to advise employees on the process of the procedure; and
- to keep historic sickness absence records and provide appropriate management information based upon data received from line management.

3.3 Employees

Employees have a responsibility:

- to ensure their own attendance at work except when genuinely ill;
- not to undertake any task which may be adversely affecting their health;
- to report any dangers or observed risks which may affect their or other's health and safety at work;
- to advise management or Human Resources if they become aware they have a disability or illness which is likely to affect their ability to attend work or perform some of their job tasks; and
- to follow the notification procedure.

4.0 Notification Procedure

- 4.1 On the first day of absence, employees are responsible for telephoning or ensuring contact is made with their line manager within an hour of the start of their normal working day. If it is not possible to reach the line manager, a message should be left with Human Resources or another appropriate manager. An indication should be given on the likely duration of absence and when contact will be made next.

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- 4.2 Managers must establish when employees expect to return or make contact again.

5.0 Sick Certificates

- 5.1 For a period of illness of three (3) working days or less, employees should complete a self certificate form and return it to their line manager immediately on their return to work.
- 5.2 For periods of illness of more than three (3) working days, a Doctor's medical certificate is required and must be forwarded to the manager. This must be as soon as possible at the start of the illness and should not be delayed until the return to work date. For periods of absence requiring a medical certificate, the certificate must cover the whole period without breaks between certificates.
- 5.3 The HPC reserves the right to withhold the payment of sick pay where employees fail to provide certificates when required to do so. Managers should seek advice from Human Resources under these circumstances. Deleted: advice
- 5.4 A medical certificate will either state that an employee should remain absent from work 'until' a certain date or for a stated period, for example 'one week'. The date that the employee is due back to work is explained in the below examples:
- if a certificate states refrain from work 'until 1st June' this means that the employee is due back at work on the 1st June.
 - if a certificate states refrain from work 'for one week' and is signed by the GP on a Tuesday this means that the employee is due back to work the following Monday.
- 5.5 Line managers must forward certificates to Human Resources as soon as possible.
- 5.6 If an employee is sick during a period of annual leave they will nevertheless be considered to be on annual leave and not sick leave. (Unless stated otherwise on an employee's contract of employment where a more generous entitlement has been carried over from an older contract).
- 5.7 A National Health Medical Certificate signed by your GP must also be provided when absence occurs immediately before or after annual leave or public holidays.

6.0 Unauthorised/Un-Notified Absence

6.1 When an employee is absent without following the notification and reporting procedure and without good reason, managers will be responsible for informally investigating the absence and, if appropriate referring to the [Dismissal and Disciplinary Policy](#) and procedure. Advice must be sought from Human Resources before the disciplinary procedure is initiated.

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7.0 Appointments

7.1 Instances where an employee is unwell and absent from work to attend a doctor's appointment will be treated as paid sickness absence.

7.2 For routine appointments where the employee is not sick, such as prescription collections, check-ups, dental appointments or physiotherapy or counselling sessions, the following will apply:

- Employees must try to make these appointments outside of work time in the first instance
- If this is not possible, make the appointment at the earliest possible time in the morning or at the latest possible time in the afternoon
- Time taken to attend such appointments during work time must be accounted for by using Time Off In Lieu (TOIL) already accrued or by making up the time at a later date as agreed with the line manager.

8.0 Entitlements

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8.1.1 Provided employees comply with the notification procedures, they will be entitled to:

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During first year of employment: Four weeks at full pay (and after eight weeks at half pay)

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During second year of employment: Eight weeks at full pay and eight weeks at half pay.

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During third year of employment: Seventeen weeks at full pay and seventeen weeks at half pay.

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During fourth and fifth years: Twenty one weeks at full pay and twenty one weeks at half pay

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After five years:

~~Twenty six weeks~~ at full pay
and ~~twenty six weeks~~ at half
pay

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8.1.2 Sickness entitlement is based on any absences that fall in the one (1) year period commencing on the anniversary of the employee's start date with the HPC.

~~8.1.3~~ If a period of absence spans over the anniversary date, the employee is not entitled to their new yearly entitlement until they have returned to work, even if they only return to work for one day and then take sick leave again.

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8.1.4 In the case of part time employees, the entitlement to sick leave is calculated on a pro rata basis.

~~8.1.5~~ In exceptional circumstances the HPC has the discretion to extend the scale of sick pay.

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8.1.6 This sick pay entitlement is in place of Statutory Sick Pay (SSP) unless SSP exceeds the amount payable under the contract.

8.1.7 The HPC reserves the right to withhold payment of any sick pay where the ~~employee~~ is absent due to use of alcohol or illegal drugs.

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8.1.8 The HPC reserves the right to terminate your employment at any time during your absence from work, even though at the time of giving notice you remain entitled to sick pay under the Sick Pay Scheme.

~~8.2~~ Statutory Sick Pay

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~~8.2.1~~ The HPC pays Statutory Sick Pay (SSP) in accordance with the Government's Statutory Sick Pay Scheme. To obtain SSP, you must follow the notification and certification procedure as described in this policy.

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8.2.2 Under the SSP Scheme, the HPC generally pays SSP after any entitlement to ~~contractual~~ sick pay has been exhausted. To receive SSP, you must complete ~~HM Revenue & Customs~~ Form SC2. SSP is a legal entitlement and will be paid to you by the HPC for up to 28 weeks. After 28 weeks, any ~~further~~ sickness benefit entitlement ~~that you may be entitled to~~ is paid directly to you by ~~HM Revenue & Customs~~. Any payments received from ~~them~~ should be notified to the Finance Department so that corresponding deductions can be made from any salary you may be receiving.

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8.2.3 Non-compliance with SSP provisions can lead to criminal prosecution.

8.2.4 It is essential that all employees who are entitled to State Sickness or Injury Benefit should claim it. It is also important to note that claimants may be required to produce to HM Revenue & Customs, their certificate of Pay and Tax Deducted (Form P60) which is issued by the Financial Accountant at the end of the tax year. Therefore, the certificate should be retained in case it is required in connection with a claim.

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8.2.5 Employees in any doubt about the HPC's sickness procedure or what they should do upon their return to work, should contact their manager or Human Resources for guidance.

8.3 Accrual of other entitlements

8.3.1 Paid and unpaid sickness absence counts as both continuous service and pensionable service.

8.3.2 All periods of paid sick leave will accrue the HPC's annual leave entitlement. Periods of unpaid sick leave accrue statutory leave. Statutory leave - 20 days per annum, pro rata, including bank holidays is provided for under the Working Time Regulations 1998. During paid periods of employment this entitlement is set off against HPC's annual leave entitlement.

8.4 Accidents at work

8.4.1 Absences resulting from accidents at work are treated as sickness absence and the HPC's normal rules will apply to such absences.

8.4.2 If you suffer an accident at work this should be recorded in the Accident Book maintained by the HPC.

8.5 Suspension on Medical Grounds

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8.5.1 The HPC reserves the right to suspend employees from work on medical grounds. Employees on medical suspension will be offered suitable alternative work if it is available. In the event that alternative work is not available, employees will receive full pay.

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9.0 Referral to Occupational Health Doctor

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9.1 In order to provide managers with appropriate information about an employee's ability to perform all or part of their job tasks, the HPC will refer employees to an Occupational Health Practitioner. The purpose of the referral is to obtain information about an

employee's condition which is necessary as part of the process of consulting with the employee and managing the absence.

- 9.2 All referrals will be made by Human Resources and any information or correspondence relating to the case will be shared with the employee and will include the HPC obtaining consent from the employee for access to the relevant medical reports.
- 9.3 Typical situations where the HPC may refer an employee to an Occupational Health practitioner are when a prognosis is needed in relation to an individual's ability to return to work, where stress may be a factor, where an additional medical opinion may be useful to the employee or as part of the sickness absence review process detailed below. However, by their nature no two sickness absence cases are alike and therefore it is impossible to devise descriptive rules as to when referrals will take place.

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10.0 Return to work meetings

- 10.1** On return from a period of sickness absence, line managers will meet with the employee to discuss the reason for the absence and the progress of work in his/her absence. A return to work meeting must be held where an employee has been absent from work for one week or more. There may be exceptional circumstances when the manager will be requested to respect the confidential nature of sickness absence which will mean the employee is unwilling/unable to discuss the reasons for the absence. In these situations the line manager is required to establish as a minimum whether the absence is in any way attributed to work or as a result of a work related injury.

This meeting is essential for a number of reasons:

- To ensure that employees are fully informed of and kept up to date on department/team issues.
- To enable managers to identify at an early stage and take account of any sickness absence related problem areas which could impact on other employees' work.
- To ensure that the employee is fully recovered and that appropriate steps are taken to rehabilitate him/her back at work.

11.0 Review Meetings

- 11.1** Line managers will be responsible for reviewing an individual employee's level of sickness when it reaches a level that is considered to be unacceptable. As guidance, managers should refer to Figure 1; this is not intended to be a rigidly applied rule,

judgements as to what is unacceptable will therefore vary in some cases and according to individual circumstances.
Managers should seek advice from Human Resources before holding a Review Meeting.

- 11.2 The purpose of the review meeting is:
- To identify and account for any underlying causes of the absence.
 - To explain the impact of the absence on the team and levels of expected attendance.
 - To discuss the causes of absence and to consider a range of appropriate and helpful responses
 - To agree a way forward and give the employee an opportunity to improve attendance
 - To discuss referral to an Occupational Health Practitioner and to explain the process involved.
 - To agree an appropriate review period in which attendance should improve. The employee will be informed that failure to improve attendance may mean referral to the Capability Procedure or (where appropriate) the Dismissal and Disciplinary Policy

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- 11.3 Following the appropriate review period and occupational health advice, a follow-up meeting will be held.

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11.4 The purpose of the follow-up meeting is to:

- Discuss with the employee how they have been feeling during the review period.
- Discuss the levels of absence during the review period.
- To discuss any advice received from Occupational Health.
- To explain what action, if any, will be taken following the meeting.

- 11.5 If the employee's level of attendance has significantly improved during the review period, no further formal action will be taken and the employee's sickness absence levels will continue to be monitored in the usual way. However, if in the future the employee's levels of absence again reach an unsatisfactory or a trigger level, the line manager, with advice from Human Resources, may refer to the Capability Procedure or (where appropriate) the Dismissal and Disciplinary Policy without holding another Review Meeting. This will usually apply when within a period of two years of the last review meeting however there may be exceptions.

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- 11.6 If a significant improvement in attendance has not been demonstrated during the review period, the line manager, with advice from Human Resources, may refer to either the

Capability Procedure, or (where appropriate) the Dismissal and Disciplinary Policy.

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Figure 1

	Review Points
1.	More than 10 days made up of absences in a period of 6 months
2.	More than 15 days in a year

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12.0 Referral to Capability Procedure

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12.1 In a limited number of cases there may be an unsatisfactory resolution during the review meetings process under section 10, and it may be necessary to refer to the Capability Procedure and in some cases the Dismissal and Disciplinary Policy when long term or short term sickness absence has not improved through the application of this procedure.

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There may, however, be circumstances where:

- An employee is understood to have an illness or condition that is seasonal or recurring in nature and it is deemed to be manageable or not unreasonable.
- Where advice provided by Occupational Health indicates that the employee has an underlying medical condition or a disability that may lead to higher than average incidents of sickness absence and it is deemed to be manageable or not unreasonable.
- It becomes apparent that an employee is temporarily unable to perform all the duties of the job and this is deemed to be manageable or not unreasonable.
- In these circumstances it may be inappropriate to refer to the Capability Procedure and the manager should seek advice from Human Resources.

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13.0 Absence due to Travel Disruption

13.1 In all instances, employees must notify their manager of their situation as soon as possible.

13.2 Employees are expected to make every effort to get into work using all available alternative transport methods (different train lines, underground, buses, walking) even if this means they will be late arriving in the office.

13.3 If employees are not able to come into the office by any method of transport they will be paid for the day but will need to take it

as annual leave or make the time up upon agreement with their manager.

13.4 If employees have work that they can undertake at home, with the approval of their manager, they can work from home (this would normally be in situations where the disruption is planned and the public have been notified in advance).

13.5 If an employee is unable to come into work due to flight/train cancellations and they are on HPC business at the time, they are not expected to take annual leave for any lost time but should attempt to undertake remote work where possible.

13.6 If an employee is unable to come into work due to flight/train cancellations and they are on a personal holiday, they are expected to take annual leave.

Section 4c - Maternity Policy

1. Purpose

- 1.1 The purpose of this document is to confirm the statutory rights and responsibilities of employees who are pregnant or have recently given birth and to set out the HPC's policy for maternity leave and maternity pay.
- 1.2 This policy aims to ensure consistency of approach and confirm the HPC's commitment in meeting good employment practice.

2. Policy

The HPC's policy, as far as possible, is to ensure that its employees are able to combine satisfactorily the demands of career and family. The HPC recognises that parenthood brings additional responsibilities. It values the contribution from its female employees and every effort is made to encourage women to return to work from maternity leave.

3. Definitions

EWC	Expected week of childbirth, which is the week starting on a Sunday in which you are expected to give birth.
Qualifying Week	The 15 th week before the EWC
OML	Ordinary Maternity Leave – the first 26 weeks of maternity leave
AML	Additional Maternity Leave – the second 26 weeks of maternity leave
SMP	Statutory Maternity Pay
WTR	Working Time Regulations 1998

4. Notification

- 4.1 In order to qualify for OML, you must comply with the notification provisions below:
- 4.2 You are required to notify the HPC that you are pregnant. Please complete the letter at the end of this policy and give it to Human Resources no later than the end of the Qualifying Week. The letter should also confirm
 - 4.2.1 Your EWC, and
 - 4.2.2 The date you intend to commence maternity leave, which cannot be more than 11 weeks before your EWC. You must give at least 28 days notice of the date on which you intend to commence your maternity leave.

- 4.3 You must also present to Human Resources a certificate from your GP, Consultant or midwife (usually on a MATB1 form) confirming your EWC.
- 4.4 Within 28 days of receiving notification of your pregnancy, the HPC will write to you to confirm the amount of maternity leave and pay you are entitled to and your expected date of return to work after maternity leave.
- 4.5 You can change the date maternity leave is due to start by giving the HPC at least four weeks' notice (or, if that is not possible, as soon as is reasonably practicable).

5. Antenatal Care

- 5.1 Regardless of the length of your employment with the HPC, you are entitled to take a reasonable amount of paid time off during working hours for antenatal care (which can include relaxation classes if they are recommended by a doctor, consultant or midwife).
- 5.2 Please provide to your manager:
 - 5.2.1 A certificate (usually via the MATB1 form) confirming you are pregnant, and
 - 5.2.2 An appointment card (or other evidence acceptable to the HPC).
- 5.3 Please give the HPC as much notice as possible of your appointments and, wherever possible, try to arrange them at the start or end of the day.

6. Health and Safety

- 6.1 The HPC has a general duty to take care of the health and safety of all employees. In addition to this it is required under the Management of Health and Safety at Work Regulations 1992 to carry out risk assessments to assess any workplace risks to pregnant employees, those who have recently given birth and those who are still breastfeeding.
- 6.2 The HPC will carry out a risk assessment (set out at the end of this policy) of any processes, working conditions and physical, chemical and biological agents which could jeopardise the health or safety of employees who are pregnant, breastfeeding, or have given birth within the previous six months (or that of their babies).
- 6.3 If a significant risk is found, the HPC will do all that is reasonable to remove it or prevent exposure to it. If the risk remains, the HPC will temporarily alter your working conditions or hours of work, if this is reasonable and if this avoids the risk.

6.4 If the risk cannot be avoided, the HPC will offer you suitable alternative work (on terms and conditions which are not substantially less favourable than your original job). If there is no suitable alternative work available, the HPC will suspend you on full pay (i.e. give you paid leave) for as long as is necessary to avoid the risk.

7. Before Maternity Leave

7.1 Shortly before your maternity leave starts we will meet with you to discuss the arrangements for covering your work and the opportunities for you to remain in contact with the HPC, should you wish to do so, during your leave. For example, you may elect to remain on the circulation lists for internal news or work-related social events, or to be notified of vacancies or training courses.

7.2 Where you have managerial or supervisory responsibility, the HPC will try to ensure that you are given the opportunity to participate in such decisions taken in your absence, although this may not be possible in relation to every decision. For example, you may be provided with schedules of key meetings and encouraged to maintain input into the decision making process.

8. Sickness Absences

8.1 Periods of pregnancy-related sickness will be paid in accordance with the HPC's Sickness Absence Policy or as set out in your contract of employment. Periods of pregnancy-related sickness absence from the start of your pregnancy until the end of your maternity leave will be recorded separately from other sickness records and will be disregarded in any future employment-related decisions.

8.2 If you are absent from work due to a pregnancy-related reason after the beginning of the fourth week before your EWC this will automatically trigger your maternity leave. In such cases maternity leave will commence on the day after the first day of the absence. In so, sick pay will cease and you will receive maternity pay only.

8.3 If you are absent from work due to a non-pregnancy-related illness after the beginning of the fourth week before the EWC you will remain on sick leave (if necessary) until you recover, the baby is born or, if you have already notified the HPC of the start date of your maternity leave, until that date.

9. Starting Maternity Leave

9.1 There are two levels of maternity leave:

9.1.1 Ordinary Maternity Leave (OML) of 26 weeks. The earliest date you can start maternity leave is 11 weeks before your EWC.

9.1.2 Additional maternity Leave (AML) of 26 weeks. AML starts the day after OML ends.

9.2 If your baby is born before earlier than the EWC, your maternity leave will start automatically the day after the baby is born. If you give birth before the start of

your maternity leave (as notified to the HPC), please notify the HPC in writing as soon as possible of the date on which you gave birth.

9.3 OML will start on the earlier of:

9.3.1 The intended start date (if notified to the HPC in accordance with this policy); or

9.3.2 The day after any day on which you are absent for a pregnancy-related illness during the four weeks before the EWC; or

9.3.3 The day after you give birth.

9.4 There is no distinction between live and stillbirths in an entitlement to take maternity leave providing the pregnancy lasts for at least 24 weeks.

10. Rights During Maternity Leave

10.1 During OML all terms and conditions of your employment remain in force, except for terms relating to salary. You will continue to receive your contractual benefits, if any, for periods of paid maternity absence (but please note that SMP is not payable for the entirety of AML).

Pension

10.2 During OML (and any further period of paid maternity leave) the HPC will continue to make any employer contributions that it usually makes to your pension scheme. Provided that you continue to make contributions based on the amount of maternity pay you receive, the HPC's contributions will be based on what your earnings would have been if you had not been on maternity leave.

10.3 During any unpaid period of AML the HPC will not make any contributions to your pension scheme, although you may continue to do so if you wish.

10.4 During maternity leave (OML and AML), your contribution to your pension is usually based on the amount of maternity pay you receive (rather than your usual salary). However, if you wish you can make greater contributions during maternity leave or can make up the loss of contributions when you return to work.

10.5 Information on how your maternity leave affects your pension is available upon request from the Finance Department.

10.6 If you have authorised salary deductions, these payments will continue to be deducted during paid maternity leave unless instructed otherwise.

Annual Leave

10.7 Contractual annual leave is accrued throughout OML, but not AML. However, during AML you will have no less than 20 days holiday, including bank holidays.

Before you commence your maternity leave the HPC will calculate how much holiday entitlement you have remaining in that holiday year.

- 10.8 Under the WTR the statutory minimum holiday is currently 20 days including bank holidays. Statutory annual leave cannot be carried over from one holiday year to the next. If the holiday year is due to end whilst you are on maternity leave, you should ensure that you have taken the full year's statutory holiday entitlement before starting maternity leave.
- 10.9 Contractual annual leave (i.e. any days in excess of the 20 statutory days) may be carried over to the following holiday year only with the express agreement of your line manager. However, we would prefer you to exhaust your entitlement to annual leave, including any accrued leave, before going on maternity leave.

AML

- 10.10 During AML your contract of employment with the HPC continues. You will remain entitled to the benefit of the HPC's implied obligation to preserve mutual trust and confidence. If the HPC terminates your employment you are entitled to the following:
 - 10.10.1 Your contractual period of notice, and
 - 10.10.2 In the event of a redundancy a redundancy payment, and
 - 10.10.3 The HPC's disciplinary and grievance procedures.
- 10.11 During AML you remain bound by your implied obligation of good faith towards the HPC, as well as any terms of employment relating to:
 - 10.11.1 Your contractual period of notice (if your employment is terminated by either you or the HPC)
 - 10.11.2 Restrictions on the disclosure of confidential information
 - 10.11.3 Restrictions on accepting gifts or other benefits, and
 - 10.11.4 Restrictions on your participation in any other business.

11. Redundancies During Maternity Leave

- 11.1 In the event that your position is affected by a redundancy situation occurring during your maternity leave, the HPC will write to inform you of any proposals and shall invite you to a meeting before any final decision is reached as to your continued employment. Employees on maternity leave shall be given first refusal of any suitable vacancies that are appropriate to their skills.

12. Statutory Maternity Pay

- 12.1 If you have the minimum qualifying service you are entitled to a maximum of 39 weeks' SMP. SMP will cease if you return to work (except where you are simply "keeping in touch" – see below).
- 12.2 You will qualify for SMP if:
 - 12.2.1 You have been continually employed by the HPC for at least 26 weeks at the end of your Qualifying Week and are still employed by the HPC at the end of that week;
 - 12.2.2 You provide a GP's or midwife's certificate (MAT B1) confirming your EWC;
 - 12.2.3 Your average weekly earnings during the 8 weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit set by the government; and
 - 12.2.4 You are still pregnant 11 weeks before the start of the EWC or have already given birth.
- 12.3 SMP is based on your average earnings during the eight week reference period ending with the Qualifying Week (the Relevant Period).
- 12.4 SMP will be calculated as follows:
 - 12.4.1 For the first six weeks of OML, SMP is paid at the government's Earnings Related Rate of 90% of your average weekly earnings calculated over the relevant period.
 - 12.4.2 For the remaining 33 weeks of maternity leave, SMP is paid at the prescribed rate of SMP (which is set annually by the Government) or the Earnings Related Rate if this is lower.
- 12.5 If you are not entitled to SMP you may be entitled to claim statutory maternity allowance.
- 12.6 SMP accrues from the day on which you commence OML and thereafter at the end of each completed week of absence (measured Sunday to Saturday), but payments will be made on the next normal payroll date. SMP payments are subject to tax and National Insurance deductions in the same way as your normal pay. Pension contributions will be deducted if appropriate.
- 12.7 If you become eligible for a pay rise before the end of your maternity leave, you will be treated for SMP purposes as if the pay rise had applied during the period of maternity leave in which you receive SMP. This means that your SMP will be recalculated and increased retrospectively. The HPC shall pay a lump sum to make up the difference between any SMP already paid and the amount payable by virtue of the pay rise. Any future SMP payments will also be increased accordingly.

12.8 You shall remain eligible for SMP if you leave the Company's employment for whatever reason after the start of the Qualifying Week (for example, if you resign or are made redundant). If your maternity leave has not already begun at the date of termination, SMP shall start to accrue in whichever is the later of:

12.8.1 The week following the week in which your employment ends, or

12.8.2 The eleventh week before the EWC.

13. Enhanced Maternity Pay

13.1 The HPC wishes to encourage its employees to return to work following maternity leave as that assists in the retention of key skills and employees.

13.2 If you have been continuously employed by the HPC for at least one year at the beginning of the 14th week before the EWC you will be entitled to 26 weeks paid contractual maternity leave (at your normal salary) followed by 13 weeks reduced salary.

13.3 If you are entitled to enhanced maternity pay, you will receive the following:

13.3.1 During the first 26 weeks of maternity leave (OML) you will be paid at your normal contractual rate of pay.

13.3.2 For the second 26 weeks of maternity leave (AML) you will receive 13 weeks pay which is equivalent to the weekly applicable rate of SMP.

13.3.3 The remaining 13 weeks of AML will be unpaid.

14. Keeping in Touch Days

14.1 There is no obligation on you to undertake any work during maternity leave, but you may work if you wish to for up to 10 days without losing a whole week's SMP and without your maternity leave period being brought to an end.

14.2 The timing of Keeping in Touch (or KIT) days during maternity leave is agreed between you and the HPC in advance. However, KIT days cannot be taken during the two weeks immediately following the birth. Payment for your attendance at work on a KIT day will be set by prior agreement.

14.3 The HPC may make reasonable contact with you from time to time during your maternity leave. Reasonable contact is separate from KIT days and will not end the maternity leave period or disqualify the employee from SMP.

15. Arrangements for Returning to Work

15.1 It is the HPC's aim to ensure that your maternity leave does not place you at a disadvantage in relation to skills or other training needs. Shortly before you are due to return to work, we will invite you to have an informal discussion, in person

or by telephone, about the arrangements for your return to work. This may include:

- 15.1.1 Updating you on any changes or developments that have occurred during your absence;
 - 15.1.2 Discussing any necessary training needs due to new technology or other developments; or
 - 15.1.3 Discussing any changes you might wish to make to your working arrangements, for example, if you have asked to return to work part-time.
- 15.2 This meeting will also provide an opportunity to discuss and explain any necessary and unavoidable changes to your work.

16. Return to Work

- 16.1 The law prohibits you from returning to work during the two weeks immediately following childbirth. If you do return to work, the whole of your maternity leave absence shall be regarded as part of your period of continuous employment with the HPC.
- 16.2 The maximum amount of maternity leave allowed is 52 weeks beginning on the date the maternity leave begins. You can opt to return to work any time after the end of the two week compulsory leave period up to the end of the 52 week period. You must inform the HPC of the date you intend to return to work in accordance with the notification procedure.
- 16.3 Once you have notified us in writing of your intended start date for maternity leave (see above), we will write to inform you of the date we expect you to return to work (the Expected Return Date). It is helpful if you confirm during your maternity leave that you will be returning to work as expected.
- 16.4 We expect you to return to work on the Expected Return Date unless you tell us otherwise.
- 16.5 You are normally entitled to return to work to the same job you performed prior to your maternity leave. On your return your substantive terms and conditions of employment shall be the same as they would have been if you had not been absent.
- 16.6 However, please note that the “same job” does not mean exactly the same position as you held prior to your maternity leave, but relates to the nature of the job, the capacity in which you were employed and the place at which you work. If you have taken any period of AML or more than four weeks’ parental leave and it is not reasonably practicable for us to allow you to return to the same job, we may give you another suitable and alternative job on terms and conditions of employment that are no less favourable.

17. Returning to Work Early

- 17.1 Once you notify us of your pregnancy we will write to you to confirm your Expected Return Date. If you wish to return to work earlier than the Expected Return Date you must give us at least *eight weeks* prior written notice (or if that is not practicable, you should notify us as soon as possible).
- 17.2 If you give insufficient notice we may postpone your return date:
 - 17.2.1 Until eight weeks after you have given notice, or
 - 17.2.2 If sooner, the Expected Return Date.

18. Returning to Work Late

- 18.1 If you wish to return to work later than the Expected Return Date, you should either:
 - 18.1.1 Request unpaid Parental Leave in accordance with the HPC's Parental Leave Policy, giving as much notice as possible but no less than 21 days notice, or
 - 18.1.2 Request paid annual leave in accordance with your contract. Granting this request will be at our discretion.
- 18.2 If you are unable to return to work on the Expected Return Date due to sickness, this will be treated as sickness absence and the HPC's usual sickness absence policy will apply.
- 18.3 In any other case, failure to return to the work on the Expected Return Date will be treated as an unauthorised absence.

19. Deciding Not to Return to Work

- 19.1 If you decide not to return to work it would be helpful if you discuss this with the HPC as soon as possible. If you do decide not to return you should give notice of your resignation in accordance with your contract. The amount of maternity leave remaining at the time when you give your notice should be at least equal to your contractual notice period, otherwise the HPC may require you to return to work for the remainder of your notice period.

20. Flexible Working

- 20.1 There is no right to return to work part-time or to make other changes to your job on return from maternity leave, but if you wish to vary your working pattern you have the right to make that request.

20.2 You should refer to the HPC's Flexible Working Policy and/or speak to Human Resources as soon as you decide to explore the possibility of a flexible working pattern.

Letter of Notice for Maternity Leave and Pay

[Employee's name and Address]

Dear: (Manager name)

Notice of Maternity Leave and Pay

This is to give you 28 days notice that I am asking for maternity leave and maternity pay and to inform you that:

- I am pregnant.
- That my Expected Week of Childbirth is the week beginning Sunday [date].
Or, if your baby has already been born: My baby was born on [date].
- That I intend to start my maternity leave on [date].
- I enclose my maternity certificate (MATB1).
- I also request maternity pay during my maternity leave period.

Signed.....

Print name.....

Job Title.....

Department.....

Date.....

Risk Assessment for New and Expectant Mothers

Under the Management of Health and Safety at Work Regulations 1999, and in addition to its responsibilities laid out in the Maternity Policy, the HPC must conduct a risk assessment for new and expectant mothers.

Name of employee:

Date:

Type of Risk	Detailed description	Level of risk	Action
Shocks, vibration or movement			
Manual handling			
Radiation			
Movements and postures e.g. prolonged standing and/or sitting			
Chemical and/or biological agents			
Extremes of heat or cold			
Excessive travelling			
Stress			
Passive smoking			
Work-related violence			
Other			

Employee's signature:

Line manager's signature:

Section 4d – Parental Leave

1.0 Purpose

- 1.1 The right to parental leave entitles all eligible employees who have worked for the HPC continuously for one year to a period of unpaid leave.
- 1.2 The purpose of this policy is to indicate the entitlements for parents in the HPC and to explain the procedures involved should parents wish to take advantage of parental leave.

2.0 Principle

2.1 Entitlement to Leave

2.1.1 You will be entitled to Parental Leave if:

- you have been employed continuously by HPC for at least one year; and
- you have or expect to have 'parental responsibility' for a child under the age of 6 years; or
- you have or expect to have 'parental responsibility' for a child under the age of 18 who has been placed with you for adoption.

2.1.2 Some guardians may also have 'parental responsibility' for a child. If you are unsure if either of you meets these requirements, you should discuss it with the Human Resources Director.

2.2 Period of Leave

2.2.1 If you qualify for parental leave, you are entitled to 13 weeks leave in respect of each individual child during the first five years of the child's life.

2.2.2 Anyone adopting a child will be entitled to take parental leave until the fifth anniversary of adoption or the child's 18th birthday, whichever is sooner.

2.2.3 If your child is entitled to a disability living allowance, you will be entitled to 18 weeks parental leave.

2.2.4 If you work part-time, your period of leave is reduced in proportion to your actual working hours.

- 2.2.5 The right to parental leave is a right to take up to 13 weeks (or 18 weeks where appropriate) per child in total and not 13 weeks during contracts with different employers. HPC may ask you, therefore (and may ask your previous employer) to confirm how much parental leave you have already taken before granting any request for leave.
- 2.2.6 You may apply for parental leave in blocks of one week (or, if your child is disabled, in blocks of one day) up to a maximum of four weeks for any individual child in any one year. For this purpose, a 'year' is each successive period of twelve months, starting on the date you are first eligible to take parental leave.
- 2.2.7 You may take leave when the child is born or placed with you for adoption or, if later, as soon as you have completed one year's continuous service.
- 2.2.8 However, leave cannot be taken after the child's fifth birthday or, if your child is adopted, after the fifth anniversary of the date the child was placed with you for adoption or the child's 18th birthday, if earlier.
- 2.2.9 If your child is disabled (as defined by entitlement to the disability living allowance), you may take leave at any time up to the child's 18th birthday.
- 2.2.10 If HPC postpones your leave, you will still be able to take it after the dates mentioned above.

2.3 Application for Parental Leave

- 2.3.1 You must give at least 21 days notice of when you want to take leave and confirm the proposed start and end dates.
- 2.3.2 In the following circumstances, it may not be possible for you to give the exact date on which you want to start and leave:
- if you are a father who wishes to take leave immediately after the birth of your child

In these circumstances, your application must confirm the expected week of childbirth and the length of leave you wish to take. It should be submitted to your manager at least 21 days before the expected week of childbirth.

- if a child is to be placed with you for adoption and the exact date of the placement is not known

In this case, you should confirm the week in which the placement is expected to occur and the length of leave you wish to take. Your application should be submitted to your manager at least 21 days before the beginning of the week when the placement is expected or, if that is not possible, as soon as circumstances allow.

2.4 Supporting Evidence

2.4.1 The first time you request parental leave for a child, you must include with your application evidence of the following:

- your responsibility for the child,
- the child's date of birth or, in the case of an adopted child, the date on which the adoption began,
- in the case of a disabled child over the age of five, the child's entitlement to a disability living allowance, and
- you should also confirm whether you have previously taken parental leave for that child, when you took the leave and for how long.

2.5 Postponement of Leave

2.5.1 The HPC will consider your request in conjunction with your manager. Unless your parental leave is to start on the birth of your child, or when the child is first placed with you, your leave may be postponed in the following circumstances:

- when you have not told the HPC at least 21 days before the leave is to begin, of the dates on which the leave is to start and end,
- the organisation would be unduly disrupted by you taking leave during the time you had proposed, or
- after consulting with you, the HPC decides that you should take the same period of leave within six months.

2.5.2 In each of these cases, the HPC will notify you within seven days of receiving your request for leave as to why your leave is being postponed and will confirm the dates on which you may take leave and for how long.

2.6 Rights during Parental Leave

2.6.1 Parental Leave is unpaid. This means that during any period of parental leave you will not receive your salary or any other cash payments which would normally be paid to you while at work. In addition, your entitlement to all contractual benefits will cease.

2.6.2 However, for all purposes, your contract of employment remains in place and you will continue to be bound by your contractual obligations to the HPC.

2.7 Return to work after Parental Leave

2.7.1 After parental leave of four weeks or less you are entitled to return to the job you had before your leave. If it was for a longer period the employee is entitled to return to the same job, or, if that is not reasonably practicable, a similar job which has the same or better status, terms and conditions as the old job.

2.8 Parental leave after Maternity Leave

2.8.1 Any employee entitled to Maternity Leave is also entitled to take up to four weeks parental leave immediately after the maternity leave.

2.8.2 If you take up to four weeks parental leave immediately after Maternity Leave, you are entitled to return to the job you had before maternity leave. If you take up to four weeks parental leave immediately after additional maternity leave, you are entitled to return to the job you had before your maternity leave or, if that is not reasonably practicable, to a job which is suitable and appropriate for you.

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Section 4e – Paternity Leave

1.0 Purpose

- 1.1 The purpose of this policy is to indicate the entitlements available under the HPC Paternity scheme and to explain the procedures involved should employees wish to take advantage of this provision.
- 1.2 Paternity leave is available to care for a new born baby and to support the mother. This right applies in the case of any stillborn child born after 24 weeks of pregnancy.

2.0 Principle

2.1 Eligibility

2.1.1 You will be entitled to Paternity Leave and Pay if:

- you have been employed continuously by the HPC for 26 weeks the 15th week before the expected date of the birth;
- you have or expect to have 'parental responsibility' for the child's upbringing; and
- you are the biological father of the child or the mother's husband or the male or female partner of the mother.

2.2 Period of Leave and Pay

2.2.1 If you qualify for paternity leave, you are entitled to two weeks leave taken either as one or two consecutive weeks (not odd days).

You can choose to start your leave:

- From the date of the child's birth (whether this is earlier or later than expected); or
 - From a date after the date of the child's birth; or
 - From a date later than the first day of the week in which the baby is expected to be born.
- 2.2.2 Leave can start on any day of the week on or following the child's birth but must be completed within 56 days of the actual date of birth of the child.
- 2.2.3 Multiple births qualify for only one period of leave.

2.2.4 During your paternity leave you are entitled to full pay. This will be paid in conjunction with Statutory Paternity Pay (SPP). The SPP standard rate is **£112.75 per week as at 1 April 2007. This rate is subject to revision by the Department for Work and Pension each April.**

2.3 Notification

2.3.1 You must inform your manager of your intention to take paternity leave by the end of the fifteenth week before the baby is expected, unless this is not reasonably practicable. Your manager will need to know:

- The week the baby is due;
- Whether you wish to take one or two weeks' leave; and
- When you would like your leave to begin

2.3.2 You are able to change your mind about the start date of your leave providing you give your manager at least 28 days notice (unless this is not reasonably practicable).

2.4 Self certificate

2.4.1 A component of your paternity pay is statutory. To satisfy statutory requirement of providing the HPC with 28 days notice and evidence that you qualify for this entitlement, you will be required to provide your manager with a completed self certificate. Self certificates are available from Inland Revenue offices and citizens advice bureaus. The **Department for Work and Pensions** website also has forms that can be downloaded.

2.5 Contractual benefits

2.5.1 During your paternity leave, your contract of employment remains in place and you will continue to be bound by your contractual obligations to the HPC.

2.6 Return to work after Paternity Leave

2.6.1 You are entitled to return to the same job following paternity leave.

2.7 Protection from detriment and dismissal

2.7.1 You are protected from suffering unfair treatment or dismissal for taking or seeking to take paternity leave.

Section 4f – Special Leave

1.0 Policy

- 1.1 The HPC recognises that during the course of employment employees might be faced with an urgent domestic situation or personal crisis which requires their immediate attention and necessitates a period of time away from work.
- 1.2 The spirit and intention of the HPC's special leave policy is to support employees in times of exceptional need. The expectation is that managers and employees will act responsibly, and on the basis of mutual trust in relation to this provision as this is fundamental to the effective implementation of this policy.
- 1.3 The HPC is committed to equality of opportunity in employment and believes that all employees should be treated with respect and dignity in the workplace. These principles are reflected in this policy/procedure.

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2.0 Policy Background

- 2.1 In an attempt to be responsive to the varying personal circumstances of employees, the special leave policy does not seek to prescriptively define dependents, family or domestic situations. However the types of situations that this policy aims to support are bereavements and funerals, urgent care for dependents and household crises such as fire, flooding or burglary.
- 2.2 The special leave entitlement covers the statutory requirement for paid leave for carers???
- 2.3 The special leave provision will only be advantageous to the HPC and employees when operated in the context of the parameters outlined in paragraph 1.1 above.

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2.1 . This policy replaces the HPC's discretionary compassionate leave. It also introduces the provision for employees to take leave to attend to domestic crises.¶

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3.0 Purpose

This policy aims to:

- provide a framework for dealing with requests for special leave, and
- allow employees to take a maximum of 5 days leave per rolling year without loss to their earnings or annual leave when an urgent domestic or personal crisis arises.

4.0 Responsibilities

4.1 Line managers

It is a management responsibility to:

- implement the special leave policy in a fair, consistent and sensitive manner, seeking advice from human resources where necessary;
- request additional information when necessary regarding a special leave application so that they are confident that satisfactory reasons have been provided in support of the request for leave;
- ensure that where leave is approved, it is done so without detriment to the operational needs of the department;
- ensure that the appropriate authorisation documentation is completed and forwarded to Human Resources for filing on employee personnel files; and
- Monitor usage of special leave within their department to ensure the maximum of 5 days per rolling year is not exceeded.

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4.2 Employees

Employees have a responsibility to:

- provide sufficient reasons in support of a special leave request; and
- ensure that, where practicable, special leave is authorised in advance of any leave being taken.

4.3 Human Resources

Human Resources has responsibility for:

- advising managers at each stage of this procedure, for ensuring fairness and the consistency of interpretation;
- advising employees on the process of the procedure; and
- keeping records of special leave taken as notified by managers.

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5.0 Procedure

5.1 Where possible special leave should be authorised by the immediate line manager in advance of an employee actually taking leave.

However, it is recognised that this may not always be practicable.

Managers should therefore ensure that where leave is agreed retrospectively, this takes place as soon as possible.

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5.2 All requests should be made in writing. If the application is approved, the manager should counter sign the application and send a copy to Human resources.

5.3 The timing of special leave may need to be negotiated in situations where the request for leave would adversely affect the business.

5.4 Factors taken into account when considering the duration of special leave would include:

- the reason(s) for the application;
- operational needs/constraints and how these might be overcome; and
- any other relevant issues.

5.5 Human resources should be consulted if there is any doubt regarding points of detail or where an application may be regarded as being outside the scope of the policy. In which case it may be appropriate to approve unpaid leave.

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5.6 If an employee has exhausted the maximum 5 day allowance in one year and a need for further special leave arises, the manager should inform the employee that they will need to take annual leave or unpaid leave for the absence. [In exceptional circumstances a manager has the discretion to grant in excess of 5 days per year upon discussion with Human Resources.]

Section 4g – Adoption Policy

1. Purpose

- 1.1 This policy outlines the statutory rights and responsibilities of employees who adopt, and sets out the arrangements for adoption leave.
- 1.2 This policy aims to ensure consistency of approach and confirms the HPC's commitment in meeting good employment practice.

2. Policy

The HPC's policy, as far as possible, is to ensure that its employees are able to combine satisfactorily the demands of career and family. The HPC recognises that parenthood brings additional responsibilities. It values the contribution from its employees and every effort is made to encourage new parents to return to work from adoption leave.

3. Definitions

- 3.1 The following definitions apply within this policy:

Qualifying Week	The week, beginning on a Sunday, in which you are notified in writing by an adoption agency of having been matched with a child
Expected Placement Date (EPD)	The date on which an adoption agency expects that it will place a child into your care with a view to adoption
Ordinary Adoption Leave (OAL)	A period of up to 26 weeks' leave available to all employees who qualify for adoption leave
Additional Adoption Leave (AAL)	A further period of up to 26 weeks' leave immediately following OAL

4. Entitlement to Adoption Leave

- 4.1 Adoption leave is only available if you are adopting through a UK or overseas adoption agency. It is not available if there is no agency involved, for example, if you are formally adopting a step-child or other relative.
- 4.2 You are entitled to adoption leave if you fulfil the following conditions:
 - 4.2.1 An adoption agency has given you written notice that it has matched you with a child for adoption and confirmed the EPD;
 - 4.2.2 You have notified the agency that you agree to the child being placed with you on the EPD.
 - 4.2.3 You have been continuously employed by the HPC for at least 26 weeks ending with the Qualifying Week; and

- 4.2.4 Your spouse or partner will not be taking adoption leave with their employer (although they may be entitled to take paternity leave).

5. Notification of Intention to take Leave

- 5.1 You must give us written notice of:
 - 5.1.1 The EPD; and
 - 5.1.2 Your intended start date for adoption leave.
- 5.2 This notice should be given not more than seven days after the agency notified you in writing that it has matched you with a child.
- 5.3 At least 28 days before your intended start date (or, if this is not possible, as soon as you can), you must also provide us with:
 - 5.3.1 Written confirmation that you intend to take statutory adoption pay and not statutory paternity pay.
 - 5.3.2 A Matching Certificate from the adoption agency confirming:
 - 5.3.2.1 The agency's name and address;
 - 5.3.2.2 The name and date of birth of the child;
 - 5.3.2.3 The date on which you were notified of the match; and
 - 5.3.2.4 The EPD.
- 5.4 You may use the letter attached to this policy to comply with your notice obligations.

6. Overseas Adoptions

If you are adopting a child from overseas this policy applies with the modifications set out in this paragraph.

- 6.1 You must have received notification that the adoption has been approved by the relevant UK authority (Official Notification).
- 6.2 You must notify us in writing of:
 - 6.2.1 Your intention to take adoption leave;
 - 6.2.2 The date on which you received Official Notification; and
 - 6.2.3 The date the child is expected to arrive in Great Britain.
- 6.3 This notice should be given as early as possible but in any case within 28 days of receiving Official Notification (or, if you have less than 26 weeks'

employment with the HPC at the date of Official Notification, within 30 weeks of starting employment).

- 6.4 You must also give us at least 28 days' written notice of your intended start date. This can be the date the child arrives in Great Britain or a predetermined date no more than 28 days after the child's arrival in Great Britain.
- 6.5 Within 28 days of the date the child arrives in Great Britain you must also notify us of that date in writing.
- 6.6 We may ask you to provide a copy of the Official Notification and evidence of the date the child arrived in Great Britain.

7. Before Adoption Leave

- 7.1 Shortly before your adoption leaves starts we shall meet with you to discuss the arrangements for covering your work and the opportunities for you to remain in contact with the HPC, should you wish to do so, during your leave. This is discussed further under Keeping in Touch Days (see below). This meeting will, for example, give you an opportunity to indicate whether you wish to remain on circulation lists for internal news, job vacancies, training and work-related social events.
- 7.2 Where you have managerial or supervisory responsibility, the HPC will try to ensure that you are given the opportunity to participate in such decisions taken in your absence, although this may not be possible in relation to every decision. For example, you may be provided with schedules of key meetings and encouraged to maintain input into the decision-making process.

8. Starting Adoption Leave

- 8.1 OAL may start on a predetermined date no more than 14 days before the EPD, or on the date of placement itself, but no later.
- 8.2 You must notify us of your intended start date in accordance with the notification procedure above. We will then write to you within 28 days to inform you of the date we will expect you to return to work if you take your full entitlement to adoption leave (Expected Return Date).
- 8.3 You can postpone your intended start date by informing us in writing at least 28 days before the original date or, if that is not possible, as soon as you can.
- 8.4 You can bring forward your chosen start date by informing us in writing at least 28 days before the new start date or, if that is not possible, as soon as you can.

9. Statutory Adoption Pay

- 9.1 Statutory adoption pay (SAP) is payable for up to 39 weeks. It stops being payable if you return to work sooner or if the placement is disrupted (see below).

- 9.2 You are entitled to SAP if:
- 9.2.1 You have been continuously employed by the HPC for at least 26 weeks at the end of your Qualifying Week and are still employed by the HPC during that week;
 - 9.2.2 Your average weekly earnings during the eight weeks ending with the Qualifying Week (the Relevant Period) are not less than the lower earnings limit set by the government; and
 - 9.2.3 You have given us the relevant notifications as outlined above.
- 9.3 SAP is paid at the prescribed rate, which is set by the government for the relevant tax year, or at 90% of your average weekly earnings calculated over the Relevant Period if this is lower.
- 9.4 SAP accrues with each completed week of absence, but payments will be made on the next normal payroll date. Income Tax, National Insurance and pension contributions shall be deducted as appropriate.
- 9.5 If you leave the HPC's employment for any reason (for example, if you resign or are made redundant) you shall still be eligible for SAP if you have already been notified by an agency that you have been matched with a child. In such cases, SAP shall start on whichever is the later of:
- 9.5.1 14 days before the Expected Placement Date; or
 - 9.5.2 the day after your employment ends.
- 9.6 If you become eligible for a pay rise before the end of your adoption leave, you will be treated for SAP purposes as if the pay rise had applied throughout the Relevant Period. This means that your SAP will be recalculated and increased retrospectively, or the pay rise may mean that you may qualify for SAP if you did not previously qualify. We shall pay you a lump sum to make up the difference between any SAP already paid and the amount payable by virtue of the pay rise. Any future SAP payments at the Earnings-Related Rate (if any) will be increased as necessary.

10. Enhanced Adoption Pay

- 10.1 The HPC wishes to encourage its employees to return to work following adoption leave as that assists in the retention of key skills and employees.
- 10.2 If you have been continuously employed by the HPC for at least one year at the beginning of the Qualifying Week you will be entitled to 26 weeks paid contractual maternity leave (at your normal salary) followed by 13 weeks reduced salary.
- 10.3 If you are entitled to enhanced adoption pay, you will receive the following:

- 10.3.1 During the first 26 weeks of adoption leave (OAL) you will be paid at your normal contractual rate of pay.
- 10.3.2 For the second 26 weeks of adoption leave (AAL) you will receive 13 weeks pay which is equivalent to the weekly applicable rate of SAP.
- 10.3.3 The remaining 13 weeks of AAL will be unpaid.

11. Terms and Conditions During OAL

- 11.1 All the terms and conditions of your employment remain in force during OAL except for terms relating to pay. In particular:
 - 11.1.1 Benefits in kind shall continue;
 - 11.1.2 Annual leave entitlement under your contract shall continue to accrue (see below); and
 - 11.1.3 Pension benefits shall continue (see below).

12. Terms and Conditions During AAL

- 12.1 During AAL you are entitled to the benefit of our implied obligation to preserve mutual trust and confidence and any terms of employment relating to:
 - 12.1.1 Notice periods, if we terminate your employment;
 - 12.1.2 Redundancy payments, in the event of a redundancy; and
 - 12.1.3 Disciplinary and grievance procedures.
- 12.2 During AAL you remain bound by your implied obligation of good faith towards the HPC and any terms of employment relating to:
 - 12.2.1 Notice periods, if you resign;
 - 12.2.2 Restrictions on disclosure of confidential information;
 - 12.2.3 Restrictions on acceptance of gifts or other benefits; and
 - 12.2.4 Restrictions on participating in any other business.

13. Annual Leave

- 13.1 During OAL, annual leave will continue to accrue at the rate provided under your contract of employment.
- 13.2 During AAL, annual leave will not accrue under your contract of employment. However, in any holiday year affected by AAL your annual leave entitlement,

including bank holidays, will not be less than the statutory minimum required by the Working Time Regulations 1998.

- 13.3 Annual leave cannot usually be carried over from holiday to the next. If the holiday year is due to end during your adoption leave, you should ensure that you have taken the full year's leave entitlement before starting your adoption leave.

14. Pensions

- 14.1 During OAL, and any further period of paid adoption leave, we shall continue to make any employer contributions that we usually make to your pension scheme. Provided that you continue to make contributions based on the adoption pay that you are receiving, the HPC's contributions will be based on what your earnings would have been had you not been absent on adoption leave.
- 14.2 During any unpaid AAL we shall not make pension contributions. During adoption leave (OAL and AAL), your contribution to your pension is usually based on the amount of adoption pay you receive (rather than your usual salary). You do not have to make any contributions, but you may do so if you wish, or you can make greater contributions or make up for missed contributions at a later date.
- 14.3 Information as to how your adoption leave affects your pension or if you wish to increase your contributions to make up any shortfall from those based on your normal salary, please contact the pensions administrator or Human Resources.

15. Redundancies During Adoption Leave

In the event that your post is affected by a redundancy situation occurring during your adoption leave, we shall write to inform you of any proposals and shall invite you to a meeting before any final decision is reached as to your continued employment. Employees on maternity and adoption leave shall be given first refusal of any suitable alternative vacancies that are appropriate to their skills.

16. Disrupted Adoption Leave

- 16.1 Adoption leave will be "disrupted" if it has started but:
- 16.1.1 You are notified that the placement will not proceed;
 - 16.1.2 The child is returned to the adoption agency after placement; or
 - 16.1.3 The child dies after placement.
- 16.2 In cases of disruption your entitlement to adoption leave and pay (if applicable) will continue for a further eight weeks from the end of the week in

which disruption occurred, unless your entitlement to leave and/or pay would have ended earlier in the normal course of events.

17. Contact with you and Keeping in Touch (KIT) Days

- 17.1 We may make reasonable contact with you from time to time during your adoption leave. We will discuss with you, when we meet prior to the commencement of your adoption leave, the level of contact you wish to have with the HPC during your leave.
- 17.2 You may work (including attending training) for up to 10 days during your adoption leave without that work bringing your adoption leave or SAP to an end. These days are known as KIT days. Such work is by no means compulsory and arrangements, including any additional pay, would be set by agreement between you and your line manager or Human Resources.

18. Arrangements for Returning to Work

- 18.1 It is the HPC's aim that your adoption leave should not place you at a disadvantage in relation to skills or other training needs. Shortly before you are due to return to work, we may invite you to have an informal discussion, in person or by telephone, about the arrangements for your return to work. This may include:
 - 18.1.1 Updating you on any changes or developments that may have occurred at the HPC during your absence;
 - 18.1.2 Discussing any training needs due to new technology or other developments; and
 - 18.1.3 Discussing any changes you might wish to make to your work arrangements, for example, if you have requested to return to work part-time.
- 18.2 This meeting will also provide an opportunity to discuss and explain any necessary and unavailable changes to your work.

19. Expected Return Date

- 19.1 Once you have notified us in writing of your intended start date, within 28 days we shall write to you to confirm you of your Expected Return Date. If your start date changes, we shall again write to you within 28 days of the start of adoption leave with a revised Expected Return Date.
- 19.2 We expect you to return to work on the Expected Return Date unless you tell us otherwise. It is helpful to us if you confirm during your adoption leave whether you will be returning to work as expected.

20. Returning Early

- 20.1 If you wish to return to work earlier than the Expected Return Date, you must give us at least eight weeks written notice.
- 20.2 If you do not give sufficient notice, we may postpone your return date until eight weeks after you have given notice, or delay your return to the Expected Return Date if sooner.

21. Returning Late

- 21.1 If you wish to return later than the Expected Return Date, you should either:
 - 21.1.1 Request unpaid parental leave in accordance with the HPC's Parental Leave Policy; or
 - 21.1.2 Request annual paid leave in accordance with the HPC's absence policy, which will be at our discretion.
- 21.2 If you are unable to return to work due to sickness or injury, this will be treated as a sickness absence and the HPC's usual sickness policy and procedure will apply.
- 21.3 In any other case, late return will be treated as an unauthorised absence.

22. Deciding Not to Return

- 22.1 If you decide not to return to work after adoption leave, or if you are unsure, it is helpful if you discuss this with us as early as possible. If you do decide not to return you should give notice of resignation in accordance with the terms of your employment contract. The amount of adoption leave left to run when you give notice must be at least equal to your contractual notice period, otherwise we may require you to return to work for the remainder of your notice period.

23. Your Rights When You Return

- 23.1 You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment shall be the same as they would have been if you had not been absent on adoption leave.
- 23.2 However, if you have taken any period of AAL or more than four weeks' parental leave, and it is not reasonably practicable for the HPC to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions no less favourable.

24. Flexible Working

- 24.1 There is no right to return to work part-time or to make other changes to your working pattern on return from adoption leave, but if you wish to vary your working pattern you have the statutory right to make that request.

You should refer to the HPC's Flexible Working Policy and/or speak to Human Resources as soon as you decide to explore the possibility of a flexible working pattern.

Letter of Notice for Adoption Leave and Pay

[Employee's name and Address]

To: The Health Professions Council

Notice of Adoption Leave and Pay

This is to give you 28 days notice that I am asking for adoption leave and adoption pay (not paternity leave) and to inform you that:

- I have received written notice from an adoption agency:
 - that a child has been matched with me for adoption; and
 - the agency has confirmed the Expected Placement Date
- I have notified the adoption agency that I agree to the child being placed with me on the Expected Placement Date.
- The Expected Placement Date is the week beginning Sunday [date].
- I intend to start my adoption leave on [date].
- My spouse (or partner) will not be taking adoption leave with their employer.
- I enclose the Matching Certificate received from the adoption agency.
- I also request adoption pay during my adoption leave period.

Signed.....

Print name.....

Job Title.....

Department.....

Date.....

Section 5a - Diversity

1.0 Purpose

1.1 The purpose of the HPC's Diversity Policy is:

- to ensure that all decisions regarding an individual's current or future employment with HPC or in the administration of its benefits are taken without regard to colour, race, nationality, ethnic or national origin, religion, faith, gender (including gender reassignment), sexual orientation, age, marital status or disability, and
- to ensure that all employees take their responsibilities seriously.

2.0 Principle/Policy

2.1 The HPC is committed to the development of a positive policy to promote diversity in all areas of work and service and to those decisions relating to the recruitment and selection, training, development, promotion, discipline and dismissal, redundancy, redeployment or appraisal of any employee.

3.0 Procedure

3.1 The practical application of this policy is the responsibility of all employees and it is recognised that managers and supervisors often have particular responsibilities, such as selection, whereby they must ensure that they comply with this policy.

3.2 All employees have the right to equality of opportunity and a duty to implement this policy. Breach of the Diversity Policy is potentially a serious disciplinary matter. Anyone who believes that he or she may have been disadvantaged on discriminatory grounds is entitled to raise the matter and are encouraged to do so through informal steps firstly, and then through the grievance procedure if the issue has not been resolved to their satisfaction informally.

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3.3 Implementing Diversity

3.3.1 Recruitment and employment decisions will be made on the basis of fair and objective criteria. The selection procedures are reviewed from time to time to ensure that they are appropriate for achieving the objectives of the HPC and for avoiding unlawful discrimination.

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Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	AOD	Section 5a - DRAFT Diversity Policy	Draft DD: None	Internal RD: None

3.3.2 The requirements of job applicants and existing employees who have (or had) a disability will be reviewed to ensure that, wherever possible, reasonable adjustments are made to enable them to enter into or to remain in employment with the HPC. Promotion opportunities, benefits and facilities of employment will not be unreasonably limited and every reasonable effort will be made to ensure that employees who are disabled participate fully in the workplace.

3.3.3 Job descriptions and person specifications shall be limited to those requirements that are necessary for the effective performance of the job. Interviews will be conducted on an objective basis and personal or home commitments will not form the basis of employment decisions except where they have a direct impact on the person's ability to perform the role,

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3.3.4 In accordance with recommended practice, race, nationality, ethnicity, religion, gender (including gender reassignment), sexual orientation, age, marital status and disability, composition of the HPC's employees and applicants for jobs will be monitored on an anonymous basis at all levels.

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3.3.5 Appropriate training will be provided to enable employees to implement and uphold the HPC's commitment to diversity.

3.3.6 Working patterns will be reviewed to enable the HPC to offer flexible working arrangements to employees and carer/childcare responsibilities where possible. Where necessary, special provision will be made for training of employees returning to work following a break for domestic reasons.

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Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	AOD	Section 5a - DRAFT Diversity Policy	Draft DD: None	Internal RD: None

Section 5b - Capability Procedure

1. Purpose

- 1.1 The primary aim of this procedure is to provide a framework within which managers can work with employees to maintain satisfactory performance standards and to encourage improvement where necessary.
- 1.2 It is the HPC's policy to ensure concerns over performance are dealt with fairly and consistently and that appropriate steps are taken to establish the facts. If an employee's performance falls below the standard required by the HPC, help and encouragement will be provided to assist the employee.
- 1.3 The HPC recognises that on occasion an employee's performance may fall below acceptable levels for a variety of reasons. Individual and employment circumstances will differ in each case therefore outcomes will also vary depending upon the facts of each case.
- 1.4 The HPC is committed to equality of opportunity in employment and believes that all employees should be treated with respect and dignity in the workplace. These principles are reflected in this procedure.
- 1.5 This procedure applies to all employees regardless of status or length of service.

2. Procedure

- 2.1 The HPC has established appropriate management systems to enable employees to understand what is expected of them and are aware of the duties and objectives associated with their roles. Employees will receive effective support from their managers and will have access to or be provided with any necessary training to enable them to properly perform their duties.
- 2.2 Work competence issues will normally be dealt with under this Capability Procedure. However, there will be occasions when it is more appropriate to deal with issues of competence under the HPC's Dismissal and Disciplinary Procedure.
- 2.3 Employees will not be dismissed or subjected to formal sanctions for poor performance unless:
 - 2.3.1 they have been given a written statement of the reasons for concern;
 - 2.3.2 a fair hearing has been held; and
 - 2.3.3 the employee has been given the right to appeal.

- 2.4 Assistance and training as appropriate will be offered to employees who are not performing to the standard required by the HPC. Employees will not normally be dismissed for performance reasons without being given an opportunity to improve or without prior warning. However, in cases of gross negligence, or in any case involving an employee who has not yet completed their probationary period, dismissal without previous warnings may be appropriate.
- 2.5 This procedure applies to incapability caused by ill-health or disability. Please see section 11 below.

3. Responsibilities

- 3.1 Managers have responsibility to ensure that employees understand their job duties and objectives, are supported effectively through one-to-one meetings and have access to appropriate training. Managers will follow this procedure where an employee fails to reach the performance standard required by the HPC or is absent due to ill-health and such absence impacts upon the employee's ability to properly perform their duties. Consequently, managers must also manage and monitor ill-health absence.
- 3.2 Human Resources are responsible for advising managers and employees in relation to this procedure to ensure fairness and consistency of interpretation.
- 3.3 Employees have a responsibility to work to the best of their abilities at all times and abide by the terms of this procedure. Employees should bring to the attention of their manager (or Human Resources, if they prefer) any factor that may affect their capability and wherever possible enter into open discussions to identify how difficulties caused by such factors can be resolved.

4. Informal Discussions

- 4.1 Managers should address poor performance as soon as it is identified. This should be by way of normal day-to-day supervision and the provision of appropriate support.
- 4.2 In the first instance, performance issues should normally be dealt with informally between the employee and their manager. If an employee is unable to meet the reasonable objectives set out within the applicable job specification or their performance is below reasonable standards in some other way, the manager should identify ways in which performance can be improved.
- 4.3 Informal discussions may be held with a view to (for example):
 - 4.3.1 clarifying the standard required;
 - 4.3.2 identifying areas of concern;

- 4.3.3 establishing the likely causes of poor performance, including an exploration of any internal or external issues affecting the employee and possible ways of addressing those issues;
 - 4.3.4 identifying any formal or informal training needs;
 - 4.3.5 setting targets for improvement; and/or
 - 4.3.6 setting a time-scale for review.
- 4.4 At the conclusion of such discussions, managers must consult with the employee to establish objectives to be achieved within reasonable timeframes. The target and timeframe must be confirmed in writing to the employee by way of email. Managers should closely monitor the situation and, at the end of the agreed timeframe, make a written record of whether those targets or objectives have been achieved.
- 4.5 The HPC recognises that improvement will not always be immediate. Depending upon the nature of the role, length of service and the effect of poor performance upon the department, timeframes set for improvement should be realistic. During any such timeframe for improvement, it may be necessary for managers to supervise the employee more closely than would normally be the case.
- 4.6 In some cases an informal verbal warning may be given if the manager deems it appropriate. This will not form part of the employee's personnel record and there is no right of appeal.
- 4.7 The formal procedure should be used for more serious cases or in any case where informal discussions have not resulted in a satisfactory improvement within agreed timeframes.

5. Formal Capability Hearings

- 5.1 Managers should notify Human Resources before commencing the formal procedure.
- 5.2 A capability hearing will be held at each stage of the procedure. We will give you reasonable written notice of the date, time and place of the capability hearing and also inform you in writing of our concerns over your performance and the basis for those concerns. You will have a reasonable opportunity to consider this information before the hearing.
- 5.3 The hearing will be held by your manager (or a more senior manager) and will normally be attended by a member of Human Resources. You may bring a companion with you to the hearing (see Right to be Accompanied, below).

- 5.4 You must take all reasonable steps to attend the hearing. Failure to attend a hearing without good reason may be treated as misconduct. If you or your companion cannot attend at the time specified you should inform us immediately and we will seek to agree an alternative time.
- 5.5 A hearing may be adjourned if we need to gather any further information or give consideration to matters discussed at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 5.6 As soon as possible following the capability hearing we will give you written confirmation of our decision, the reasons for it, and your right of appeal. However, we will also endeavour to meet with you to relay this information verbally.

6. Right to be Accompanied

- 6.1 You may bring a companion to any capability or appeal hearings under this procedure. Your companion may be either a trade union official (if you are a member) or a fellow employee. In good time before the hearing you must inform the manager conducting the hearing of the identity of your chosen companion.
- 6.2 Employees are allowed reasonable paid time off from their duties to act as a companion. There is no duty on employees to act as a companion if they do not wish to do so.
- 6.3 In some circumstances your choice of companion may not be allowed: for example, an employee who may have a conflict of interest or whose presence may prejudice the hearing.
- 6.4 We may, at our discretion, allow you to bring a companion who is not an employee or trade union official (for example, a member of your family) where this will help overcome a particular difficulty caused by a disability or if you have difficulty understanding English.
- 6.5 At the hearing your companion may make representations, ask questions, and sum up your case, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

7. Stage 1: First Capability Hearing

- 7.1 Where performance is unsatisfactory and informal steps have either failed to resolve the situation or are not appropriate, a first capability hearing will be held. The first stage of the formal procedure is not intended to be punitive, but is aimed at identifying constructive ways to enable an improvement in employee performance. However, depending upon the circumstances, it might be appropriate to issue a capability warning following the hearing.

7.2 Your manager will chair the first capability hearing, the purpose of which will be to:

- 7.2.1 Explain the required standards that we considered have not been met;
- 7.2.2 Establish the likely causes of poor performance;
- 7.2.3 Identify any informal action taken to date and discuss why those informal measures did not lead to the required improvement;
- 7.2.4 Allow you the opportunity to explain the poor performance, ask any relevant questions, to provide an indication of your ability to improve your performance and to outline any alternative ways of working you believe would be of benefit (such as reduced working hours or redeployment);
- 7.2.5 Discuss measures, such as additional training or supervision, which may enhance or improve performance;
- 7.2.6 Set realistic objectives and timeframes for improvement against which performance can be evaluated (timeframes for improvement will be of sufficient duration to give you an opportunity to demonstrate an improvement);
- 7.2.7 Set a time-scale for review meetings; and
- 7.2.8 To identify and explain the consequences of insufficient improvement in performance within the relevant timeframe.

7.3 As soon as possible after the capability hearing we will write to you to confirm what was discussed and agreed at the hearing. If we decide that it is appropriate to do so, we will give you a first written warning setting out:

- 7.3.1 The areas in which you have not met the required performance standards;
- 7.3.2 Objectives for improvement
- 7.3.3 Any measures, such as additional training or supervision, which will be taken with a view to improving performance;
- 7.3.4 The time-scale for review;
- 7.3.5 The consequences of failing to improve within the review period or of further unsatisfactory performance.

- 7.4 This first written warning will usually remain active for twelve months, after which time it will normally be disregarded for the purposes of this Capability Procedure. A record of the warning will form a permanent part of your personnel record.
- 7.5 During the review period, your performance will be monitored. At the end of the review period we will meet you to inform you of the following (which will also be confirmed in writing):
 - 7.5.1 Whether or not your manager is satisfied with your performance – if so, we will confirm that no further action will be taken;
 - 7.5.2 If your manager is not satisfied, the matter may be progressed to Stage 2 of the Capability Procedure, consequences of which may include dismissal or redeployment; or
 - 7.5.3 If your manager feels that there has been a substantial but insufficient improvement, the review period may be extended.

8. Stage 2: Second Capability Hearing

- 8.1 If your performance does not improve within the review period, or if there are further instances of poor performance while the first written warning is still active, we will hold a second formal capability hearing. Your manager will also act as chair at this hearing.
- 8.2 The issues for consideration at the second capability hearing include:
 - 8.2.1 Identifying the standards that we consider you have failed to meet;
 - 8.2.2 Discussing why the informal and formal measures taken so far have not led to the required improvement;
 - 8.2.3 Providing an opportunity for you to explain your continued poor performance and to ask any relevant questions;
 - 8.2.4 Identifying any further measures, such as additional training or supervision, which may assist to improve performance. If so, we will set objectives and timeframes for improvement and a timeframe for review;
 - 8.2.5 Warning you that failure to improve to the required standard within the review period could lead to a decision to dismiss you or, if suitable alternative work is available, redeploy you (see below).

- 8.3 As soon as possible after the capability hearing we will write to you to confirm what was discussed and agreed at the hearing and our decision.
- 8.4 If we decide that it is appropriate to do so, we will issue a final written warning setting out:
- 8.4.1 The areas where you have failed to meet the required performance standards;
 - 8.4.2 Targets for improvement;
 - 8.4.3 Any measures, such as additional training or supervision, which will be taken with a view to improving performance;
 - 8.4.4 A further time-scale for review;
 - 8.4.5 The consequences of failing to improve within the time-scale or of further unsatisfactory performance.
- 8.5 A final written warning will normally remain active for 12 months, after which time it will be disregarded for the purposes of the Capability Procedure. A record of the warning will form a permanent part of your personnel record.
- 8.6 During the review period your performance will be monitored and at the end of the review period we will meet with you to inform you of the following (which will also be confirmed in writing):
- 8.6.1 Whether or not your manager is satisfied with your performance – if so, we will confirm that no further action will be taken; or
 - 8.6.2 In exceptional cases and where your manager feels that there has been a substantial (but insufficient) improvement and there is a reasonable likelihood of the necessary improvement being made within a reasonable timeframe, the review period may be extended and the final written warning extended; or
 - 8.6.3 If your manager is not satisfied, the HPC, at its discretion, may consider dismissing or redeploying you.

9. Dismissal or Redeployment

- 9.1 If your performance has not improved within the further review period set out in the final written warning and there is little likelihood of improvement, or if there are further serious instances of poor performance while the final written warning is still active, we may:

- 9.1.1 Redeploy you, with your agreement, into another suitable job at the same or a lower grade, if such work is available; or
- 9.1.2 Dismiss you.
- 9.2 Dismissal will normally be with full notice or payment in lieu of notice, unless you are guilty of gross misconduct within the meaning of the HPC's Dismissal and Disciplinary Procedure, in which case we may dismiss you without notice or any pay in lieu.
- 9.3 As soon as possible after the second stage capability hearing we will write to you to confirm our decision and to notify you of your right of appeal.

10. Appeals

- 10.1 You may appeal against the outcome of any stage of the formal capability procedure. If you wish to appeal you should do so in writing within five working days of the date on which you were informed of the decision. Your appeal letter should state in full your grounds of appeal.
- 10.2 We will give you reasonable written notice prior to the appeal hearing. In cases of dismissal, the appeal will be held as soon as possible.
- 10.3 Where practicable, the appeal hearing will be held by a manager who is senior to the person who conducted the relevant capability hearing. Depending on the grounds for your appeal, and at the discretion of the HPC the appeal hearing may be a complete rehearing of the matter or a review of the original decision.
- 10.4 If you raise any new matters in your appeal we may need to carry out further investigation. If any new information comes to light we will provide you with details in writing. You will have a reasonable opportunity to consider this information before the hearing.
- 10.5 The appeal hearing will be conducted in the same manner as the initial hearing, but you will start the process by presenting your case for appeal. The original decision-maker will then present the case in support of the original finding.
- 10.6 Following the appeal we may:
 - 10.6.1 Confirm the original decision;
 - 10.6.2 Revoke the original decision; or
 - 10.6.3 Substitute a different decision.
- 10.7 If your appeal is against a dismissal, our final decision will be confirmed to you in writing as soon as possible. In all other circumstances, we will

endeavour to meet with you to notify you of the appeal decision, which will also be confirmed in writing. There will be no further right of appeal.

- 10.8 The date on which any dismissal took effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss you will be revoked with no loss of continuity or pay.

11. Ill-Health and Disabilities

- 11.1 The HPC recognises that managing ill-health absences requires striking a balance between the needs of the organisation in its ability to meet its operational duties and those of the employee. However, long-term or frequent ill-health absences may have a substantial impact upon other employees. Nonetheless, when ill-health absences are dealt with pursuant to this procedure the HPC will behave with sensitivity and, when reasonable to do so, will seek appropriate medical advice.
- 11.2 At each stage of this procedure (as outlined above), consideration will be given to whether the unsatisfactory performance is related to a disability and if so, whether there are reasonable adjustments that could be made to the requirements of the job or other aspects of the working arrangements, such as a reduction in working hours or the provision of appropriate equipment.
- 11.3 Before initiating any action under this Capability Procedure in respect of an employee with a disability, a potentially disabling or a terminal illness, the HPC will have regard to the Disability Discrimination Act 1995.
- 11.4 If employees have difficulty at any stage of the Capability Procedure because of a disability or if they wish to inform us of any medical condition they consider to be relevant they should speak to their manager or Human Resources.
- 11.5 It will be necessary to invoke the formal Capability Procedure (as outlined above) in circumstances where:
- 11.5.1 Sickness absence is such that it has a detrimental impact on a department's ability to meet its obligations and there is doubt that the employee will be able to return to work in the foreseeable future;
 - 11.5.2 An employee is frequently absent for short periods due to ill-health and the causes of those absences may not necessarily appear to be related;
 - 11.5.3 An employee is at work but their ill-health is such that the performance of the whole or part of their job to a satisfactory standard is difficult or impossible; or

- 11.5.4 Review meetings have already been held under the Management of Sickness Absence Policy and Procedure, but the problem is ongoing.
- 11.6 Human Resources will attend all meetings under this procedure when issues relating to an employee's ill-health or disability will be discussed. A written record will be made of all available medical evidence, the likely prognosis and the employee's views of the impact their ill-health might have upon their ability to perform their duties. Where an employee is absent from work and there is a significant medical reason that they may wish not to attend a meeting at the office, they will be asked to indicate a preference regarding the location of meetings under this procedure (either at the HPC or the employee's home).

Section 5c – Dismissal and Disciplinary Policy and Procedure

1. Purpose

1.1 The primary aim of the dismissal and disciplinary policy and procedure is to help and encourage all employees to achieve and maintain standards of conduct, attendance and performance acceptable to the Health Professions Council (HPC). The objective of the procedure is to provide a fair and non-discriminatory process through which allegations of misconduct can be dealt with.

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1.2 This procedure is designed to ensure that the standards established by the HPC are adhered to and that all employees are dealt with fairly and consistently in disciplinary matters. The intention is that this should be achieved through non-punitive methods, but the procedure allows for disciplinary penalties to be applied where findings of misconduct are made.

1.3 This dismissal and disciplinary procedure will be used only when necessary; whenever possible informal discussions or other good management practice will be used to resolve matters prior to any disciplinary action being taken.

2. Principle/Policy

2.1 This procedure is designed to establish the facts quickly and deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated, but the procedure may be implemented at any stage if your alleged misconduct warrants such action.

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The objective of the procedure is to provide a fair and non-discriminatory process through which allegations of misconduct can be heard.

2.2 The HPC expects employees to behave towards each other with respect and to work co-operatively to ensure the effective operation of the organisation. You should familiarise yourself with the HPC's Code of Conduct and also with the examples of the type of behaviour the HPC deems to amount to misconduct or gross misconduct, which are set out at the end of this policy.

2.3 The HPC's Code of Conduct and Behaviour (Section 5d) outlines the standards expected of all employees and provides examples of the rules which all employees must abide by at all times. The rules are not intended to be comprehensive nor exhaustive; they will be subject to review and amendment from time to time. A breach of any of these rules, or a breach of a similar nature, will be regarded as either an act of misconduct or gross misconduct to which this dismissal and disciplinary procedure will apply.

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2.4 The HPC will endeavour to provide training and guidance for employees to enable them to perform their duties competently and

effectively. Nevertheless, where employees fall short of expected standards of behaviour or conduct, the HPC will take action to remedy matters.

- 2.5 Employees are expected to perform their duties to an appropriate level of competence as determined by the grade and demands of their post. Normally, work competence issues will be dealt with under the incapability procedures. However, there will be occasions when it is more appropriate to deal with issues of competence under the disciplinary procedure. Management reserves the right to decide, acting on advice from Human Resources.
- 2.6 The HPC is committed to equality of opportunity in employment and believes that all employees should be treated with respect and dignity in the workplace. These principles are reflected in this Policy and Procedure.
- 2.7 So far as the HPC is aware, the procedures in its disciplinary process have been developed and designed to reflect, so far as reasonably practicable within a private internal procedure, the right to a fair hearing as granted by the Human Rights Act 1998

3. Responsibilities

3.1 Line Managers' responsibilities

- 3.1.1 Management has the responsibility of advising and counselling employees regarding their conduct, behaviour or competence to carry out their duties and to inform employees of the standards of behaviour and conduct expected of them.
- 3.1.2 It will normally be the manager of the employee alleged to have breached the disciplinary rules who is responsible for undertaking an investigation and for attending a disciplinary hearing if this is deemed appropriate based on the investigation report.
- 3.1.3 Advice should be sought from the Human Resources Department before pursuing any disciplinary proceedings.

3.2 Employees' rights and responsibilities

- 3.2.1 Employees have a duty to abide by and comply with the HPC's codes of behaviour and conduct in all dealings with people inside and outside the HPC, and with other organisations, and to co-operate with any aspect of the procedure when required to do so.

- 3.2.2 The HPC's Code of Conduct and Behaviour is set out in section 5d of the staff handbook. As provided by statute, employees have the right to be represented at all stages of the formal procedure by a trade union official or internal colleague not acting in an official capacity.
- 3.2.3 It is the employee's responsibility to make every reasonable effort to attend the meeting(s) and to arrange for attendance by their representative if they choose to have representation. Employees can suggest an alternative date if it is not reasonably practicable for them or their chosen representative provided it is not more than 5 days after the original date.
- 3.2.4 Failure to attend a disciplinary hearing (without notifying either the line manager or Human Resources) will result in a decision being made in the employee's absence. If the reason for non-attendance was due to unforeseeable circumstances the meeting will be re-arranged.

3.3 Human Resources Department responsibilities

- 3.3.1 Human Resources has responsibility for:
- advising managers at each stage of this procedure, for ensuring fairness and consistency
 - advising employees on the process of the procedure

4. Suspension

- 4.1 If a complaint is made against you, the HPC may suspend you until the conclusion of the investigation and/or the disciplinary procedure. Suspension of this kind is not a disciplinary sanction and does not imply that any decision has been made about the allegation against you. You will continue to receive your full basic salary and benefits during your period of suspension.
- 4.2 If you are suspended, the HPC reserves the right to impose such conditions in respect of your suspension as it thinks fit. During the period of suspension you should not attend the HPC's premises except at the request of or with the prior consent of Human Resources. You should not contact any Council or Committee Members, Partners, employees, suppliers or contractors unless you have been specifically authorised to do so by Human Resources.
- 4.3 In the first instance, you will be verbally notified of the decision to suspend you. Any arrangements for your suspension will then be confirmed to you in writing. This letter will identify a nominated person in the organisation who will assist you in collating any relevant information concerning your case.

4.4 All suspensions will be given prior authorisation by the Chief Executive (or his nominee)

5. Investigation procedure

5.1 At every stage of the procedure you will be advised of the nature of the complaint against you and given the opportunity to state your case before any decision is made.

5.2 Except in cases of gross misconduct, or misconduct during your probationary period, you will not normally be dismissed for a first act of misconduct. We will normally give you a warning and a chance to improve. If allegations are made against a probationary employee we may omit some of the steps set down in this procedure and/or vary some or all of the time limits

5.3 In most cases of alleged misconduct, an investigation will be conducted prior to any disciplinary hearing being held. The investigation will normally be conducted by the line manager of the employee alleged to have breached the disciplinary rules although advice should be sought from Human Resources.

5.4 Minor incidents of misconduct will be dealt with informally, but where the matter is more serious the procedure set out below will be used.

6. Companion

6.1 At all disciplinary and appeal hearings you have the right to be accompanied by a fellow employee or a Trade Union representative (if appropriate). You must inform us of the identity of your chosen companion in good time before the hearing. However, if your choice of companion is unreasonable, we may ask you to choose someone else. For example, if in our opinion your companion may have a conflict of interest that may prejudice the hearing.

6.2 Acting as a companion is voluntary and employees are under no obligation to be a companion at a disciplinary hearing.

6.3 Your companion will be allowed to participate in the disciplinary hearing, but will not be able to answer questions on your behalf.

7. Investigations

7.1 An investigatory manager will be appointed. Their role is to interview any relevant parties and witnesses, take statements, and draw together all relevant information, ensuring that confidentiality is maintained as far as possible. Following the investigation, a report will be produced setting out any findings and whether the investigatory manager

believes there is a case to answer. The report will be presented to the Chair of the disciplinary hearing and to Human Resources.

- 7.2 Investigations do not form part of the disciplinary procedure itself. The purpose of an investigation is to enable us to establish a fair and balanced view of the facts before deciding whether to proceed with a disciplinary hearing. This may involve reviewing any relevant documents or interviewing you and any witnesses.
- 7.3 Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held. The type of investigation undertaken will depend upon the nature of the allegations and will vary from case to case.
- 7.4 You must co-operate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant information or documents to us, and attending any investigative interviews.
- 7.5 You do not normally have the right to bring a companion to an investigative interview. However, we may allow you to do so if it helps you overcome a difficulty caused by a disability or any difficulty in understanding English.

8. Confidentiality

- 8.1 During an investigation or disciplinary procedure the HPC aims to deal with matters sensitively and with due respect for the privacy of any individuals involved.
- 8.2 All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.
- 8.3 You are not permitted to make any electronic recordings of any investigative meetings, disciplinary or appeal hearings. Your companion(s) are also forbidden from making electronic recordings.
- 8.4 You will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against you, unless, in our discretion, we believe that a witness's identity should remain confidential.
- 8.5 Witnesses must treat as confidential any information given to them in the course of an investigation, including the identity of any employees under investigation.

9. Informal Procedure

- 9.1 Minor incidents of misconduct or irregularities in performance will be dealt with informally, but where the matter is more serious the formal procedure set out below will be used.
- 9.2 In some cases an informal verbal warning may be given if your line manager deems it appropriate. This warning will not form part of your personnel record and there is no right of appeal.
- 10. Formal Procedure**
- 10.1 Following an investigation, if the HPC considers that there are grounds for disciplinary action, the nature of the allegations against you will be set down in writing in a disciplinary invite letter.
- 10.2 You will be invited to attend a disciplinary hearing. The Chair of the disciplinary hearing will give you written notice of the date, time and place of the hearing, which will normally be held between two and five full working days after you receive the disciplinary invite letter (this time period may be varied where needed at the Chair's discretion). The Chair of the disciplinary hearing will normally be a senior manager.
- 10.3 You must take all reasonable steps to attend the disciplinary hearing. Failure to attend a hearing without good reason may be treated as misconduct itself.
- 10.4 Prior to the disciplinary hearing you will receive a summary of relevant information gathered during the investigation, copies of any documents that will be referred to during the hearing, and copies of any witness statements (except where a witness's identity is to be kept confidential, in which case we will give you as information as possible while maintaining confidentiality).
- 11. Procedure for disciplinary hearing**
- 11.1 The purpose of the hearing is to review the evidence and to enable you to respond to any allegations that have been made against you. The investigatory manager will present details of the allegations to the Chair of the hearing.
- 11.2 The Chair is responsible, with advice from Human Resources, for ensuring all evidence and relevant information is considered, assessing that evidence, deciding whether or not disciplinary action against you is warranted and, if so, at what level.
- 11.3 If you have a companion, he or she may make representations to the Chair and ask questions, but they cannot answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

Deleted: The role of the investigatory manager is to interview any relevant parties and witnesses, take statements, and draw together all relevant information, ensuring that confidentiality regarding the details of the case is maintained. Following the investigation, a report will be produced of his/her findings on whether there is a case to answer. The report will be presented to the Chair and to Human Resources. The Chair will normally be the manager of the investigatory manager. If this is not practicable, advice should be sought from Human Resources and a member of the Executive Management Team may be asked to chair cases of alleged gross misconduct, it is the responsibility of the Chief Executive and Registrar or nominee, to chair any hearing that may result in disciplinary action.

Deleted: If there is a case to answer, the Chair will, with advice from Human Resources, notify the employee in writing of the date of the hearing, giving the employee reasonable notice (usually at least 48 hours). A hearing should be held as quickly as practicable and employees should be advised if an investigation is likely to take some time to be carried out thoroughly.

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11.4 The hearing will be conducted as follows:

11.4.1 The Chair will introduce all parties present and remind them of the need for confidentiality.

11.4.2 The Investigatory Manager will present the investigation report to the Chair and set out the management case in support of the allegations.

11.4.3 You or your companion may put questions to the Investigatory Manager, although only the Chair will be permitted to ask questions of any witnesses that may called (although the actual attendance of witnesses is unlikely).

11.4.4 You may present a rebuttal of the allegations against you to the Chair. For example, you can identify any witnesses in support of your case.

11.4.5 The Investigating Manager may then question your evidence and/or any representations that you make.

11.4.6 The Chair may ask questions of either side during the proceedings to ensure clarification or to ask for elaboration of any relevant issues.

11.4.7 The Human Resources adviser may ask questions of any party in order to clarify any issues, to ensure that all parties understand the points being heard and that they understand the procedure.

11.4.8 The disciplinary hearing may be adjourned if the Chair needs to conduct any further investigations. For example, the Chair may decide to interview or re-interview witnesses in the light of any points that have been raised by you at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

12. The Decision

12.1 After the hearing, the Chair will inform you in writing of the decision reached, including any details of misconduct the Chair considers you have committed, the disciplinary sanction to be imposed, and the reason for their decision. You will also be notified of your right to appeal against the decision and/or the disciplinary sanction imposed and to whom any appeal should be submitted. Where possible, the Chair will provide this information to you in person.

12.2 If, after a disciplinary hearing, the employee is dismissed, dismissal will take place with effect from the date when the decision is confirmed in writing. In cases of gross misconduct where the Chair believes the

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appropriate sanction is summary dismissal, you will not be entitled to notice or payment in lieu of notice.

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13. Appeal

13.1 If you wish to appeal against a disciplinary decision, you should submit your appeal in writing within five working days of your receipt of the written notification of the disciplinary decision.

13.2 Your appeal letter should state the full grounds of appeal (the reasons why you are appealing) and why you disagree with the original disciplinary decision. The grounds on which appeals may be made include:

13.2.1 alleged unjust finding

13.2.2 alleged failure to properly take into account all relevant facts

13.2.3 new information has come to light which goes to the substance of the allegations

13.2.4 alleged failure to follow the disciplinary procedure

13.3 The person hearing your appeal will be the Chief Executive or their nominee. This nominee may be the President or a Council representative appointed by the President. Where the appellant is an EMT member the appeal will be heard by the President or their nominee. The Appeal Chair will respond to you in writing within five working days of receipt of your appeal. You will be invited to attend an appeal meeting, which you must take all reasonable steps to attend. The appeal hearing will usually take place within 15 days of our receipt of your written appeal.

13.4 Prior to the appeal hearing the Appeal Chair will review the investigation and the information it generated, as well as the disciplinary penalty imposed.

13.5 If you raise any new matters in your appeal letter the Appeal Chair may need to carry out further investigation prior to the appeal hearing. If any new information comes to light you will be provided with relevant details. You will have a reasonable opportunity to consider this information before the hearing.

13.6 The appeal hearing may be a complete rehearing of the matter or it may be a review of the original decision taking account of any new information. This will be at our discretion depending on your grounds of appeal and the circumstances of your case. Where appropriate, and as agreed between you and the HPC, an appeal hearing may be restricted to a review of the evidence that was available at the original hearing. In such cases, advice will be provided by Human Resources.

- 13.7 The procedure at the appeal hearing will be similar to that of the disciplinary hearing, but you will start the process by presenting your case for appeal. The Investigatory Manager will then present the case in defence of the original disciplinary finding. As before, both sides will be able to question each other.
- 13.8 You will be notified in writing, usually within 10 working days of the appeal meeting, of the decision reached by the Appeal Chair. Where possible, this will be explained to you in person.
- 13.9 The outcome of your appeal will either be to:
 - 13.9.1 reject the appeal and confirm the original disciplinary sanction, or
 - 13.9.2 revoke the original decision; or
 - 13.9.3 substitute a different disciplinary sanction.
- 13.10 If the Appeal Chair upholds a decision to dismiss you, the date of termination will remain the date of the original dismissal. The date on which any dismissal takes effect will not be delayed pending the outcome of an appeal, but if the appeal is successful you may be reinstated with no loss of continuity or pay.

There will be no further right of appeal and the dismissal and disciplinary procedure is exhausted at the conclusion of the appeal stage.

14. Disciplinary Sanctions

14.1 We aim to treat all employees fairly and consistently. Disciplinary action taken against other employees for similar misconduct will usually be taken into account, but should not be treated as a precedent. Each case will be assessed on its own merits.

14.2 There are four levels of disciplinary sanctions that can be imposed where a complaint is proven. The HPC reserves the right to impose the most appropriate sanction (including dismissal) depending on the seriousness and/or the circumstances of the case.

14.3 If, after the disciplinary hearing and/or appeal, the Chair concludes that disciplinary action against you is appropriate, action may be taken at one of the following levels:

14.4 Oral warning

14.4.1 A formal oral warning is likely to be appropriate for a minor act of misconduct (such as a first breach of rules and the breach is of a minor nature) or if previous informal measures have not resulted in an improvement. A formal oral warning will only be appropriate if you have no other active warnings.

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14.4.2 You will be advised in writing of the reason for the warning, and of the consequences of repetition of the conduct or failure to adhere to the type of conduct the HPC deems appropriate.

14.4.3 Oral warnings will remain active on your personnel file for a period of 6 months, after which time they will be disregarded for disciplinary purposes, subject to satisfactory conduct and performance. Should there be any recurrence of misconduct or performance, within the six month timeframe it will result in the next stage of disciplinary action. Your conduct is likely to be reviewed at the end of the six month period and it is has not improved sufficiently we may decided to extend the active period of this warning.

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14.5 First written warning

14.5.1 A first warning is likely to be appropriate when there is:

- continued or a repeated breach of a rule of a minor nature, and there is an active disciplinary warning for a similar matter; or
- a first breach of a rule which, when assessed, is of sufficient gravity to warrant a penalty higher than an oral warning.

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14.5.2 The written warning will identify the nature of the misconduct, the appropriate conduct required by the HPC, the timescale imposed for improvement and the likely consequences of further misconduct.

14.5.3 First written warnings will remain active on your file for a period of 12 months, after which time it will be disregarded in deciding the outcome of future disciplinary proceedings. However, your conduct will be reviewed after six months and again at the end of the active 12 month period and if your conduct has not improved sufficiently we may decide to extend the active period or issue a final written warning in accordance with this procedure.

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14.6 Final Written Warning

14.6.1 A final written warning is likely to be appropriate when there is already an active written warning on your record or in situations where there is no active written warning on file but we consider that your misconduct is sufficiently serious to warrant a final written warning. This may include:

- continued or repeated breach of a rule of a minor nature, and there is a current disciplinary action for a similar matter at least at first written warning stage on file against the employee; or
- a first breach of a rule which, when assessed, is of sufficient gravity not to be tolerated and therefore warrants a penalty higher than a first written warning.

14.6.2 The written warning will confirm the nature of the misconduct, the change required, the timescale for this and the likely consequences of further misconduct.

14.6.3 Final written warnings will remain active on your personnel file for a period of 18 months or, if we decide that the matter is sufficiently serious, for a longer period. Your conduct may be reviewed during and at the end of the active warning and if it has not improved sufficiently we may decide to extend the active period. After the active period the warning will be disregarded in deciding the result of future disciplinary proceedings. Should there be any recurrence of misconduct within the active period it will result in further disciplinary action under this procedure. In exceptional cases verging on gross misconduct a final written warning may state it will remain active indefinitely.

14.7 Dismissal

14.7.1 Dismissal is likely to be appropriate when there is:

- misconduct during your probationary period, or
- misconduct when there is an active final written warning on your record, or
- gross misconduct regardless of whether you have received any previous warnings.

14.7.2 Gross misconduct will usually result in summary dismissal, which is dismissal without notice or payment in lieu of notice. In cases not involving gross misconduct, you will, at the HPC's discretion, be given your full contractual notice period, or payment in lieu of notice.

14.8 Alternative Actions Short of Dismissal

In appropriate cases, and at the HPC's discretion, we may consider some other sanction short of dismissal, such as demotion, transfer to another department or job, loss of seniority, reduction in pay, or loss of future pay increment.

15. Record Keeping

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15.1 If an allegation of misconduct is proven, a written record of the disciplinary steps followed will be retained on your personnel file. This record will include the nature of the allegation or complaint, a copy of all relevant correspondence, any action taken and the reasons for that action, and whether there was an appeal and the outcome of the appeal. The HPC will also prepare formal minutes of what was said by whom at the disciplinary meeting and a copy will be provided to you. All records relating to disciplinary issues will be treated as confidential.

16. Duration of Disciplinary Action

All stages of the disciplinary procedure will be dealt with as speedily as possible and time limits are set for each stage in the procedure above. However, there may be good reasons why, occasionally, certain procedural steps, may take longer than stated. For example, where a resumption of a meeting allowing for reconsideration is desirable. It is expected that both parties will, where it is clearly reasonable to do so, agree time extensions.

17. Types of Misconduct

Gross Misconduct

17.1 The HPC will be entitled to dismiss you without notice or pay in lieu of notice in the event of gross misconduct, or some other fundamental breach of the HPC's rules or breach by you of the terms of your contract of employment.

17.2 Gross misconduct is misconduct which, in the HPC's opinion, is serious enough to prejudice our business or reputation or which irreparably damages the working relationship of trust and confidence between employer and employee and which makes continuation of the working relationship impossible.

17.3 Examples of offences which are normally regarded as gross misconduct and which may render you liable to summary dismissal include (but are not limited to) the following:-

17.4 Allegations of gross misconduct will always lead to suspension pending further investigation. Findings of gross misconduct will normally lead to summary dismissal (that is dismissal without notice or pay in lieu of notice).

17.5 To ensure that employees are fully aware of the type of acts that may jeopardise their continued employment with the HPC, and are likely to lead to summary dismissal, examples are detailed below. This list is by no means exhaustive.

17.5.1 Fighting with, or physical assault on other employees

Deleted: <#>Procedures for documents¶

&¶<#>All paperwork in connection with an allegation, investigation and findings will be held on a confidential file, separate from the employee's personal file. ¶

&¶<#>Where a disciplinary penalty is awarded, a copy of the decision letter will be placed on the employee's file and removed after expiry of the appropriate time limit.¶

&¶<#>After the appropriate time limit has expired, documents on the employee's personal file referring to the disciplinary action will be removed. ¶

&¶<#>These documents would not be used in connection with any further disciplinary actions or internal proceedings against the employee, but may be brought forward if the HPC was required by an external agency (such as the Police, Inland Revenue or as required by law) at a future date, to produce documents. ¶

&¶<#>There should be very few occasions when such documents would need to be referred to. In all cases, before any action is taken to use these files the advice of Human Resources must be sought. ¶

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Deleted: where a representative is difficult to obtain, or

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Deleted: Gross misconduct is viewed as serious enough to damage the employment contract between the HPC and the employee, destroying mutual trust and confidence and making the continuation of the working relationship impossible.

Deleted: While not a disciplinary act in itself, a

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Deleted: Suspension will always be on full pay and benefits.

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- 17.5.2 Deliberate misrepresentation of personal information required by HPC, such as date of birth, status, qualifications, experience, health and criminal status, or other relevant information
- 17.5.3 Theft or unauthorised removal of HPC property or the property of employees, contractors, clients or members of the public
- 17.5.4 Forgery, fraud or other dishonesty
- 17.5.5 Deliberate falsification of, for example, records, reports, accounts, expense claims or Self-Certification forms
- 17.5.6 Serious or repeated breach of confidence;
- 17.5.7 Any unlawful act of harassment, bullying, or discrimination against employees, contractors or members of the public
- 17.5.8 Non-compliance with health and safety codes, policies and procedures such as would be likely to endanger life or cause serious injury to colleagues or other persons
- 17.5.9 Unauthorised use of HPC's materials, equipment or facilities
- 17.5.10 Conduct, including conduct of a criminal nature whether or not one that results in a conviction, deemed prejudicial to HPC's interests, whether committed:
 - during the course of employment-related activities, inside or outside normal working hours; or
 - outside the course of employment-related activities, taking account of the nature of the employee's employment, the duties of the post and the offence committed.
- 17.5.11 Breaches of the HPC's policies and procedures which result in discrimination in terms of service provision or employment (including promotion or training).
- 17.5.12 Serious acts of harassment, such as unwelcome and intentional touching of another person's body.
- 17.5.13 Being drunk or intoxicated during your working hours or employment-related activities, or being drunk or intoxicated sufficiently to impair capability to carry out duties such as might put colleagues or other persons at risk or bring the organisation into disrepute.
- 17.5.14 Taking illegal drugs or prohibited substances (other than those prescribed by a medical practitioner) during the course of employment-related activities, or being under the influence sufficiently to impair capability to carry out duties such as might put colleagues or other persons at risk, or bring the organisation into disrepute.
- 17.5.15 Suspected fraud and serious negligence - definitions are outlined below.

17.6 Definition of Fraud

- 17.6.1 Fraud is the deliberate creation, falsification, destruction, defacement, misrepresentation or concealment of any account, record or document or any unauthorised use of the

name, 'Health Professions Council' or misuse of one's position within the HPC with the intention of:

- obtaining money, assets, services, information or advantage for the individual concerned or for a third party (e.g. contractor) which would otherwise be denied
- causing a loss or damage to the HPC or another party (e.g. contractor, individual, employee, partner)
- prejudicing the HPC's rights, position, or reputation, or those of another party as outlined above
- corrupt or dishonest practice in the course of the HPC's business (e.g. awarding tenders in return for favours).

17.7 Definition of Serious Negligence

17.7.1 Serious negligence is defined as lack of proper care in looking after the HPC's interests. This specifically includes misuse or abandonment of the HPC's assets and/or reporting mechanisms when, although the action taken may not be illegal, it is clearly unreasonable given the implied duty of care within an individual's contract of employment.

17.7.2 Every employee has a general duty of care towards the HPC's assets. Judgement over whether or not an employee has been seriously negligent will depend on the nature of the allegation and the responsibility the HPC could reasonably expect an individual to take, given their position in the organisation and the nature of their job.

17.7.3 The following are examples of serious negligence (the list is not comprehensive):

- approval of expenditure which is clearly inconsistent with the HPC policy (e.g. travel and expenses policy)
- failure to establish or adhere to basic financial controls when this is a requirement of the job
- failure to ensure the security of the HPC's assets.

Misconduct

17.8 The types of offences that amount to misconduct include (but are not limited to):-

17.8.1 Abusive or offensive behaviour or rudeness to employees, colleagues or clients

- 17.8.2 Poor time-keeping
- 17.8.3 Time wasting
- 17.8.4 Refusal to follow reasonable and lawful instructions
- 17.8.5 Excessive personal use of the HPC's telephone, email or internet
- 17.8.6 Unexplained absence from work
- 17.8.7 Unauthorised persistent or irregular absenteeism or unsatisfactory attendance
- 17.8.8 Minor damage to or unauthorised use of the HPC's property
- 17.8.9 Minor breaches of the HPC's procedures and policies
- 17.8.10 Minor breaches of your employment contract
- 17.8.11 Negligence in the performance of your duties

the nature of the allegations against the employee, including any statements/documents to be used during the hearing; witnesses who will be called the employee's right to representation (see 3.2.2 above) and to call witnesses in cases of gross misconduct, the possible outcome of dismissal

Suspension

Where there are allegations of gross misconduct, or if the severity of the alleged offence creates doubt as to the suitability of the employee to continue to work, the employee may be suspended.. Any employee who is suspended will be notified verbally at the time and this will then be confirmed in writing, indicating a nominated person in the organisation who will assist the employee in collating the relevant information concerning their case.

Suspension does not, in itself, constitute a disciplinary act and is purely a holding action pending enquiries and a full, fair investigation.

Suspension will always be on full pay and benefits and will continue pending the outcome of a disciplinary hearing.

Where allegations do not concern breaches of conduct potentially constituting gross misconduct, employees will not normally be suspended. Suspension requires the authorisation of the Chief Executive or nominee.

the Chair will inform you in writing of the decision reached, including any details of misconduct the Chair considers you have committed, the disciplinary sanction to be imposed, and the reason for their decision. You will also be notified of your right to appeal against the decision and/or the disciplinary sanction imposed and to whom any appeal should be submitted. Where possible, the Chair will provide this information to you in person.

the employee of his/her decision in person (except in exceptional circumstances where this may not be possible) at the earliest opportunity and confirm this decision in writing.

A copy of the decision letter will be kept on the employee's personal file for the period of time as outlined in Section 7 below.

The employee will be advised in writing of his/her right to appeal.

the President in cases of dismissal An appeal hearing will usually be held within fifteen working days of the receipt of a letter from the employee notifying the grounds of appeal. In exceptional circumstances, this may need to be delayed and, in that case, employees will be advised accordingly. Appeals against oral and written warnings will normally be to the next level of

management above the Chair in the line management chain. Appeals against dismissal will be made to the President. He/she may delegate this responsibility to a nominated Council Member. Appeals may be made on the grounds of:

alleged unjust finding against the employee

alleged failure to take into account properly the facts of the case

new information has come to light which goes to the substance of the allegations

alleged failure to follow the disciplinary procedure Normally the appeal will be either a re-hearing of the matter on which there was a finding against the employee or a hearing of additional information. Where appropriate, and as agreed between the employee and HPC, an appeal hearing may restrict itself to a review of the evidence that was available at the original hearing. In such cases, advice must be sought from Human Resources. The appeal hearing will be conducted in the same way as the initial hearing, but the appellant will start the process by presenting his/her case for appeal. The management representative will then present the management case in defence of the original disciplinary finding. As before, both sides will be able to question each other. **Appeals Decision**
The Chair will follow the same decision-making process as used in the original hearing.

If after the appeal hearing and reviewing all the evidence available, the Chair is satisfied that either the decision to take disciplinary action or the severity of the penalty was not justified in the circumstances, he/she may amend the decision by:

Revoking the penalty completely

Instituting a lesser penalty

The Chair will confirm his/her decision in writing to the employee at the earliest opportunity and a copy of the decision letter will be kept on the employee's file for the appropriate period of time as outlined in Section 7 or kept on a separate confidential file, as detailed in Section 10 below, if the penalty is revoked completely.

Section 5d – Code of Conduct and Behaviour

1. Introduction

1.1 The successful business operation and reputation of the HPC is dependant upon the conduct of its employees. The HPC's reputation for integrity and excellence requires careful observance by its employees of the spirit and letter of all internal processes and any applicable laws and regulations, as well as a regard for the highest standards of conduct and personal integrity. This Code of Conduct is intended to assist employees in attaining the standards required of them.

1.2 The following rules are not intended to be comprehensive nor exhaustive and they will be subject to review and amendment from time to time. A breach of any of the rules set out in this Code is likely to be regarded as either an act of misconduct or gross misconduct. Where an employee has breached a rule, the Dismissal and Disciplinary procedure will apply.

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1.3 In cases of misconduct, an employee may receive an oral, first or final written warning depending on the seriousness of the matter. Cases of gross misconduct could lead to immediate dismissal from employment. Gross misconduct is defined as:

“serious enough to damage the working relationship between the HPC and the employee, destroying the relationship of mutual trust and confidence, making continuation of the working relationship impossible”

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1.4 If in any doubt about what these rules mean, employees should seek advice from their line manager or the Human Resources department.

2. Conduct and behaviour

2.1 Employees have a duty to familiarise themselves and comply with all employment policies set out in the staff handbook, which will be amended from time to time. Any changes to our policies will be notified to you.

Deleted: and to familiarise themselves with existing policies and new and revised copies.

2.2 Failure to comply with any of the HPC's workplace policies, either existing or revised, may be considered gross misconduct.

2.3 Employees are expected to conduct themselves at all times in the manner expected of anyone working for a reputable organisation. Employees are expected to behave in a professional, civil and dignified manner towards colleagues, partners, registrants, applicants and members of the public.

2.4 Employees are expected to behave in a manner, both at work and in public, which does not bring the HPC into disrepute.

2.5 Employees have a duty to report any workplace wrongdoing or malpractice of which they become aware, particularly if such behaviour could expose the

HPC to loss, liability or embarrassment or have a detrimental impact on its reputation.

Offensive Behaviour

2.6 The HPC is committed to providing a safe and secure work environment and one that is free from discrimination, intimidation, physical or verbal threats or harassment, or violent acts. The HPC will not tolerate any such acts committed by its employees or by third parties on HPC premises or against employees in connection with their employment with the HPC.

2.7 Employees should ensure that any words, pictures, photographs, emblems, symbols, flags, posters, T-shirts or other material displayed by them in the work environment is not offensive to any colleagues, partners, registrants, applicants or members of the public.

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2.8 Using abusive language or displaying racially or sexually offensive material, or material which is abusive in respect of a person's sex, disability, sexual orientation, gender reassignment, marital or civil partnership status, pregnancy or maternity leave, race, religion or belief, age or political opinion may be considered gross misconduct.

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2.9 Fighting, physical assault, threatening and intimidating behaviour are likely to be considered gross misconduct.

Deleted: <#>Employees are expected to behave in a civil and dignified manner towards colleagues, registrants and the public.¶

2.10 Unacceptable behaviour, conduct or performance, considered by the HPC to damage or which may potentially damage its public image is likely to be considered gross misconduct.

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2.11 Conduct, including conduct of a criminal nature whether or not resulting in a conviction, that the HPC deems to be prejudicial to its interests is likely to be considered gross misconduct.

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3. Management Instructions

3.1 Employees are expected to carry out and cooperate with reasonable management requests and instructions at all times.

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3.2 Failure to do so will be viewed as serious enough to damage the relationship of trust and confidence, between the HPC and the employee and therefore may be considered gross misconduct.

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4. Timekeeping

4.1 Punctuality is required to ensure the effective operation of the organisation. Working hours (start and finish times) form part of the terms and conditions of employment. These times are confirmed within each an employee's contract of employment, which is signed by both employee and their line manager.

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4.2 Poor timekeeping, without good cause, will be considered misconduct.

Deleted: Failure to attend at and by agreed times

5. Absences (including sickness absence)

5.1 Employees must comply with the HPC's absence procedure and give reasonable notice for holiday requests. All holiday absences must have prior authorisation and approval from the employee's line manager.

Deleted: Holidays must be requested with reasonable notice and

5.2 Employees must comply with the arrangements for reporting sickness absence and completing related documentation as set out in the HPC's absence procedure.

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5.3 Unauthorised absences from work, without good cause or without prior approval, will be considered misconduct.

6. Competence

6.1 Employees are expected to perform their duties to the standard deemed appropriate by the HPC. This level of competence will be determined by the grade and demands of the employee's job. Employees should promptly notify their manager of any potential performance problems or difficulty in achieving the required standard. Normally, competence issues will be dealt with under the Capability Procedure. However, there may be occasions when it may be more appropriate to deal with competence issues by way of the Dismissal and Disciplinary procedure. Management, with advice from Human Resources, will apply the most appropriate procedure in the circumstances.

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7. Health and Safety

7.1 Employees are expected to take reasonable care of their own health and safety and that of others who may be affected by their work actions. Employees are expected to comply with any safety policies and codes. This includes reporting to management dangerous incidents or accidents or any potential hazards.

7.2 Failure to comply with health and safety requirements, to report to management incidents/accidents or potential hazards and recklessness or negligence in regard to health and safety may be regarded as gross misconduct.

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8. Honesty /Trustworthiness

8.1 The HPC's definition of fraud and serious negligence is set out in the Dismissal and Disciplinary Procedure. Fraud and serious negligence are likely to be considered gross misconduct.

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8.2 Should any employee become aware of a criminal offence taking place in the workplace, they are obliged to report this to their manager or a member of the Human Resources Department.

9. Confidentiality

9.1 Any materials (i.e. files, documents and tapes or any copies) relating to the HPC, except for material published for public distribution, may not be retained by employees or used for an employee's own purposes or disclosed or copied to any other body, organisation or individual without prior authorisation from a senior manager.

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9.2 Employees should not remove any information or data, in whatever format, relating to the HPC's council members, partners, registrants, applicants or employees, from the HPC's premises without the specific prior permission of their line manager. To do so will amount to gross misconduct.

9.3 Personal information about individual council members, partners, employees, registrants and applicants must be treated as confidential within the HPC and must not be disclosed or copied to external organisations or individuals without the express prior permission of the individual concerned, unless the HPC is required to provide that information by law. A breach of confidentiality is likely to be considered gross misconduct.

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10. Alcohol/Drugs

10.1 Being under the influence of alcohol or drugs to the extent that it impairs an employees capability and might put colleagues and others at risk or bring the HPC into disrepute is likely to be regarded as gross misconduct.

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10.2 Employees should not drink alcohol to excess during working hours, particularly if it impacts upon their ability to properly perform their duties for the HPC. It is strictly forbidden to attend work whilst under the influence of alcohol. It is considered gross misconduct to be drunk or under the influence of non-prescribed drugs during working hours.

11. Smoking

11.1 The HPC is committed to protecting the health, safety and welfare of its employees by providing a safe place of work. This includes protecting all employees and visitors from exposure to smoke. Employees are cautioned that smoking can damage their health and the health of other employees.

11.2 Employees are expected to comply with the HPC's non-smoking policy, which prohibits smoking in the HPC's premises.

11.3 The HPC's no-smoking policy complies with the Smoke-Free Regulations 2007. A breach of these regulations could expose both the HPC and the

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employee to a fixed penalty fine and possible criminal prosecution. Failure to comply with the no-smoking policy may be considered misconduct and will be dealt with under the HPC's Dismissal and Disciplinary procedure. In serious cases, it may be treated as gross misconduct leading to summary dismissal.

11.4 Non-compliance may also be considered a breach of the rules under health and safety, indicating recklessness or negligence in regard to health and safety responsibilities, such as endangering the life of a colleague or other person.

Deleted: Employees are cautioned that smoking can be considered to damage their health and the health of other employees' health. Failure to comply with the smoking policy may be considered, depending on the facts of the matter, gross misconduct in itself

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Final DD: None	Internal RD: None					

Section 5e – Grievance Policy and Procedure

1. Purpose

- 1.1 The aim of this policy and procedure is to enable employees who consider they have a grievance or complaint arising from their employment with the HPC to have it dealt with at the nearest appropriate level within as short a time as possible. Deleted: ensure that
- 1.2 The HPC will give proper consideration to all grievances, which will be dealt with fairly, impartially and consistently. Deleted: have an effective way of raising complaints and that these will be dealt with in a fair, thorough and prompt way.
- 1.3 Grievances are any dissatisfaction or complaint that an employee has with the HPC relating to their conditions of service, work situation or working relationships. Deleted: ¶

2. Principle/Policy

- 2.1 The HPC policy and procedure encourages the settlement of all grievances as fairly, promptly and as near to the point of origin as possible. Deleted: Health Professions Council (
- All grievances should be dealt with in accordance with this policy and procedure as speedily as is practicable and within the time limits set for each stage of the formal procedure. The HPC may vary the procedure, including any time limits as appropriate to suit a particular case and time limits may be extended if it is reasonable to do so. In any event, you will be kept informed of the progress of the grievance procedure within the timescales stated.
- 2.2 The HPC's Grievance Policy and Procedure applies to all permanent employees and any employee engaged under the terms and conditions of a HPC employment contract, irrespective of job, status or seniority. Anyone wishing to use this procedure can do so freely and without prejudice to his/her position at the HPC.
- 2.3 The HPC is committed to equality of opportunity in employment and believes that all employees should be treated with respect and dignity in the workplace. These principles are reflected in this policy and procedure.
- 2.4 So far as the HPC is aware, the procedures in its Grievance process have been developed and designed to reflect, so far as reasonably practicable within a private internal procedure, the right to a fair hearing as granted by the Human Rights Act 1998.

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3.0 Responsibilities

3.1 Line Managers will be responsible for applying the procedure, advising employees on steps to be taken, hearing the grievance, responding to grievances and taking appropriate action.

3.2 The Human Resources Department's responsibility is to advise managers on the application of each stage of this procedure and to ensure consistency and advise employees on process, where appropriate.

3.3 Employees have the responsibility to comply and cooperate with all parts of the HPC's Grievance Policy and Procedure. Employees who are unclear about any part of the grievance policy or procedure should seek clarification from their line manager. In the event of any confusion or disagreement between parties as to the interpretation of the procedure and rules, Human Resources will determine the correct interpretation.

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¶
Interpretation of Grievance Policy and Procedure ¶
¶

3.3 Every attempt must be made by all parties involved in a grievance to resolve the matter at each stage before proceeding to the next.

3.4 Where a grievance or complaint relates to a contractor such as a Partner or a Council/Committee member, employees may also need to refer to the Partner Handbook and Council Code of Conduct. In this case, employees should seek advice from Human Resources.

4.0 Confidentiality

4.1 During an investigation or grievance procedure the HPC aims to deal with matters sensitively and with due respect for the privacy of any individuals involved.

4.2 All employees must treat as confidential any information communicated to them in connection with an investigation or grievance.

4.3 You are not permitted to make any electronic recordings of any investigative meetings, grievance or appeal hearings. Your companion(s) are also forbidden from making electronic recordings.

4.4 You will normally be told the names of any witnesses whose evidence is relevant to grievance raised, unless, in our discretion, we believe that a witness's identity should remain confidential.

4.5 Witnesses must treat as confidential any information given to them in the course of an investigation, including the identity of any employees taking part in the investigation.

5.0 Companion

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5.1 At all stages of the grievance procedure you have the right to be accompanied by a fellow employee or a Trade Union representative (if appropriate). You must inform us of the identity of your chosen companion in good time before the hearing. However, if your choice of companion is unreasonable, we may ask you to choose someone else. For example, if in our opinion your companion may have a conflict of interest that may prejudice the hearing.

5.2 Acting as a companion is voluntary and employees are under no obligation to be a companion at a grievance hearing.

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5.3 Your companion will be allowed to participate in the grievance hearing, but will not be able to answer questions on your behalf

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6.0 Investigations

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6.1 Investigations do not form part of the grievance procedure itself. The purpose of an investigation is to enable us to establish a fair and balanced view of the facts before proceeding with the grievance hearing. This may involve reviewing any relevant documents or interviewing you and any witnesses.

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6.2 Investigative interviews are solely for the purpose of fact-finding and no decision in relation to the grievance will be taken until after a grievance hearing has been held. The type of investigation undertaken will depend upon the nature of the grievance and will vary from case to case.

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6.3 You must co-operate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant information or documents to us, and attending any investigative interviews.

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6.4 You do not normally have the right to bring a companion to an investigative interview. However, we may allow you to do so if it helps you overcome a difficulty caused by a disability or any difficulty in understanding English.

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7.0 Resolving Complaints Informally

7.1 This section covers the resolution of complaints at an early stage through informal processes. Most grievances can be resolved quickly and informally through discussion with your manager, who may be able to resolve the issue immediately. Wherever possible, you should try to resolve any grievance informally.

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7.2 In most cases, however, your manager will need time to consider the issue/s, to establish the facts and/or consider the wider implications for the department or organisation. If appropriate, your manager may seek advice from Human Resources. In certain circumstances it may be appropriate for an independent manager to consider the issue/s instead of your immediate line manager.

Deleted: Wherever practicable a grievance should be resolved through informal discussion with the line manager. Any employee with a grievance at work should first speak to their line manager about it. The manager may be able to resolve the issue immediately.

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2007-08-30	a	HRD	POL	Section 5e DRAFT - Grievance Policy	Draft DD: None	Internal RD: None

7.3 Following due consideration of the issues raised, the manager will, as promptly as possible, arrange a meeting with the member of staff concerned, respond to the grievance raised, and give an explanation of the reasons for the decision.

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7.4 If it is not practicable to resolve the grievance informally or if informal resolution proves unsatisfactory, the formal procedure below should be followed.

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8.0 Formal Procedure

8.1 If a grievance is not resolved through informal discussion, You must set out your grievance in writing and give it to your manager. If the grievance concerns your manager, you should give your grievance to a more senior manager.

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Deleted: it should be referred in writing by the employee to the line manager.

8.2 The written grievance should confirm that you are invoking this grievance procedure and contain a description of the reasons for your complaint, including any relevant facts, dates, and names of individuals involved or relevant documents. You should also identify your preferred outcome. In some situations we may ask you to clarify the subject matter of your grievance in advance of the meeting or to provide further information.

8.3 The following must be registered by the manager receiving your grievance:

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- the nature of the grievance;
- the reasons for the grievance; and
- the reasons (if any) why your line manager's response is unsatisfactory.

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8.4 The manager receiving the grievance will be responsible for arranging a formal grievance hearing with you within ten working days as far as this is practically possible. A Human Resources representative will advise the line manager at this stage.

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8.5 You will be asked to attend a grievance hearing where you will have an opportunity to state your grievance and discuss it. Clarification will be given at the earliest opportunity by the chairman of the hearing (who will usually be your line manager) as to the appropriateness of any statements, witnesses and the process to be followed at the hearing.

Deleted: <#>In advance of this hearing, the person who has lodged the complaint must put in writing the following in relation to the grievance: ¶
 ¶ the complaint setting out the facts as they see them;¶
 ¶ the action they are seeking; and¶
 ¶ documents and other statements relevant to the grievance

8.6 You will be notified in writing of the decision reached in relation to your grievance and what action, if any, has been taken. If possible the chairman will meet with you to explain the decision. You will also be informed of your right of appeal against the decision if you are dissatisfied with it. Written

Deleted: The decision of the line manager, acting as the chairman of the hearing, will be notified to those concerned

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-30	a	HRD	POL	Section 5e DRAFT - Grievance Policy	Draft DD: None	Internal RD: None

notification will be provided within five working days of the conclusion of the hearing, unless there are exceptional circumstances.

3. Companion

3.1 At all stages of the grievance procedure you have the right to be accompanied by a fellow employee or a Trade Union representative (if appropriate). You must inform us of the identity of your chosen companion in good time before the hearing. However, if your choice of companion is unreasonable, we may ask you to choose someone else. For example, if in our opinion your companion may have a conflict of interest that may prejudice the hearing.

3.2 Acting as a companion is voluntary and employees are under no obligation to be a companion at a grievance hearing.

3.3 Your companion will be allowed to participate in the grievance hearing, but will not be able to answer questions on your behalf

4. Investigations

4.1 Investigations do not form part of the grievance procedure itself. The purpose of an investigation is to enable us to establish a fair and balanced view of the facts before proceeding with the grievance hearing. This may involve reviewing any relevant documents or interviewing you and any witnesses.

4.2 Investigative interviews are solely for the purpose of fact-finding and no decision in relation to the grievance will be taken until after a grievance hearing has been held. The type of investigation undertaken will depend upon the nature of the grievance and will vary from case to case.

4.3 You must co-operate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant information or documents to us, and attending any investigative interviews.

4.4 You do not normally have the right to bring a companion to an investigative interview. However, we may allow you to do so if it helps you overcome a difficulty caused by a disability or any difficulty in understanding English.

8.7 If the hearing is unable to resolve the grievance, every effort will be made to identify and agree with you the exact nature of the outstanding issue/s.

9.0 Stage Two – Appeal - Final stage

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The manager to whom the grievance has been referred will then be responsible for arranging and chairing a hearing within ten working days of receipt of the notification. The manager will be advised by Human Resources¶

¶
The decision of the manager, acting as the chair of the hearing, will be notified to those concerned within five working days of the conclusion of the hearing, unless there is exceptional circumstances in which case this time period may be extended,¶

¶
If the hearing is unable to resolve the grievance, every effort will be made to identify and agree on the exact nature of the outstanding issue/s.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-30	a	HRD	POL	Section 5e DRAFT - Grievance Policy	Draft DD: None	Internal RD: None

9.1 The final stage is an appeal to the Chief Executive or to his nominee.

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9.2 If your grievance is not resolved to your satisfaction at Stage 1 and you wish to appeal against the decision reached, you should submit your appeal in writing within five working days of your receipt of the Stage 1 grievance decision.

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9.3 Within ten working days of receipt of your appeal or as soon as is practicable the Chief Executive (or his nominee) will arrange a grievance appeal meeting with you. The Chief Executive (or his nominee), will normally be accompanied by a representative from Human Resources at the appeal hearing.

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9.4 If appropriate, further investigation may take place and/or action may be taken. If an investigation is undertaken, upon completion of that investigation the appeal decision will be notified to you in writing. The HPC hopes to provide such written confirmation within 10 working days or as soon as is practicable of the grievance appeal meeting, but if further investigation is required the decision will be notified to you as soon as possible.

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9.5 The decision of the Chief Executive or his nominee, will be final and the grievance procedure will be exhausted following completion of this stage.

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Deleted: and will be notified to both parties within five working days of the conclusion of the hearing unless there are exceptional circumstances. There are no further stages of grievance or appeal.

10.0 Record Keeping

10.1 Written grievances will be kept on your personnel file, along with a record of any investigation, the HPC's response to your grievance, any action taken and the reasons for that action, whether there was an appeal and the outcome of the appeal, and any notes or other documents compiled during the grievance process. The HPC will also prepare formal minutes of the grievance meeting. Please notify the HPC if you require a copy of the meeting minutes. All records relating to grievances will be treated as confidential.

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11.0 Grievances About Disciplinary Action

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11.1 Raising a grievance will not delay any action against you under the HPC's Dismissal and Disciplinary procedure.

11.2 This grievance procedure should not be used to complain about disciplinary action that the HPC has taken against you. If you are dissatisfied with any disciplinary action, you should submit an appeal under the HPC's Dismissal and Disciplinary procedure.

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11.3 However, if you believe that disciplinary action has been or is being taken against you for a reason that does not relate to your conduct or capability, or for a reason which relates to unlawful discrimination, you should submit a grievance in writing to a member of senior management.

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2007-08-30	a	HRD	POL	Section 5e DRAFT - Grievance Policy	Draft DD: None	Internal RD: None

11.4 If we receive your grievance before the disciplinary appeal hearing takes place, HPC may, at our discretion, deal with your grievance at the appeal meeting. In any other case, HPC will follow this grievance procedure.

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12.0 General

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12.1 Until all stages of this procedure have been exhausted, the status quo will exist regarding any policy and procedure under which your grievance is being investigated, unless this would contravene other HPC's policies and procedures, Acts of Parliament or standing financial instructions.

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2007-08-30	a	HRD	POL	Section 5e DRAFT - Grievance Policy	Draft DD: None	Internal RD: None

Section 5f – Safety Policy

The Safety Policy includes Health and Safety, Fire Procedures, Visitor Procedures, and First Aid and can be located on Springfield under the general policies of the Employee Handbook.

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Deleted: 1.0 . Purpose¶

¶
The HPC is committed to providing for the health, safety and welfare of all employees and to maintaining standards of best practice.¶

¶
2.0 . Principle/Policy¶

¶
2.1 . The HPC will observe the Health and Safety at Work Act 1974 and all relevant regulations and codes of practice made under it from time to time. The HPC will take into account any recommendations made by the Health and Safety Executive with regard to health and safety issues and, where appropriate, will liaise with the Health and Safety Executive on particular health and safety issues which are of particular relevance to the organisation.¶

¶
2.2 . This commitment to health and safety is a management responsibility equivalent to that of any other management function. It will be the duty of the Chief Executive to ensure that policy is upheld at all times and to provide the necessary funds and manpower required.¶

¶
Procedure¶

¶
3.1 . The HPC will conduct its undertaking in such a way as to ensure, as far as it is reasonably practical, that persons not in its employment who may be affected are not exposed to risks to their health and safety. Where such risks exist, information will be provided and all reasonable steps will be taken to bring this to the attention of its employees.¶

¶
3.2 . The HPC is responsible for:¶

¶
Assessing the risk to the (... [1])

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1.0 Purpose

The HPC is committed to providing for the health, safety and welfare of all employees and to maintaining standards of best practice.

2.0 Principle/Policy

2.1 The HPC will observe the Health and Safety at Work Act 1974 and all relevant regulations and codes of practice made under it from time to time. The HPC will take into account any recommendations made by the Health and Safety Executive with regard to health and safety issues and, where appropriate, will liaise with the Health and Safety Executive on particular health and safety issues which are of particular relevance to the organisation.

2.2 This commitment to health and safety is a management responsibility equivalent to that of any other management function. It will be the duty of the Chief Executive to ensure that policy is upheld at all times and to provide the necessary funds and manpower required.

Procedure

3.1 The HPC will conduct its undertaking in such a way as to ensure, as far as it is reasonably practical, that persons not in its employment who may be affected are not exposed to risks to their health and safety. Where such risks exist, information will be provided and all reasonable steps will be taken to bring this to the attention of its employees.

3.2 The HPC is responsible for:

Assessing the risk to the health and safety of employees and others who may be affected and identifying the measures that are needed in order to comply with its health and safety obligations.

Providing and maintaining locations, equipment and systems of work that are safe and without risks to health.

Ensuring that all necessary safety devices are installed and maintained on equipment.

Providing information, instruction, training and supervision in safe working methods and procedures.

Providing and maintaining a healthy and safe place of work and providing a means of access therefrom.

Promoting the co-operation of employees to ensure safe and healthy conditions and systems of work by discussion and effective joint consultation.

Establishing emergency procedures as required.

Monitoring and reviewing the management of health and safety at work.

Keeping this safety policy under review and making any revision it deems necessary from time to time. All such revisions will be brought to the attention of employees.

3.3 The above policy needs the full co-operation of all employees who are expected to give all possible assistance aimed at its successful implementation and to take reasonable care for their own safety and that of others. In order to achieve this, every employee must:

Comply with any safety instructions and directions issued by the HPC.

Take reasonable care of their health and safety and the health and safety of other persons (such as other employees, 'clients', contractors, workmen) who may be affected by an employee's acts or omissions at work, by observing safety rules which are applicable to them.

Co-operate with the HPC to ensure that the aims of the Health and Safety Policy Statement are achieved and that any duty or requirement imposed on the organisation by or under any of the relevant statutory provisions is complied with.

Report and co-operate in the investigation of all accidents or incidents that have led to or may lead to injury.

Use equipment provided in accordance with the training received.

Report any potential risk or hazard or malfunction of equipment to the appropriate authority.

3.4 Any failure by an employee to comply with any aspect of the HPC's health and safety procedures, rules or duties specifically assigned to the employee with regard to health and safety will be regarded by the HPC as misconduct, which will be dealt with under the terms of the HPC's disciplinary procedure.

Although the final level of responsibility for ensuring health and safety at work lies with the Chief Executive and Registrar and each and every individual employee, certain members of management and staff have specific responsibilities to ensure that the HPC's health and safety policy is maintained at all times.

3.6 The managers are responsible for the implementation and monitoring of health and safety policies in the areas under their control.

3.7 All employees have the responsibility to observe all safety rules and to cooperate with the manager charged with responsibility for the implementation of the organisation's health and safety policy to achieve a healthy and safe workplace and to take reasonable care of themselves and others.

3.8 The HPC has a number of qualified first aiders on the premises and there is a first aid box on each floor.

3.9 If any employee suffers an accident on the HPC's premises, they (or someone on their behalf) must report the fact to their line manager as soon as is practicable after the event. All accidents must be reported, however trivial. The accident will be recorded in the organisation's Accident Book which is kept at reception.

SAFETY POLICY

HEALTH PROFESSIONS COUNCIL Safety Policy

**Issue 01
April 2007**

Date
2007-08-06

Ver.
a

Dept/Cmte
OFS

Doc Type
POL

Title
Section 5f Safety Policy (contained
separately from Ee Handbook)

Status
Final
DD: None

Int. Aud.
Internal
RD: None

Safety Policy Statement

The Health Professions Council (HPC) is committed to providing its services in a manner that protects the health and safety of our employees, contractors and visitors. HPC recognises and accepts its responsibility as an employer for providing a safe and healthy workplace and work environment for its employees and others who may be affected by its operations.

The Health Professions Council undertakes to comply with statutory health & safety and fire safety requirements.

The Health Professions Council is responsible to ensure that there are sufficient arrangements in place for the safety of all employees and visitors and other building occupants in each of the buildings and premises it occupies. This document and all supporting Safety Procedures should be displayed and accessible throughout HPC Departments and buildings.

The Health Professions Council is committed to warrant reasonable measures for safe evacuation of any persons in the event of a fire or emergency. It is the intention of HPC to achieve its statutory and 'duty of care' obligations through the application and implementation of the Safety Management System (SMS) defined under the Policy.

The Chief Executive and Registrar has ultimate responsibility for fire safety within Health Professions Council premises:

Signed: _____ Date: _____
Marc Seale
Chief Executive and Registrar

CONFIDENTIAL Controlled Document

This Safety Policy document was agreed by the Chief Executive and Registrar on:

Signed by:

The Chief Executive and Registrar has ultimate responsibility for Safety within Health Professions Council:

Date:

Document Control

The Safety Policy is a controlled document and as such no changes can be made to the document or its content without the prior approval of the Chief Executive and Registrar.

Revision History

Date	Version	Reason	Changed by

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-06	a	OFS	POL	Section 5f Safety Policy (contained separately from Ee Handbook)	Final DD: None	Internal RD: None

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2007-08-06	a	OFS	POL	Section 5f Safety Policy (contained separately from Ee Handbook)	Final DD: None	Internal RD: None

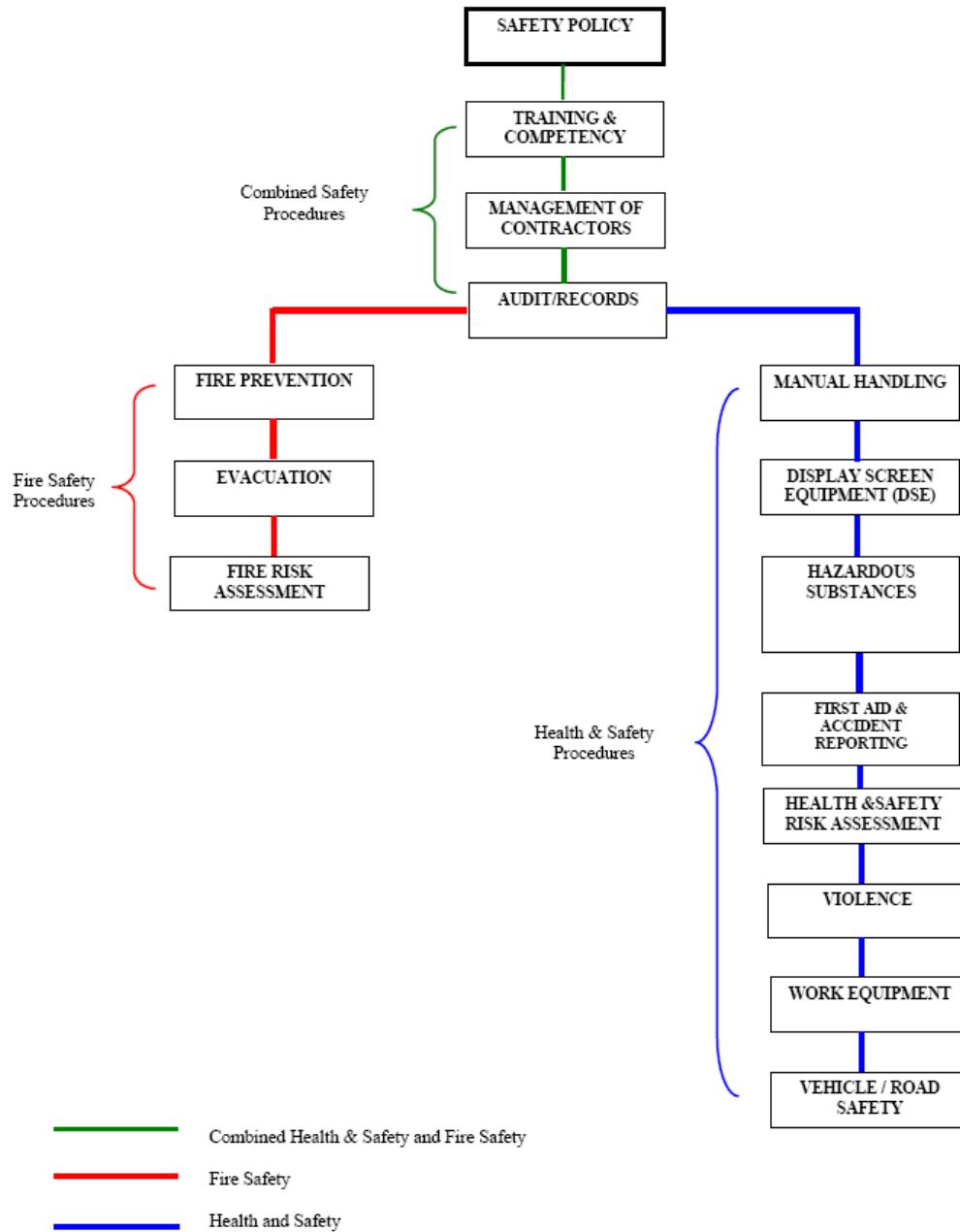
1.0 Introduction

- 1.1 The Health Professions Council's Safety Policy outlines various aspects and minimum requirements for the implementation and continuity of health & safety and fire safety matters for all occupants, employees and visitors of the Health Professions Council. This Safety Policy outlines detailed devolved health & safety and fire safety roles and responsibilities, Safety Management System structure and the strategy for health & safety and fire safety throughout Health Professions Council premises.

2.0 Safety Management System (Combined Health & Safety and Fire Safety)

- 2.1 The Health Professions Council and Senior Management have elected to meet the requirements for health & safety and fire safety legislation through the definition and implementation of a combined health & safety and fire safety management system (herein referred to as Safety Management System). The Safety Management System consists of this Policy and supporting documents as outlined within the following diagram.

Health Profession's Council Safety Management System



3.0 Purpose

3.1 The purpose of this Safety Policy is to communicate how the Health Professions Council will respond to the requirements placed on it with respect to both health & safety and fire safety legislation and the 'duty of care' responsibilities to all persons working at or visiting the premises. This Safety Policy also considers good governance issues associated with the preservation of the construction of the premises and the building contents against the potential of fire damage.

4.0 Scope

4.1 This Safety Policy applies to the Health Professions Council. It outlines the process by which Senior Management devolves its responsibilities for health & safety and fire safety within its Departments with respect to the services it provides to the public and others having access to the premises.

4.2 Senior Management are responsible for ensuring sufficient arrangements are in place for the safety of all employees, contractors, visitors and other building occupants within Health Professions Council.

4.3 The Health Professions Council and Senior Management are committed to provide and maintain safe and healthy working conditions for employees, contractors and visitors. This includes:

- The undertaking of risk management activities to adequately control risks to persons in the work environment;
- Compliance with all relevant legislation and standards;
- Ensuring plant, equipment and substances are safe and without risk to health when properly used;
- Monitoring and maintaining safe systems of work for the use, handling, storage and transportation of plant, equipment and substances;
- Providing adequate facilities to protect the health, safety and welfare of all employees;
- Providing appropriate health & safety training to all employees;
- Providing information, supervision and instruction for employees;

- Consulting with all employees and contractors on matters affecting their health and safety and;
- To prevent accidents and cases of work-related ill health.

5.0 Statutory Requirements

5.1 Current Statutory Compliance

5.1.1 The Health Professions Council, Safety Group and the Chief Executive and Registrar shall ensure that all aspects of current health & safety and fire safety legislation are met in full.

5.2 Legislation

5.2.1 Health & Safety Legislation:

- Health and Safety at Work Act 1974 and,
- Health and Safety Regulations:
 - The Management of Health and Safety at Work 1999,
 - Safe Use of Work Equipment, Provision and use of Work Equipment 1998,
 - Manual Handling Operations 1992,
 - Workplace (Health, Safety and Welfare)1992,
 - Personal Protective Equipment at Work 1992,
 - Health and Safety (Display Screen Equipment) 1992.

5.2.2 Fire Safety Legislation:

- Regulatory Reform (Fire Safety) Order 2005.

5.3 Changes to Legislation

5.3.1 The Safety Group shall monitor changes in health & safety and fire safety legislation and adapt this Safety Policy and any supportive procedures to suit the amended requirements.

6.0 Planning

6.1 Health & safety and fire safety requirements should be appropriately addressed and considered through both health & safety and fire risk assessments at every stage of each new initiative (i.e. when planning, equipment purchase or usage,

operational policies, new/changing responsibilities, services, systems of work, process, relocations, re-structuring, etc.). These health & safety and fire safety requirements should be incorporated throughout all stages of the development (i.e. conceptual stage, detailed design stage, commissioning stage, implementation stage and operational stage).

7.0 Responsibilities and Structure

- 7.1 The Health Professions Council have devolved primary management responsibility for health & safety and fire safety at Senior Management level to the Chief Executive and Registrar supported by the Facilities Manager (Safety Officer).
- 7.2 This Policy defines the overall devolved responsibilities for health & safety and fire safety within the Health Professions Council. It identifies links between Senior Management level responsibilities and Department level responsibilities including upward and downward communication between employees at the Health Professions Council.
- 7.3 Detailed roles and responsibilities in each area of health & safety and fire risk management are defined within supporting headline procedures forming the Safety Management System.

8.0 Consultation / Liaison

- 8.1 Senior Management have a duty under general health & safety legislation, (the Safety Representatives and the Health and Safety Committees Regulations 1977, the Health and Safety (consultation with Employees) Regulations 1996, Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999, the Regulatory Reform (Fire Safety) Order 2005 and any legislation / regulation superseding those that have been stated) when specifying and undertaking their role with respect to both health and safety and fire safety, to cooperate, inform and coordinate their actions with employees, contractors and visitors who occupy and resort in premises over which Health Professions Council have health & safety and fire safety responsibility.

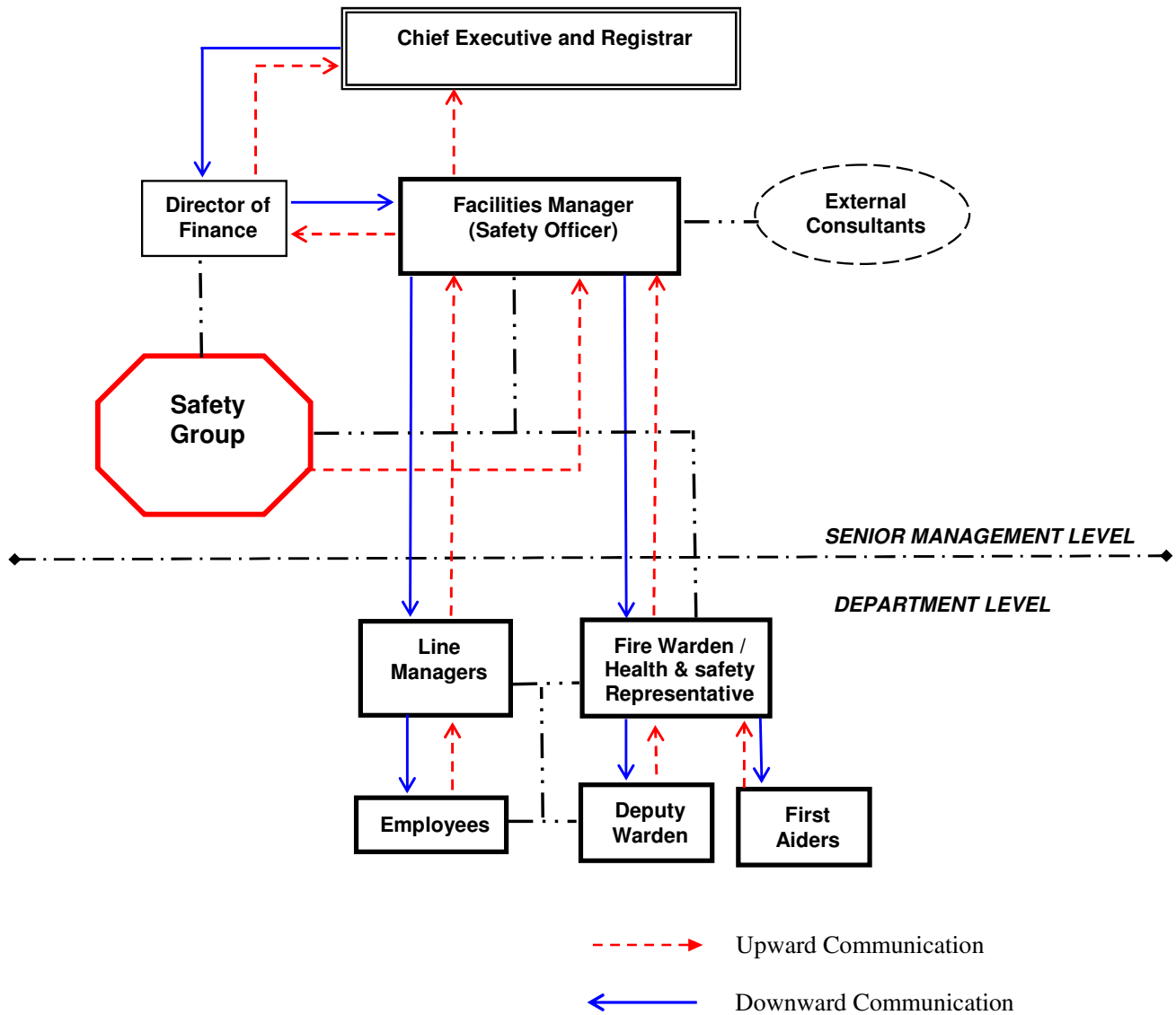
- 8.2 The Health Professions Council will arrange systems and health and safety and fire safety procedures to ensure that communication and consultation takes place on a regular basis. A system is in place to ensure that issues raised at Departmental level are reported and discussed.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-06	a	OFS	POL	Section 5f Safety Policy (contained separately from Ee Handbook)	Final DD: None	Internal RD: None

9.0 Organisational Chart:

This document outlines the Health & Safety and Fire Safety communication and consultation arrangements at the Health Professions Council.

Health & Safety and Fire Safety at the Health Professions Council: - General Structure/Responsibility/Communication Chart



Date
2007-08-06

Ver.
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Title
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Status
Final
DD: None

Int. App.
Internal
RD: None

Liaison Communication

10.0 Organisation and Devolved Responsibility for Health & Safety and Fire Safety

This section describes how the Health Professions Council organises and allocates responsibilities for Health & Safety and Fire Safety throughout the organisation.

10.1 Chief Executive and Registrar

- Ultimate responsibility and accountability for ensuring the effective implementation and maintenance of this Safety Policy.
- Ensure appropriate allocation of human and financial resources to ensure that health & safety and fire risk is managed in line with the objectives of the Safety Management System.

10.2 Director of Finance

- Report to the Chief Executive and Registrar on all health & safety and fire safety matters.
- Liaise with the Facilities Manager (Safety Officer) on all health & safety and fire safety matters.
- Undertake the role of the Facilities Manager (Safety Officer) in his/her planned or unplanned absence.
- Assist the Chief Executive and Registrar on appropriate allocation of human and financial resources to ensure that health & safety and fire risk is managed in line with the objectives of the Safety Management System.

10.3 Facilities Manager (Safety Officer)

- Responsibility for the day to day management and implementation of the Safety Management System.
- Provide relevant health & safety and fire safety information and records to the Safety Representatives.
- Ensure that health & safety and fire safety implications are evaluated prior to purchase of any item and assess fire risk before introduction.
- Report to the Director of Finance on health & safety and fire incidents and audit findings.
- Report to the Chief Executive and Registrar during planned or unplanned absences of the Director of Finance on his / her behalf.

- Ensure that all roles and responsibilities for emergency evacuation have been clearly identified.
- Supervise Fire Wardens regarding emergency evacuation drills and ensure that employees have received fire safety training and are competency tested.
- Ensure that safety training requirements for all employees with devolved safety responsibilities are identified and delivered, including Fire Wardens, First Aid Officers, Safety Representatives, etc.
- Ensure that Managers are fully briefed on legislation guidance and Health Professions Council Safety Policy.
- Ensure all health & safety and fire safety issues arising from the Safety Management System are actioned.
- Ensure contractor's performance is monitored, commensurate with the nature of the work and health & safety and fire risks involved.
- Undertake appropriate action taken when contractors are identified performing poorly in terms of health & safety and fire safety.
- Select contractors from the 'Approved Contractors List' as outlined within the Management of Contractors Procedure.
- Responsible for issuing contractors with 'Permits to Work', 'Hot Work Permits' (if required) and specific contract conditions pertaining to health & safety and fire safety prior to commencement of work.
- Inspection and maintenance of first aid equipment as part of workplace inspections as defined within the Health & Safety Risk Assessment Procedure.
- Investigate employee's complaints, potential hazards, notifiable accidents and dangerous occurrences.
- Responsible for all health & safety and fire safety record keeping.

10.4 External Consultants

The role of an External Consultant (Fire Engineer / Health & Safety Specialist) will be required on occasions where particular health & safety and fire safety guidance and/or advice is needed. This may include specialised safety training or interpretation of safety standards, codes or legislation. The External Consultant must have relevant safety qualifications and extensive experience in application of safety within similar organisations to the Health Professions Council. His/her duties will include, but not be limited to the following:

- Provide technical expertise to the Facilities Manager (Safety Officer) to enable fulfilment of duties effectively.
- Provide technical advice on the application and interpretation of prescriptive health & safety and fire safety guidance.
- Provide expert advice and interpretation on health & safety and fire safety legislation.
- Assist with the development of the Health Professions Council fire strategy.
- Assist with the development of a suitable health & safety and fire safety training programme, including the delivery of the training where required.
- Fire risk assessment review and Building Regulation interpretation for fire safety matters.
- Liaise and support the Facilities Manager regarding all health & safety and fire safety matters, including advice, strategy, training, and risk assessments.

10.5 Safety Group

- Monitor the identification of responsibilities and training requirements for all devolved responsibilities identified for each Department.
- Identify the need to review health & safety and fire risk assessments following any major incident or dangerous occurrence.
- Ensure employees are consulted on health & safety and fire safety issues.
- Ensure that all health & safety and fire safety audits for each Department are undertaken, examine reports and ensure completion of action items.
- Discuss all health & safety and fire incident statistics during group meetings and maintain relevant documents.
- Review safe systems of work and safety procedures.
- Monitor and review the adequacy of health & safety and fire safety communication and publicity within the workplace.
- Continuously monitor all arrangements for health & safety and fire safety and revise them whenever necessary.
- Conduct workplace inspections as per the Health & Safety Risk Assessment Procedure.

10.6 Line Managers

- Responsible for developing Personal Emergency Evacuation Plan's (PEEP's) for employees unable to evacuate unassisted or independently in the event of a fire or emergency.
- Responsible for active and continued commitment to health & safety and fire safety at Department Level.
- Ensure that goals are set for health & safety and fire safety performance at a Department Level.
- Monitor contractor's performance commensurate with the nature of the work and health & safety and fire risks involved within their area.
- Consult with the Facilities Manager (Safety Officer) regarding all outstanding and non-compliant health & safety and fire safety management issues.

10.7 Fire Warden

- Liaise with the Facilities Manager (Safety Officer) for all fire safety matters.
- Liaise with the Safety Committee on all fire safety and / or health and safety matters.
- Ensure that provisions are available for emergency evacuation for occupants with a disability.
- Liaise with the Facilities Manager (Safety Officer) in the emergency evacuation process and undertake any further responsibilities outlined within the 'Emergency Evacuation Procedure'
- Ensure fire log books are located within their demise and are kept up to date and maintained.
- Responsible for ensuring that daily housekeeping is kept in good condition and fire prevention checks are conducted regularly.
- Responsible for advising occupants within their area of the nearest assembly point and remain with any occupant within their area (as per their PEEP) who has a disability (provided it is safe to do so).

10.8 Deputy Warden

- Liaise and support the Fire Warden for all fire safety matters.
- Assist in the emergency evacuation process.
- Maintain awareness of fire safety housekeeping on a daily basis

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Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
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- Responsible for ensuring that daily housekeeping is kept in good condition and fire prevention checks are conducted regularly, and all records and reports are forwarded to the Facilities Manager (Safety Officer) for record keeping.
- Undertake the responsibilities of the Fire Warden in his/her absence (planned or unplanned)

10.9 Health & Safety Representatives

- Representing employees in discussions with the Safety Committee on health, safety or fire safety issues and in discussions with the Health and Safety Executive or other enforcing authorities.
- Liaise with the Facilities Manager (Safety Officer) on health and safety information.
- Conduct workplace inspections as outlined within the 'Health & Safety Risk Assessment Procedure'
- Assist the Facilities Manager (Safety Officer) with investigations of employee's complaints, potential hazards, notifiable accidents and dangerous occurrences.
- Liaise with the Facilities Manager (Safety Officer) on all training needs and requirements. Review the 'training needs analysis' at safety committee meetings.
- Liaise with the First Aiders on all incident / accident reports.
- Report to the Facilities Manager (Safety Officer) on all health & safety issues.
- Review all health & safety and fire safety audits and completion of action items.

10.10 First Aiders

- The HPC has a number of qualified first aiders on the premises and there is a first aid box on each floor. First Aiders provide first aid care to all employees where required.
- Coordination of records of injuries and illness.
- Responsible for the arrangement of prompt and appropriate referral to medical aid as required.
- Report to the Health & Safety Representative on incidents / accidents and near misses and other issues relating to first aid.
- The accident book is held at reception. Employees detailing accidents in the book must also inform their line manager, who

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Accidents in the book must also inform their line manager, who will then inform the Facilities Manager/Director of Human Resources should the accident warrant sufficient note or further investigation.

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10.11 Employees

Employees have a vital part to play in the effective operation of the Safety Policy. The Health and Safety at Work Act 1974 and The Management of Health and Safety at Work Regulations 1999, require employees to take reasonable care for the safety of themselves and others at work and to co-operate with their employer and others in fulfilling statutory responsibilities.

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It is the duty of each employee to:

- Take reasonable care for the health & safety and fire safety of themselves and others, who may be affected by their acts or omissions at work.
- Co-operate with management on all matters concerning health & safety and fire safety and attend all related training sessions when requested to do so.
- Inform their Manager or the Facilities Manager (Safety Officer) immediately of any situation, which they have reason to believe, might present a serious or imminent danger. The danger could concern their own or others' safety.
- Follow any code of practice or safe-working procedures relevant to work activity and adhere to any agreed verbal or written instruction given on health & safety and fire safety matters.
- Not indulge in reckless or careless behaviour or misuse premises or equipment.
- Ensure that all Visitors to the HPC must sign in and display given identification at all times. Visitors must hand back their pass upon leaving the building. Employees are expected to accompany their visitors at all times.

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Doc Type
POL

Title
Section 5f Safety Policy (contained
separately from Ee Handbook)

Status
Final
DD: None

Int. Aud.
Internal
RD: None

Section 5g - Anti-Bullying and Harassment Policy

1.0 Purpose

- 1.1 The HPC is committed to providing a safe, healthy and open working environment and believes that all workers have a right to be treated with dignity and respect. The purpose of this policy is to try and ensure, as far as reasonably practicable, that those who work for the HPC are treated with dignity and respect and are not subject to (or subjected to witnessing) harassment, intimidation or other forms of bullying at work.
- 1.2 All workers are entitled to a working environment which respects their personal dignity and which is free from objectionable conduct. The HPC is fully committed to promoting a good and harmonious environment where every worker is treated with respect and dignity and in which no worker feels threatened or intimidated.

2.0 Legislative Framework

- 2.1 Under the Health and Safety at Work Act 1974 we have a duty to provide our workers with a safe place and system of work. This includes a workplace free from harassment, intimidation and bullying. We also have responsibilities not to harass or discriminate against workers on the grounds of their sex, sexual orientation, marital status, gender reassignment, race, religion, colour, nationality, ethnic or national origin, disability, HIV positive/AIDS status or age.
- 2.2 In some situations the HPC may also be responsible for the actions of its workers towards each other and towards third parties. In certain circumstances harassment can amount to unlawful discrimination. This policy serves to demonstrate our commitment to identifying and whenever possible eliminating such unlawful behaviour.

3.0 Policy Implementation

- 3.1 The HPC has overall responsibility for this policy but has delegated day-to-day responsibility for overseeing and implementing action required under it to Human Resources.
- 3.2 Managers have a specific responsibility to operate within the boundaries of this policy and to facilitate its operation by ensuring that workers understand the standards of behaviour expected of them and by identifying and acting upon behaviour that falls below these standards.

- 3.3 All employees are responsible for treating their colleagues with dignity, which will assist in securing the success of this policy. All workers should take the time to read and understand this policy and at all times consider whether their words or conduct could be offensive to others. Harassing and bullying behaviour may not always be intentional, but it is always unacceptable.
- 3.4 Workers should disclose any instances of harassment or bullying of which they become aware to their manager or to Human Resources.

4.0 Application of this Policy

- 4.1 This policy applies to all individuals working for the HPC at all levels and grades, including senior managers, officers, directors, employees, contractors, part-time or fixed-term employees, and agency staff.
- 4.2 This policy covers harassment or bullying which occurs both in the workplace itself and in settings outside the workplace, such as business trips, events or social functions organised for or on behalf of the HPC and on or off the HPC’s premises.

5.0 What are Harassment and Bullying?

- 5.1 If you are in any doubt as to whether an incident or series of incidents that have occurred constitute bullying or harassment, you should in the first instance approach your manager or Human Resources confidentially and on an informal basis. They will be able to advise you as to how the matter should be dealt with.

Harassment

- 5.2 Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of affecting a worker's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment.
- 5.3 The manner in which you speak to or about someone might be conduct amounting to harassment. Such conduct is commonly, but not exclusively, related to sex, sexual orientation, marital status, gender reassignment, race, religion, colour, nationality, ethnic or national origin, disability, HIV positive/AIDS status or age. However, harassment can be non-sexual, such as deliberately placing objects on high shelves that are difficult for women to reach or be by way of emails, text messages, film clips and photographs taken using mobile phone cameras as well as website contents.

- 5.4 Harassment generally arises where a worker has made it clear that they find certain behaviour unwelcome, but that behaviour has continued unchanged.
- 5.5 It is important to remember that even though the conduct may only be unwanted by or is offensive to one individual it can still amount to harassment. Workers who believe they are being subjected to harassment should not hesitate to use the procedures set out below.
- 5.6 Examples of harassment might include:-
- 5.6.1 Unnecessary or unwanted physical contact, which the offender might perceive to be “horseplay” and which can include the invasion of personal space, ranging from touching, pinching or brushing against another worker’s body, as well as assault or coercing sexual relations;
 - 5.6.2 Unwelcome sexual behaviour which might be perceived by the offender to be harmless flirting and which may involve suggestions, advances, propositions or pressure for sexual activity;
 - 5.6.3 Continued suggestions for social activity within or outside the workplace after it has been made clear that such suggestions are unwelcome;
 - 5.6.4 Offensive or intimidating comments made to or about another individual;
 - 5.6.5 Suggestions that sexual favours may further a worker’s career or that refusal of sexual favours may hinder it;
 - 5.6.6 Display or circulation of offensive pictures, objects or written material, which for example, may be considered pornographic or offensive to particular ethnic or religious groups, even if the harassment is not directed at them;
 - 5.6.7 Unwanted conduct or conduct that has the purpose or effect of violating an individuals’ dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment, or verbal or physical conduct that denigrates or shows hostility or aversion towards a particular group or against an individual because of their membership of such a group or that of his/her relatives, friends or associates and which is usually on the ground of their sex, race, sexual orientation, disability, religion

or age, including abuse or insults about cultures, customs, appearance or dress;

- 5.6.8 Inappropriate behaviour whether in the form of offensive or intimidating comments or gestures or insensitive jokes or pranks; and
- 5.6.9 Ignoring or shunning a worker by, for example, deliberately excluding them from conversation or social activity.

This list is not exhaustive and other behaviour many constitute harassment.

Bullying

- 5.7 Bullying means offensive, intimidating, malicious or insulting behaviour, which through the use or abuse of power makes an individual feel vulnerable, upset, intimidated and threatened. Power includes both personal strength and the power to coerce others through fear or intimidation. Bullying is often a form of harassment and can undermine an individual's self-confidence, competence and self-esteem.
- 5.8 As with harassment, bullying can take the form of physical, verbal and non-verbal conduct. Physical conduct includes perceived horseplay, touching, pinching and pushing, as well as grabbing, shoving, punching and other forms of physical assault. In addition to the manner in which workers speak to and about each other, written material and pictures can be used to bully, including emails, texts, film clips and photographs taken by using mobile phone.
- 5.9 Bullying behaviour may be intended to undermine, humiliate, denigrate or injure a colleague, or be ridiculing or demeaning to others and may be as a result of overbearing supervision of junior colleagues or unjustifiably excluding colleagues from meetings or other communications. Bullying does not include legitimate and constructive criticism of performance or behaviour, an occasionally raised voice or an argument, or reasonable requests made of workers.
- 5.10 What amounts to bullying will be largely defined by the impact of the offender's behaviour on the recipient. Whilst bullying will often involve a person in authority abusing their authority and intimidating those who are more junior, an individual may also bully a peer and a group of workers may bully individuals.
- 5.11 Examples of bullying include:-

- 5.11.1 Open aggression, physical or psychological threats, shouting at or being sarcastic, being abusive or using obscenities;
- 5.11.2 Subjecting an individual to humiliation or ridicule, demeaning them or belittling their efforts, often in front of others;
- 5.11.3 Subjecting an individual to excessive supervision without justification, excessive monitoring of their work, being over critical about minor things or being derogatory about their performance;
- 5.11.4 Constantly taking the credit for another individual's work, but never the blame;
- 5.11.5 Constantly overruling an individual's decisions without reason;
- 5.11.6 Without justification removing whole areas of work responsibility from an individual or reducing their job to routine tasks that are below their skills and capabilities;
- 5.11.7 Deliberately withholding information that an individual requires in order to do their job effectively;
- 5.11.8 Ostracising/marginalising an individual by unreasonably excluding that person from discussions, decisions etc;
- 5.11.9 Spreading malicious rumours about an individual;
- 5.11.10 Abuse of power or authority by those in positions of seniority, for example, by blocking a reasonable request for leave or training made in accordance with HPC procedure.

6.0 What to do if you have been Bullied or Harassed Informal Procedure

- 6.1 If you consider that you are being bullied or harassed and you feel able to do so, you should initially attempt to resolve the problem informally by explaining clearly to the person responsible that the behaviour in question is unwelcome, that it amounts to bullying or harassment, and that it offends you or makes you uncomfortable and that it should stop. You should keep a note of the date on which you spoke to the person responsible and what was said as this may be used as evidence if the action is repeated and the formal procedure (outlined below) is commenced.

- 6.2 If this is too difficult or embarrassing for you to do on your own, you should seek support from your manager or Human Resources, who will provide confidential advice and assistance to workers who have been bullied or harassed and will assist in the resolution of any problems, whether through formal or informal means
- 6.3 This informal stage will not result in any formal internal investigation or disciplinary action. It is intended to enable you to resolve the matter yourself.
- 6.4 Where informal resolution is not appropriate or where the outcome has been unsatisfactory and the conduct is continuing and you wish to progress matters formally, a complaint should be made using the procedure below.

**7.0 What to do if you have been Bullied or Harassed
Formal Procedure**

- 7.1 The informal procedure may not be appropriate due to the nature of the harassment or bullying or because you do not feel able to talk directly to the person causing the problem or because the outcome of the informal procedure was unsatisfactory. In these cases you should formally raise your complaint in writing and submit it to Human Resources, whose role is to achieve a solution wherever possible. Human Resources will respect the confidentiality of all concerned. Your written complaint should include the details set out in paragraph 6.3 below. If your complaint relates to a member of Human Resources, you should refer your complaint to your manager or Head of Department.
- 7.2 Your written complaint should set out full details of the unwanted conduct, including the name of the offender, the nature of the unwanted conduct, the date(s) and time(s) when the harassment or bullying occurred, the names of any witnesses, and any action taken by you informally in an attempt to stop the harassment or bullying.
- 7.3 As a general principle, the decision to progress a complaint rests with you. However, as your employer the HPC has a duty to protect all employees and we may pursue a complaint independently if we consider it is appropriate to do so in all the circumstances.

8.0 Formal Procedure – Investigation

- 8.1 Complaints will be managed in a timely and confidential manner and an independent investigation will be conducted to determine the details of what has taken place. Your name and the name of the alleged harasser will not be divulged other than on a "need to know" basis to those

- individuals involved in the investigation. At the outset, a management level employee (an “investigating officer”) with no prior involvement in the complaint will be appointed to conduct the investigation. The investigation will be thorough, impartial and objective, and will be carried out with sensitivity and with due respect for the rights of all parties concerned.
- 8.2 Consideration will be given to whether the alleged offender should be redeployed temporarily or suspended on full pay or whether reporting lines or other managerial arrangements should be altered pending the outcome of the investigation.
- 8.3 As part of the investigation, the investigating officer will meet with you to hear your account of the events leading to your complaint. You have the right to be accompanied at this meeting by a colleague. The investigating officer will also meet with the alleged offender, who may also be accompanied by a colleague. It may also be necessary to interview witnesses to any of the incidents mentioned in your complaint. Where it is necessary to interview witnesses, the importance of confidentiality will be emphasised to them.
- 8.4 At the conclusion of the investigation, the investigating officer will submit a report to either Human Resources or to a senior manager nominated to consider the complaint. The senior manager will usually report their finding back to you as soon as possible. A copy of the investigating officer’s report, together with the senior manager’s findings, will be provided to you and to the alleged harasser or bully.
- 8.5 If the senior manager finds that harassment or bullying has occurred, prompt action will be taken to stop the unwanted conduct immediately and prevent its recurrence. This may result in the commencement of the HPC’s Dismissal and Disciplinary Procedure. Consideration will be given to whether the offender should be dismissed or, if not, whether they should remain in their current post or be transferred. Even if a complaint is not upheld (for example, where evidence is inconclusive), consideration will be given as to how the ongoing working relationship between you and the alleged offender should be managed. This may involve, for example, arranging some form of mediation or counselling or a change in the duties or reporting lines of either party.
- 9.0 Formal Procedure – Appeal**
- 9.1 If you are dissatisfied with the outcome of the investigation, you have the right to appeal the decision within five working days of being notified of the outcome. You should submit your full written grounds of appeal to the person nominated to hear your appeal. Where practicable this will be a

manager senior to the manager who originally considered the complaint or Human Resources (if they were not involved in the original decision).

- 9.2 The person hearing your appeal will meet with you to discuss your appeal. At that appeal meeting, you may be accompanied by a colleague. You will be notified of the outcome of the appeal within seven days of the appeal meeting. This is the final stage of the formal procedure.

10.0 Protection for those making complaints or assisting with an investigation

- 10.1 Employees who make complaints in good faith or who participate in any investigation under this policy will be protected from intimidation or victimisation in connection with their involvement. If you believe you have been subject to any such intimidation or victimisation you may raise a complaint in writing under this procedure or under the HPC's Grievance Procedure.
- 10.2 Any worker who, after investigation, is found to have provided information falsely and in bad faith will be subject to action under the HPC's Dismissal and Disciplinary Procedure.

11.0 Confidentiality

Confidentiality is very important throughout all parts of this procedure. Everyone involved in the operation of this policy, whether making a complaint or involved in any is responsible for observing the high level of confidentiality required. Breach of confidentiality may give rise to disciplinary action under the HPC's Dismissal and Disciplinary Procedure.

Section 5h - Information Technology Policy

1.0 Purpose

- 1.1 The Information Technology policy is to set out the behaviour expected of users of the HPC's electronic information and communication technology systems and related equipment. This policy applies to all those persons accessing any systems provided by HPC.
- 1.2 The HPC encourages the use of its systems to aid communication and improve efficiency and working practices and those systems are critical to the efficiency of the HPC. However, inappropriate use of those systems can cause serious problems that may involve legal claims against both the HPC and against individual users.
- 1.3 This policy deals mainly with the use (and misuse) of computer equipment, email, internet connection, telephones, fax machines, copiers, scanners, and voicemail (collectively referred to as "systems") and sets out the standards that users of the HPC's systems are expected to observe.
- 1.4 Individuals using the HPC's systems are required to maintain standards of honesty and integrity at all times and to use only authorised access to the systems. The HPC will monitor use of these systems and will take action in respect of breaches of these standards.

2.0 Legislative Framework

- 2.1 Use by users of the HPC's Systems and monitoring by the HPC of those systems is likely to involve the processing of personal data and is therefore regulated by the Data Protection Act 1998 together with the Employment Practices Data Protection Code, issued by the Information Commissioner. The HPC is also required to comply with the Regulation of Investigatory Powers Act 2000, and the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000.

3.0 Implementation and Application of the Policy

- 3.1 You should immediately disclose any misuse of the HPC's systems to your manager or the Director of IT.
- 3.2 This policy applies to all individuals working for HPC at all levels

5.0 Ownership

- 5.1 The HPC's systems, including electronic mail, telephones and voicemail, are owned by the HPC and are to be used for the benefit of the HPC in connection with its business
- 5.2 All data, files or information that reside on the HPC's Systems or transmitted by and through those systems, including word processing files, email, voicemail messages, or database files etc, are and remain the sole property

of the HPC and should be accessed only by those individuals who have a business need to do so. Nothing entered, retained or transmitted is or shall be deemed to be the individual or personal property of the author or worker.

6.0 Security and Passwords

- 6.1 You are responsible for the security of equipment allocated to you. If you are given access to email or to the internet you are responsible for the security of your terminal and, if leaving a terminal unattended or when leaving the office, you should log off or lock your computer to prevent unauthorised users accessing your computer in your absence.
- 6.3 Passwords are unique to each user and must be changed regularly to ensure confidentiality. Passwords remain confidential and must not be made available to anyone else. When changing your password you should adopt a password that does not use personal data.
- 6.4 If you are issued with a laptop please ensure that it is kept secure at all times.

7.0 Authorised Use

- 7.1 Personal use of the HPC's systems at any time is a privilege. The HPC reserves the right to withdraw permission for personal use at any time.
- 7.2 Unauthorised review, access, damage, modification, alteration or deletion of any existing System, program, file, document, data, message or other information contained in any system without authorisation, or other damage to any of the HPC's Systems, amount to improper uses of those systems and are violations of this Policy.
- 7.3 You should not use the HPC's systems for any illegal activity or for any activity that violates any other of our workplace policies or is inappropriate for the HPC.
- 7.4 Confidential Information is used and created on a regular basis, and should only be accessed, edited, stored or archived if part of your designated work related tasks. Always assume personal information is confidential. Seek advice if in doubt from your manager or the person responsible for Data Protection and Freedom of Information.
- 7.5 Confidential documents may be designated as such through the document management system.
- 7.6 You may be granted access, in connection with your job responsibilities, to various information, documents and materials that have been generated by the HPC or received from third parties. If you are granted such access, you are bound by an implied and express contractual duty to keep the information fully confidential.

8.0 Monitoring

- 8.1 For business reasons, and in order to perform various legal obligations in connection with its role as an employer, use of the systems and any personal use of them is continually monitored. Monitoring will only be carried to the extent permitted or required by law and as necessary and justifiable for business purposes.
- 8.2 We will monitor use of the systems for the below reasons (however this list is not exhaustive) to:
- ensure that the use of the email system or internet is legitimate and in accordance with this and other workplace policies;
 - find lost messages or to retrieve messages lost due to computer failure;
 - assist in the investigation of wrongful acts; or
 - to comply with any legal obligation.
- 8.3 By your use of the systems, you acknowledge that the HPC can and does examine logs of your activity on any IT system..
- 8.4 The HPC reserves the right to access at any time any computer file, data file, log file, document, voicemail message, email message or mailboxes to maintain and protect the Systems for the benefit of the HPC

9.0 Acknowledgement of Monitoring

- 9.1 In order to ensure that users are aware that HPC can monitor their usage of IT systems, we ask you sign this policy upon commencement of using any of HPC's IT systems as an acknowledgement that you understand that your usage can and is being monitored.

10.0 Emails

- 10.1 At the HPC's discretion, users will be provided with HPC email accounts for work-related purposes. Minimal personal use at a reasonable level is allowed and if you use the email for personal use you are encouraged to do so before or after work hours, or in breaks.
- 10.2 Any email messages created, sent or received via HPC's systems (including personal emails) are and remain the HPC's property and the HPC reserves the right to access and disclose the contents of all such messages. Email messages may be disclosed in legal proceedings in the same way as paper documents.
- 10.3 The HPC also reserves the right not to transmit any email message and to block access to attachments to emails for the purpose of effective use of the system.
- 10.4 Users should bear in mind the following when using email:
- All external virus warning email messages should be notified immediately to the IT Department.

- Always store copies of important emails in the HPC iExtensions system or save as an attached document in the registrations or FTP system
- You should not include material that anyone might consider offensive, such as sexist or racist remarks.
- You should not use email in any way as part of private commercial business.

11.0 Internet Access

11.1 The HPC, at its sole discretion, may provide you with access to the internet by way of the HPC's Systems. You may only access the internet by using the HPC's software, firewall and router.

11.1 If you are granted access to the internet for business purposes:

- Your browser should only be left open on www.hpc-uk.org or webpages therein even if minimised.
- Personal use of the internet should be kept to a minimum, reasonable level, and be occasional in nature. For personal use, employees are encouraged to use their lunch breaks or before and after work hours. Users who appear to spend a significant amount of time on the internet can be monitored.
- Editing or deletion of log files relating to internet access is forbidden.

11.2 Use of the systems to access inappropriate internet sites or to access sites that would violate any workplace policy is not allowable. As a general rule, if any person within the HPC (whether intended to view the page or not) might be offended by the contents of the page, or if the fact that the HPC's software has accessed the page or file might be a source of embarrassment if made public, then viewing it will be a breach of this policy.

12.0 Personal Data Assistants and data stores.

12.1 Only Personal Data Assistants (PDA's) provided by the HPC IT department are to be connected to the HPC network and used to store or process HPC information. No personally owned devices are to be connected to the HPC network or infrastructure.

12.2 All data and information transferred from the Systems onto a PDA will remain the property of the HPC. This also includes any data stores such as USB flash drives, MP3 or similar device, floppy disk, cd or dvd, SIM card or telephone.

13.0 Telephone Calls

13.1 Personal telephone calls to or from the HPC's office or mobile telephones should be kept to a reasonable amount.

13.2 Users of HPC's telephone systems, including mobiles, should note that all calls are itemised. Non HPC business calls and text messages may be charged to you.

13.3 The HPC reserves the right to monitor, and/or record, telephone and voicemail communications, including for the purpose of determining whether

business related messages have been received during your absence from the office. The HPC intends to exercise its right to monitor and record any telephone and voicemail communication for the following purposes:

- To investigate or detect unauthorised use of the telephone system
- To ascertain correct and acceptable standards of service are maintained
- To prevent or detect crime
- To ensure that the system is operating effectively
- To establish the existence of facts relevant to the business.
- To ensure compliance with regulatory or self-regulatory practices or procedures relevant to the HPC's business

13.4 Telephone and voicemail communications may be used as evidence in disciplinary proceedings or for any other legitimate purpose as required by the HPC.

13.5 At the HPC's discretion it will provide mobile telephones to certain users to assist them in performing their duties. Any mobile telephones provided to users will remain the property of the HPC.

14.0 Copyright Issues

14.1 Materials in websites or other external systems or email messages and attachments that you receive, may contain intellectual property belonging to others (including copyright, trade secrets or trademarked information). Users may not use the systems in ways that infringe any party's copyright or related rights. This is because violations of copyright (or other similar rights) may subject you and the HPC to civil and/or criminal penalties.

14.2 As a general rule, you may not forward, distribute or incorporate into another work material received from a website or other external system. This includes music or other content on the internet. Reasonable use may be permitted in certain circumstances.

15.0 Security and Software

15.1 You should not delete, destroy or modify existing Systems, programs, information or data installed on the HPC's Systems. You should also not attempt to gain access to restricted areas of the network or to any password-protected information, unless specifically authorised to do so.

15.2 You must not install or download software from external sources without authorisation from the IT Department. This includes programs, instant messaging programs, screensavers, graphics, files, cartoons, photos, video clips and music files.

15.3 Users cannot access external instant messaging technologies.

15.4 Users must not deliberately introduce computer viruses to the HPC's computer system. The IT Department should be notified immediately if a suspected virus is received. The HPC reserves the right to block attachments

to emails for the purpose of effective use of the system and reserves the right not to transmit any email message to its intended recipient.

- 15.5 The unauthorised copying of any copyrighted material, including programs, off of or onto the HPC's systems, is prohibited. HPC mobile IT equipment must not be used wirelessly or wi-fi enabled for security reasons, other than where an HPC 3G card and VPN is used as the connection mechanism.

16.0 Crime and Data Protection

- 16.1 The Computer Misuse Act makes unauthorised access to, or modification of, computer held software or data a criminal offence. It is therefore important that everyone who works for the HPC has a clear understanding of what they are, and what they are not, allowed to do with the HPC's systems. It is the HPC's policy to comply with all laws regulating computers and data protection. It is therefore important that you limit exposure to risk through careless practices with regard to the use of data or inappropriate or illegal use of software.
- 16.2 You are only authorised to use systems and have access to information that is relevant to your job. You should neither seek information nor use the systems outside of this criterion.
- 16.3 Any mobile IT equipment (such as laptops, mobile phones, PDAs) in your possession containing any type of sensitive, personal or private data should be transported, used and stored securely in order to limit loss, theft and unauthorised data access. Such equipment should be securely locked and protected by a password in order to limit unauthorised data access.
- 16.4 Most of the information stored on the Systems relates to individuals, such as the HPC's registrants, applicants or users. As such, that information is deemed to be sensitive and must be protected to the best of your and the HPC's ability. Access to this type of information must be strictly controlled. You should not distribute personal information to external organisations or individuals without the prior consent of the individual in question and no information should be distributed if doing so would infringe data protection provisions.

17.0 Examples of Inappropriate Use

- 17.1 As misuse of the HPC's technologies can result in serious consequences for users and in some cases, referral to the disciplinary, it may be helpful to outline some examples of what may be considered inappropriate.
- Pornographic material (including writings, pictures, films, or video clips of a sexually explicit nature)
 - Offensive, obscene or criminal material or material which is likely to cause embarrassment to the HPC, its members, officers or users
 - False and defamatory statements about any person or organisation
 - Material which is discriminatory, offensive, derogatory or may cause embarrassment to others

- Confidential information about the HPC and any of its registrants, applicants, members or users
- Any statement which is likely to create a liability (whether criminal or civil) for you and/or for the HPC
- Material breach of copyright
- Online gambling

18.0 Agreement

By accepting employment with and by continuing to be employed by the HPC confirms that you understand and agree to comply with the terms of this policy.

Name.....

Signature.....

Date.....

Section 5i - Confidentiality

1.0 Purpose

This section summarises the HPC's rules and policies with regard to the protection of the HPC's confidential information.

2.0 Principle/Policy

- 2.1 Much of the HPC's work is of a confidential nature. The HPC's work depends on ensuring that information relating to the HPC's business and systems and those of its registrants is protected.
- 2.2 Furthermore, the HPC has a reputation for conducting its business in a responsible and ethical manner. All employees are expected to protect such confidential information and, in their actions, demonstrate their respect for the HPC's values.
- 2.3 You are therefore requested to read carefully this section on protecting the HPC's work, to ensure that you understand its significance and that you do nothing that will undermine the HPC.
- 2.4 If there is any doubt in your mind about security matters, you should immediately seek the advice of the Director of Human Resources.

2.5 Duty of Confidentiality

You shall not, during or after your employment, disclose information belonging to the HPC. You have a personal responsibility to protect and maintain confidentiality of both the HPC and its registrant information. You must not, except as authorised or required by law or your duties, reveal any confidential information relating to the HPC.

- 2.6 This obligation will continue after of your employment ends with the HPC unless and until any such information comes into the public domain other than through any breach of this provision by you. [Upon starting with HPC you will be required to sign a Data Protection and Confidentiality declaration.](#)
- 2.7 [You](#) shall not, during [your](#) employment with the HPC and at all times (without limit) after the termination thereof, directly and indirectly use or exploit for [your](#) purposes or those of any other person or business entity or any other organisation whatsoever, or disclose to any person or business entity or other organisation

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whatsoever, any confidential information relating or belonging to the HPC.

2.8 The obligations contained in this provision shall not apply:

- to any information or knowledge which may subsequently come into public domain other than by way of unauthorised disclosure (whether by you or a third party)

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- to any act of yours in the proper performance of the duties of your employment

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- where such use or disclosure has been properly authorised by the HPC

- to any information which you are required to disclose in accordance with an order of a Court of competent jurisdiction.

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Section 5i – Public Interest Disclosure Act (Whistleblowing)

1.0 Policy

- 1.1 The HPC is committed to being open and accountable. Being open is a key organisational value. The HPC works towards being transparent in all of its operations.
- 1.2 Occasionally, a serious problem can occur. The HPC encourages individuals (who act in good faith) to report serious or suspected malpractice in accordance with the procedures set out below.
- 1.3 The HPC will ensure that those who raise concerns of serious malpractice are protected from dismissal, victimisation or any other detrimental treatment as provided for in law (the Public Interest Disclosure Act), provided that they follow the procedures set out below, but would not be protected from disciplinary action if they have been involved in misconduct.

2.0 Definition

- 2.1 The concept of whistleblowing arises primarily, though not always, where the person believed to be indulging in malpractice is in some position of authority or seniority over the employee who is raising the matter.
- 2.2 The term “serious malpractice” is not exhaustive, but would include:
- breach An alleged criminal activity, e.g. fraud, theft,
 An alleged illegality, including, negligence, breach of contract,
 of administrative law,
 Danger to health and safety or the environment,
 Victimisation,
 Activities against the values of the HPC, or
 The cover up of any of these.

3.0 Scope

- 3.1 There are three types of situation that might arise that could lead to the reporting of malpractice:
- where malpractice is believed to be occurring which, whilst apparently wrong, is not explicitly covered by existing policies or procedures;

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- where procedures or policies do exist to deal with the matter but attempts to use them appear to have been ignored or frustrated; and
 - where there appears, perhaps from a historical background, to be an organisational tolerance to a malpractice.
- 3.2 As far as possible the current formal processes and management channels should be used for reporting malpractice, especially where the matter causing concern is well defined within an existing policy, such as the Discipline, Grievance and Harassment Policies.
- 3.3 Where the matter to be raised is not so evidently or clearly defined the employee is advised to consult with the Human Resources who will offer advice and guidance on the most appropriate process for raising the matter.

4. Responding to reports of malpractice

- 4.1 An employee who considers that their cause for concern is a matter of malpractice must arrange to meet and discuss this with the Chief Executive and Registrar or a member of the Human Resources Department.
- 4.2 The Chief Executive and Registrar will accept, on face value, that the person reporting the malpractice genuinely believes that there is cause for concern so that individuals feel confident that a report of malpractice will be taken seriously.
- 4.3 The role of Human Resources is to provide advice and guidance on process if asked to do so.
- 4.4 Dependent upon the nature of the concern, the Chief Executive and Registrar may consider it to more suited to be investigated or dealt with under other existing policies. Alternatively, it may be agreed with the employee that invoking the malpractice policy would be the most appropriate route.
- 4.5 The Chief Executive and Registrar will arrange an appropriate investigation into the matter by, generally, assigning a suitable manager or managers to carry out the investigation and provide a report of their findings.
- 4.6 As far as is reasonably practicable and without compromising another employee's right to privacy, any employee raising a report of malpractice will be informed of the outcome of the investigation. Where no malpractice is proven or where it is felt that the procedure has not been properly applied, individuals should refer their concerns to the HPC's President who will hear and consider the matter. Employees wishing to do so should contact the Human Resources Department who will bring the matter to the attention of the President.

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5. Anonymous Reports of Malpractice

- 5.1 If employees feel compelled to lodge a report of malpractice anonymously they should endeavour to explain why they have chosen this path, and provide as much evidence as is available to them.

6. Investigating Reports of Malpractice

- 6.1 Reports of malpractice will be taken seriously and will be investigated by the organisation.
- 6.2 The Chief Executive and Registrar will record the receipt of an allegation and what subsequent action will be taken as well as the outcome of the investigation.
- 6.3 Investigations should not be carried out by the person who may ultimately have to reach a decision on the matter, and this would generally be the Chief Executive.
- 6.4 The Chief Executive and Registrar will decide who should carry out the investigation. The investigator(s) will provide a report of their findings.
- 6.5 Depending upon the nature of any proven malpractice the Chief Executive and Registrar will decide how best to proceed as a result of the findings from the investigation.

7. Responding to Anonymous Reports of Malpractice

- 7.1 Anonymous reports of malpractice, unsupported by evidence, will not normally be investigated. Anonymous reports of malpractice should be supported by evidence where possible and anonymous reports containing reasonable evidence will be considered carefully.
- 7.2 Evidence presented anonymously will be treated seriously and investigated as far as is practicable and as seems warranted by the information provided, although it is considerably more difficult to investigate such anonymous reports. There may be occasions, however, where such information adds to existing intelligence or serious concern.
- 7.3 The Chief Executive and Registrar will decide what action, if any, is taken and the extent of any investigation, if any, that might be made.

8. Confidentiality for Employees Reporting Malpractice

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- 8.1 The confidentiality of employees reporting malpractice will be guaranteed until a formal investigation is launched, and thereafter it will be respected as far as is possible.
- 8.2 Should the investigation reveal behaviour of an actual or a potential criminal nature then confidentiality may not be compatible with a full investigation into the matter or with any prosecution.
- 8.3 In such circumstances the HPC will fulfil its obligations under the law and will co-operate with any investigations by the police, but the employee who raised the report may need to forego confidentiality as a consequence.

9. Assurances and Protections for Employees Reporting Malpractice

- 9.1 To support and protect employees who raise a cause for concern of malpractice the HPC assures employees that it will:
- take your report of malpractice seriously,
 - accept it on face value,
 - accept you believe it is genuine
and protect you by ensuring that:
 - you do not suffer any criticism or disadvantage,
 - you are protected from reprisals,
 - your confidentiality is guaranteed as far as possible,
and support you by ensuring that:
 - you have access to impartial advice and assistance,
 - you are informed of the outcome of any investigation.
- 9.2 In addition to the protection by provided by the HPC, employees are protected by law providing they have acted reasonably and responsibly.
- 9.3 An employee who makes a rash disclosure (for example to the media, where the matter could and should have been raised internally) will not be protected by this policy or by legislation.

10. Fair Treatment of Employees who are the Subject of a Report of Malpractice

- 10.1 The HPC is fully committed to observing the principles of natural justice in its handling of reports of malpractice whether actual or perceived, and this applies equally to those whom an allegation is made as well as those who make them.

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10.2 For this reason, whatever the circumstances of any cause for concern, there will come a point in the investigation of an allegation where the person or persons against whom it was made must be told of the allegation, shown the evidence supporting it and be allowed to comment.

10.3 This should be done before the investigation is completed and the report submitted to the Chief Executive and Registrar.

10.4 It will be a matter of judgement at what point this is reached, but care must be taken under the circumstances to avoid giving that person or persons who are the subjects of the investigation any opportunity to thwart the enquiry in some way.

11. Deliberate False and Malicious Reports of Malpractice

11.1 The HPC's willingness to address claims of malpractice, within a supportive policy framework, raises the possible risk of malicious complaints being made. Not only are such complaints unfair and hurtful to the person about whom they are made, but investigating them involves much employee time and costs.

11.2 Consequently, the deliberate submission of a false complaint of malpractice will be regarded as a breach of discipline and action will be taken against the employee concerned.

12. Whistleblowing in Relation to Non-HPC Personnel

12.1 The whistleblowing policy, its process, procedures and protections also applies to other workers e.g. contractors.

13. Informing Council

13.1 Council will be informed of all cases of reports of malpractice. They will be told of the outcome of investigations and any subsequent action that may be taken as a result.

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Section 5k - Retirement Policy

1. Purpose of Policy

- 1.1 The aim of this policy is to set out the procedure adopted by the HPC for retirement of employees. It does not affect voluntary retirement. The provisions set out below reflect the requirements of the Employment Equality (Age) Regulations 2006 (Age Regulations).
- 1.2 This retirement policy sets out the current law in relation to retirement and we will apply it fairly and with flexibility, allowing us to take account of individual and business needs. We recognise the benefit of employing people from a diverse range of age groups.
- 1.3 The HPC acknowledges the UK's default retirement age of 65 years, but whenever possible we will allow employees to work for as long as they wish to do so. We aim to give our employees a choice and hope that by doing so the HPC will be able to retain key skills and knowledge acquired by employees approaching or achieving the UK's default retirement age.
- 1.4 Although the HPC recognises that employing and retaining an age diverse workforce has real benefits, it is equally important to have flexible retirement options and a retirement policy in place.

2. Age Positive Approach

- 2.1 The HPC aims to achieve age diversity at work, which means employing people of all ages and, as confirmed in our Equality Policy, we will not discriminate against someone on the basis of their age.
- 2.2 An employee's age will not be taken into account in relation to recruitment, selection, promotion, training and development, redundancy or retirement. All decisions will be based on business needs and individual skills, ability and potential.
- 2.3 The HPC will consider, in discussion with those employees nearing retirement age, the options for flexible working.

3. Normal Retirement Age

- 3.1 The "normal" retirement age for all employees of the HPC is 65 years unless a different retirement age is specified in an individual's contract of employment.
- 3.2 Compulsory retirement of an employee under this policy cannot take place before they have reached the UK's default retirement age of 65 years or their "normal" retirement age. However, compulsory retirement can take place at any point after the normal or default retirement age has been reached. This does not affect an employee's ability to take voluntary early retirement.

3.3 The HPC's aim is to enable employees who wish to do so to work beyond their normal or the UK's default retirement age. All applications to work beyond the normal or default retirement age will be welcomed.

4. Notification Of Retirement

4.1 Between six and 12 months before your Intended Retirement Date (IRD) we will give you written notice that your employment will terminate by reason of retirement on the IRD. Such notice will not be less than any notice to which you are entitled under your contract.

4.2 At the same time as we give you notice, we will give you written notice of your right to make a request to carry on working beyond your IRD (the *Right to Request*).

5. Request To Work Beyond the IRD

5.1 You are entitled to make a request to carry on working beyond your IRD. Your request must be in writing and sent to Human Resources specifying whether you would like to continue working indefinitely for a specific period or until a specific date.

5.2 You must make this request between three and six months before the IRD.

5.3 Please note that only one request may be made with respect to any one IRD.

6. Meeting To Deal With The Request

6.1 Upon receipt of a request to work beyond the IRD, we will arrange a meeting with you to discuss the request. We aim to hold the meeting within 14 days following our receipt of your request, although this may not be practicable in every case. The purpose of this meeting is to facilitate discussion should you wish to continue to working beyond the IRD.

6.2 A meeting will not be necessary where we write to inform you that we agree to your request in full. The HPC aims, whenever possible, to agree to an employee's request to work beyond the IRD. Your request to work beyond the IRD can incorporate a request to change your working pattern, for example, if you would prefer to work part-time or if you wish to work only for a specific period beyond the IRD before retirement.

6.3 You have the right to accompanied at the meeting by a colleague. Your companion will be entitled to address the meeting and confer with you but may not answer questions on your behalf.

6.4 If your chosen companion is unable to attend the meeting on the date specified by the HPC, you should contact Human Resources and we will endeavour to rearrange the meeting. If the meeting cannot be rearranged at a time convenient to all parties within seven days of the original date, we may suggest that you bring a different companion or come alone.

7. Decision

- 7.1 The HPC positively welcomes all applications to work beyond the IRD, unless the request is unreasonable or cannot be accommodated based on business needs. We hope that by meeting with you we will be able to agree to your request to continue working if you wish to do so.
- 7.2 We will write to you, normally within 14 days of the meeting, to notify you of our decision. If we agree to your request, either in full or with modifications, we will set out the arrangements in writing, including whether your employment will continue indefinitely or for a specific period only, in which case the new retirement date will be confirmed. Any agreed changes to your contract of employment will also be set out as appropriate.
- 7.3 If the request is refused, we will confirm the date on which your employment will terminate, which will usually be the IRD as originally notified to you.
- 7.4 We will also include written confirmation of your right of appeal.
- 7.5 We are not obliged to give reasons for refusing a request but we may do so at our discretion.

8. Appeal

- 8.1 You are entitled to appeal in the event that we refuse your request, or if we agree to a shorter period of continued employment than you had requested.
- 8.2 The appeal must be in writing, setting out the grounds of appeal, and should be sent to Human Resources as soon as reasonably practicable, but normally within seven days of receipt by you of notification of the decision.
- 8.3 Upon receipt of your appeal, we will arrange an appeal meeting with you. We will aim to hold the meeting within 14 days after receiving the appeal although this may not be practicable in every case. If you cannot attend the meeting on the specified date, you should contact Human Resources and we will endeavour to rearrange the meeting.
- 8.4 If a meeting cannot be arranged at all within a reasonable time, we may ask you to make representations in writing to enable us to consider your appeal without a meeting.
- 8.5 A meeting will not be necessary where we write to inform you that we agree to your appeal in full.
- 8.6 A colleague may accompany you to the appeal meeting. Your companion will be entitled to address the meeting and confer with you but may not answer questions on your behalf. If your chosen companion is unable to attend the meeting on the date specified by the HPC, you should contact Human Resources and we will endeavour to rearrange the meeting. If the meeting cannot be rearranged at a time convenient to all parties within seven days of

the original date, we may suggest that you bring a different companion or come alone.

9. Final Decision

- 9.1 We will write to you, normally within 14 days of the meeting, to notify you of our decision.
- 9.2 If we agree to your appeal, either in full or with modifications, we will set out the new arrangements in writing, including whether your employment will continue indefinitely or for a specific period only, in which case your new retirement date will be confirmed. Any agreed changes to your contract of employment will also be set out as appropriate.
- 9.3 If your appeal is refused, we will confirm the date on which your employment will terminate, which will usually be the original IRD.
- 9.4 We are not obliged to give reasons for refusing an appeal but we may do so at our discretion.

10. Subsequent Retirement After Granting Request

- 10.1 If we grant your request to work beyond the Intended Retirement Date, the procedure set out above must be followed again before compulsory retirement can take place. This will apply whether a future retirement date has been set or employment has been extended indefinitely. There is no set age upon which notice will be given, but we will discuss your proposed retirement with you before issuing a new IRD.
- 10.2 However, if your employment has been extended for a fixed period of six months or less beyond the IRD (either upon your request or because of business needs), there is no need to follow the procedure again. The new IRD notified to you will be the date upon which your retirement will take effect.

11. Pension Benefits

Working beyond your normal retirement age may have implications for your pension benefits. If you are concerned about this you should contact the Financial Accountant in the Finance Department or the pensions administrator direct for further information.

Section 6a – Recruitment Policy

1.0 Policy

1.1 This statement describes the approach the HPC will adopt in its search for possible recruits in the market place.

1.2 In matters of recruitment the HPC will:

- advertise all vacancies internally as well as making use of external sources;
- in cases of restructuring and potential redundancies, circulate suitable vacancies to employees who have redeployment rights, and following this, advertise the remaining vacancies more widely if necessary; and
- ensure that every applicant for a position is informed in advance about the basic details of the vacancy and the basic conditions of employment attached to it.

Deleted: aim to

1.3 In matters of advertising the HPC will:

- advertise internally and externally where the vacant or newly created position reports directly to the Chief Executive and is an Executive Management Team member;
- advertise internally and externally where the vacant position reports directly to a member of the Executive Management Team;
- where the position does not report to the Chief Executive, or the position does not report to an Executive Management Team member, the recruiting Manager/Director has discretion as to whether the position is advertised internally only, or internally and externally (subject to the agreement of the Chief Executive);
- external advertising mediums are defined as advertising through newspapers and/or sourcing through recruitment agencies;
- where positions are to be advertised externally, the HPC website will always be used to advertise vacant positions in conjunction with one/both of the two methods of external advertising listed above.
- If a vacancy is not successfully filled during the first round of recruitment and needs to be re-advertised, it will be circulated internally again only where the period of time between the first and second advertisement is more than two months.

Deleted: required

Deleted: or for positions which do not report to an Executive Management Team Member and the recruiting Manager/Director has used their discretion to advertise externally as well as internally,

Deleted: externally

1.4 The HPC will not:

- knowingly make exaggerated or misleading claims in recruitment literature or job advertisements

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- discriminate unfairly against possible candidates on any grounds including sexual orientation, religion or beliefs, race, sex, age, or disability.

2.0 Selection

- 2.1 No candidate will be appointed to an HPC permanent contract of employment without first having been interviewed by an interview panel. All contractors, or contract HPC employees, who are appointed to a twelve (12) month contract or a longer will also be interviewed by an interview panel.
- 2.2 The purpose of the interview will be to:
- assess the suitability of the candidates;
 - establish/confirm the information on the application form; and
 - give candidates further information about the job and conditions of employment so that they are in a position to decide whether to accept the appointment if offered.
- 2.3 At least one member of the interviewing panel will be trained in interviewing skills and be aware of the legal context of recruitment and selection.
- 2.4 The interview panel will in most circumstances consist of the Manager/Director to whom the vacant position will report (the Chairperson of the panel), a representative from the Human Resources Department, and potentially other members of the relevant Department or other relevant Departments in the business. There may, however, be exceptions to the structure of the interview panel which will be considered on a case by case basis by the Human Resources Department.
- 2.5 Where the vacant position reports directly to the Chief Executive and is an Executive Management Team member, the President of HPC and/or a Council Member will be invited by the Chief Executive to participate as a member of the interview panel. There may be exceptions to this only where this is impracticable and would delay the recruitment process significantly or unnecessarily.

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The President of HPC, Council and Committee Members, and any relevant external consultants will be invited to participate on

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the interview panel for any other vacancies than those directly reporting to the Chief Executive only at the invitation of the Chief Executive (or his nominated representative). This invitation will be extended for exceptional circumstances only (for example, for positions which may require detailed technical expertise where the interview panel would benefit from specialist external knowledge).

- 2.6 The Chief Executive has overall authority concerning all interview panel decisions, and can overturn decisions made by interview panels where necessary. This may include (but is not limited to) situations where there is a lack of consensus on the interview panel as to the outcome.

Deleted: in decision making ¶

In the selection of the most appropriate candidate for any vacancy, a decision by agreed consensus of all panel members will always be aimed for. However, the Chairperson of the Interview Panel has the ultimate discretion over this decision. This may only be overridden by the Chief Executive. Should an interview panel member have significant concerns over the decision made by the Chairperson of the interview panel, they will refer these concerns to the Chief Executive for consideration.

3.0 Appointment

- 3.1 Following interview, the successful candidate will receive a written contract of employment outlining the terms and conditions of the role and the probationary and notice periods applicable.
- 3.2 HPC employees who are successful at interview for another post within their existing department will not be subject to a probationary period in their new role unless they were still within their probationary period at the time of the appointment.
- 3.3 HPC employees who are successful at interview for a post in a different department will be subject to a three month probationary period.

4.0 Secondments

- 4.1 Occasions may arise where it is beneficial to offer a secondment appointment for a particular role. This may be due to a need for

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long term absence cover, during lengthy or difficult permanent recruitment processes or where permanent cover is not needed.

4.2 The length of the secondment period will be clearly stated in the internal advertisement and normal interviewing processes will apply.

4.3 Following interviews, if a successful secondment candidate is found, the advertising manager will discuss the secondment with the manager of the successful employee. Managers should be flexible in encouraging and accommodating secondments and should speak to Human Resources for advice on how to maintain cover in the department during the secondment.

4.4 During a secondment period the seconded employee will continue to receive their salary at the usual rate of pay for their substantive post unless there are exceptional circumstances, for example the secondment role is a substantially more senior role than the substantive role.

4.5 The substantive position of the seconded employee will remain open for them to return to at the conclusion of the secondment period.

5.0 Equality of opportunity

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5.1 The recruitment process will aim to select the most suitable person for the job in respect of skills, knowledge and qualifications. No assumptions or prejudgments will be made by those recruiting about the suitability of an individual for a particular role.

Deleted: experience

5.2 Application forms will only include questions which are necessary at the initial stages of selection.

5.3 At interview, no questions will be asked or assumptions made about the candidate's personal and domestic circumstances or plans. Where requirements affect the candidate's personal life (e.g. unsocial hours or travel), these will be discussed objectively.

6.0 Selection criteria

6.1 Only qualifications and skills which are important to the job will be established as criteria. These may include educational and

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professional qualifications, knowledge, skills, and physical abilities.

Deleted: experience

6.2 Each criteria identified will be specifically described to enable objective measurement to take place.

7.0 Selection tests

7.1 Where selection tests are used they will be valid, reliable, free from bias and non discriminatory. No decision will be made solely by automatic processing of data from selection tests.

8.0 Criminal Record Bureau (CRB) Checks

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8.1 Successful applicants who accept employment within the Fitness to Practise Department of the HPC will be required to undergo a CRB check as their work may bring them into contact with children or vulnerable adults.

8.2 The HPC's Recruitment of Ex-Offenders Policy and Policy on Criminal Record Checks and Disclosure are contained in Section 6d and 6e of the Employee Handbook.

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Section 6b – Reference Policy

1.0 Policy/Principle

- 1.1 The HPC is committed to “open management”. It believes that having an “open reference” policy is an important management custom, to ensure that its values are put into organizational practice.
- 1.2 An open reference policy means that all people involved in the HPC who have references written about them should be fully aware of what their references contain.

2.0 Objectives

- 2.1 The HPC recognizes that it is important that those involved in requesting or writing references are aware of the principles of “good practice” for requesting or writing references.
- 2.2 This policy and procedure document is to ensure that consistency is adhered to throughout the organization. This document will also minimise potential litigation for failing to ensure “duty of care” or for defamation.

3.0 Legal context

- 3.1 As an employer, the HPC has a duty of care to provide a reference which is in substance true, accurate and fair. References must not give an unfair or misleading impression overall, even if its discrete components are factually correct.
- 3.2 If a new employer suffers as a result of a negligent misstatement made by the HPC then the new employer or the individual will have grounds to sue the HPC for negligence.
- 3.3 Similarly, if the subject of the reference is defamed orally or in writing, or suffers a financial loss because the contents of the reference were knowingly untrue, then a civil action might follow.

4.0 Guidelines on writing references

- 4.1 It is good practice to discuss the reference with the individual and provide them with a copy of the reference.
- 4.2 References should be given in good faith and with care, ensuring that information is accurate and factual.

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4.3.1 When writing HPC organisational references (which are written on HPC letterhead paper), these are a statement confirming employment only, and as such, the following should be included:

- Dates of employment;
- The title of their job;
- Salary;
- The capacity in which you know this person;
- A statement that it is HPC company policy to provide a confirmation of employment only when issuing references, and no further information; and
- A brief outline of duties and responsibilities if requested.

4.4 No further information than that outlined above shall be provided for a HPC reference, as these are a confirmation of employment only. However, employees may request a personal reference from their Manager, which may provide opinions from the personal referee about the candidates suitability for any new posts in question and may contain information of a more personal nature about the employee. This information will still meet the criteria outlined in Sections 2 and 3 of this Policy. (A personal reference is not written on HPC letterhead paper).

5 Obtaining references

- 5.1 References are usually taken up following a conditional job offer. In these cases offers of employment will always be subject to references that are satisfactory to the HPC.
- 5.2 References will not be taken up without the individual's permission.
- 5.3 When requesting references, it will be made clear that the HPC has an open reference policy and what that means.
- 5.4 A copy of the proposed job description will also be enclosed with the reference request.
- 5.5 Some employers do not give written references, or give only noncommittal replies which may not provide HR and recruiting managers with adequate information to base a decision on. In such situations referees may be prepared to provide more meaningful references over the telephone.

6 Requesting references from your manager

- 6.1 Individuals should inform their manager that they have given their name as a referee and when to expect the reference request.

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- 6.2 People who have left HPC and require a reference have the right to request a reference from their former line manager. The Managers obligations are to provide an organisational reference, however, the issuing of a personal reference is discretionary.

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6. Written communications
7. Oral communications
8. Numerical/data/IT skills
9. Conduct and punctuality
10. Managing the work of others (if applicable)
11. Other skills/qualities
12. All departmental inductions attended

Additional comments, overall assessment, training needs:

RECOMMENDATION

- | | |
|--|---|
| <p>A SATISFACTORY</p> <p>B. NOT QUITE GOOD ENOUGH</p> <p>C. UNSATISFACTORY</p> | <p>Confirm employment</p> <p>Extend probation until....(date)</p> <p>Terminate employment</p> |
|--|---|

Director/Manager Signature: _____
Date: _____

Employee's comments:

Employee's signature: _____
Date: _____

Please return this form to Human Resources. The original to be placed on the employee's Personnel File and a copy forwarded to the employee. A letter confirming the recommendation will then be sent to the Director/Manager for signing and given to the employee - a copy of which should be sent to Human Resources for the Personnel File.

NOTES FOR GUIDANCE ON END OF PROBATION FORM

This form should be completed after the performance review conversation and the employee given the opportunity to comment.

Marking

Employees should be marked A, B or C on each category, where:

A = satisfactory, above required standard

B = not quite good enough

C = unsatisfactory, does not meet required standards

Notes on categories:

These are not comprehensive but provide an indication of the areas to be reviewed.

1. Knowledge/expertise - knowledge of the job and HPC, technical competence required
2. Quality of work - accuracy and thoroughness of work, ability to plan and organise work, judgement, creativity, initiative, ability to work without supervision.
3. Quantity of work - ability to meet deadlines, speed of work.
4. Results and achievements - targets set and achieved, achievements beyond normal scope of job.
5. Interpersonal skills and teamwork - internal; ability to build effective working relationships with colleagues, treat others with respect and courtesy, approach to Directors/Managers and any employees reporting to them, use of tact and diplomacy. External; relationships with customers. General; persuasion and negotiating skills, assertiveness, co-operativeness.
6. Written communications - clarity, comprehensiveness, breadth/depth of analysis, brevity and style.
7. Oral communications - clear instructions and expressions, understandable.
8. Numerical/data skills - computer literacy, proficiency with software.
9. Conduct and punctuality – commitment to work and to HPC's goals and objectives.

10. Managing the work of others (if applicable) - level of management, handling discipline, coaching and feedback.

11. Other skills/qualities

Additional comments, overall assessment - ability to work under pressure, taking on extra work, etc.

Comments should indicate the reasons for rating A, B or C in the recommendations below.

Full explanations are required in the case of B or C markings and individuals should have been counselled privately on the likelihood of this outcome.

Recommendations

A Satisfactory - employment will be continued, confirmation letter issued, employee considered permanent.

B Not quite good enough - employment will be extended for a further period during which performance will be kept under continuous review (confirmed in writing). Recommended duration of the extension of the probationary period should be specified.

C Unsatisfactory - employment will be terminated.

Employee's comments

Ensure that the employee has the opportunity to add any comments once the form has been written. The employee should sign the form to signify agreement to contents.

Section 6c – Probationary Period

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1.0 Application

1.1 The HPC operates a probationary period for all new employees.

1.2 Where an existing employee has been promoted or transferred to another department which is an entirely different role, a probation period will apply.

1.3 Where an existing employee has been promoted or transferred to another department or promoted within the same department and they are still within their initial probationary period, a probation period will apply.

1.4 Where an employee has been promoted within the same department and they have already completed a probation period previously, no probation period will apply.

2.0 Length of Probation Period

2.1 The length of the probation period is determined by the length of contract of employment – see below.

2.2 During this time the new starter and HPC can access mutual suitability. HPC reserves the right to extend probationary periods.

CONTRACT LENGTH	PROBATIONARY PERIOD
UP TO 2 MONTHS	1 MONTH
3 – 6 MONTHS	1 MONTH
7 – 11 MONTHS	3 MONTHS
12 MONTHS OR MORE	3 MONTHS

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3.0 Notices

3.1 During or at the end of the probationary period the new starter or the HPC may end the employment giving one week's notice (or in the HPC's case, by making a payment in lieu of notice).

4.0 Responsibilities

4.1 Line managers play a key role during this period and in conjunction with the HPC's Induction Policy and Procedure are expected to:

- provide appropriate and sufficient induction;
- provide appropriate and sufficient supervision;
- confirm the outcome of the probationary period in writing;

Deleted: Section 6 – Recruitment

Deleted: Issued December 2003

- provide appropriate and sufficient training and support;
- set targets for the period, monitor and provide feedback; and
- review at the end of the period.

| [4.2](#) The new starter has a responsibility to:

- meet targets;
- ask for appropriate support/supervision; and
- review at the end of the period

| [4.3](#) To assist line managers and new employees in meeting the above goals, Human Resources will forward the Manager a Probationary Review Form to complete, prior to the ending of the probationary period. Pending the outcome of this review, the new starter will receive a letter to confirm, extend or not pass their probation.

Section 6d – Policy on Recruitment of Ex-Offenders

1. Policy

- 1.2 As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, the HPC complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.
- 1.3 The HPC is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- 1.4 We have a written policy on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.
- 1.5 We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and knowledge.
- 1.6 A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.
- 1.7 Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the HPC and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- 1.8 Unless the nature of the position allows the HPC to ask questions about your entire criminal record, we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.
- 1.9 We ensure that all those in the HPC who are involved in the recruitment process can identify and assess the relevance and circumstances of offences.

- 1.10 At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- 1.11 We make every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy available on request.
- 1.12 We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar someone from working with us. This will depend on the nature of the position and the circumstances and background of the offences.

Section 6e – Policy on Criminal Record Checks and Disclosure

1. Policy

- 1.1 If you accept employment with the Health Professions Council (HPC) your duties may bring into contact with children or “vulnerable adults”. The HPC therefore relies, as part of the recruitment process, on self-declarations and on criminal record checks to ensure employees are suitable to take up positions that require contact with children or vulnerable adults. This is because there are particular and significant risks involved for the HPC, its clients, customers or others, and there is no less intrusive and reasonably practicable alternative to confirming suitability for employment.
- 1.2 Conducting criminal record checks enables the HPC to check the background of new employees to ensure they do not have a history that would make them unsuitable to work with children or vulnerable adults.

2. Criminal Records Bureau

- 2.1 The CRB aims to help employers make safer recruitment decisions by identifying applicants who may be unsuitable for certain work, especially work which involves children or vulnerable adults. This is achieved through a service called “Disclosure”.
- 2.2 A “Disclosure” is a document containing certain information. As well as providing details of a person’s criminal record, a Disclosure will include convictions, cautions, reprimands and warnings that are held on the Police National Computer (PNC). Depending upon the level of disclosure, it may also contain certain information held by local police forces, the Department of Health and the Department for Education and Skills.
- 2.3 The CRB issues three types of Disclosure, each representing a different level of check. The level of check is determined by the duties of the particular position or job involved. The CRB will advise what type of Disclosure is appropriate in individual cases. However, in general, work with children or vulnerable adults will qualify for the most detailed checks.
- 2.4 In respect of the type of work you may undertake at the HPC two types of Disclosure will be relevant:
 - 2.4.1 **Standard Disclosures** show spent and unspent convictions and cautions.
 - 2.4.2 **Enhanced Disclosures** show spent and unspent convictions and cautions. The police may also provide details of acquittals or other non-conviction information held on local police records, which are relevant to the job or voluntary position being sought.

- 2.5 The cost of Disclosure will be paid for by the HPC.
- 2.6 Should you require information about the CRB before submitting your application to the HPC, please access the CRB internet site at www.crb.gov.uk. You may also want to consider the CRB's guide entitled "Applicant's Guide to the CRB's Disclosure Service (DIP 017)".
- 2.7 If you have concerns about what may be revealed by a CRB check, you should contact Nacro (020 7840 6464), a crime reduction charity working with ex-offenders, which will be able to assist you.

3. Relevance of Criminal Convictions

- 3.1 The HPC will judge an applicant's suitability for the position in the light of the results of all the relevant pre-appointment checks undertaken as part of the recruitment process. If you have a criminal record you will not automatically be deemed unsuitable for work with children or vulnerable adults. The HPC will make a judgment about your suitability, taking into account only those offences that may be relevant to the particular job in question. In deciding the relevance of convictions a number of points will be considered:
 - 3.1.1 The nature of the offence. In general, convictions for sexual, violent or drug offences will be particularly strong contra-indications for work with children
 - 3.1.2 The nature of the appointment. Often the nature of the appointment will help to assess the relevance of the conviction. For example, serious sexual, violent, drug or drink offences would give rise to particular concern where a position involves working with children or vulnerable adults. For example, driving or drink offences would be relevant in situations involving transport of children.
 - 3.1.3 The age of the offence. Offences that took place many years ago may have less relevance than recent offences. However, convictions for serious violent or sexual offences or serious offences involving substance abuse are more likely to give cause for continuing concern than, for instance, an isolated case of dishonesty committed when the person was young
- 3.2 If you object to the HPC seeking Disclosure from the CRB, the HPC is within its rights not to progress your job application.
- 3.3 If you already have a Disclosure and would like to use it for this position, the HPC will take into account the length of time that has elapsed since the Disclosure was issued, the level of Disclosure, the nature of the

position for which the Disclosure was issued, and the nature of the position for which you have applied.

4. Recruitment Process

4.1 The HPC will not seek to obtain information about criminal convictions from sources other than from you or the CRB.

4.2 Invite for Interview

If you are short-listed and invited for interview at the HPC, you will be asked to complete a declaration form relating to criminal convictions. Applicants do not have to declare spent convictions.

4.3 Successful Applicant

If your application for the vacancy is successful and you accept a position with the HPC, we will contact the Criminal Records Bureau (CRB) to establish whether you are suitable to perform duties that bring you into contact with children or vulnerable adults. The information received from the CRB will be used to assess your suitability for employment insofar as it is relevant, and you will be considered on your merit and ability. We will not discriminate against you unfairly in respect of irrelevant criminal convictions.

4.4 Although you may be able to start work for the HPC before your CRB Disclosure is produced, you will not be able to undertake work with children or vulnerable adults until the HPC has received confirmation of criminal convictions. However, if the information received from the CRB indicates that you are not suitable to have contact with children or vulnerable adults, the job offer is likely to be withdrawn, or, if you have started work with the HPC before the CRB information is received, your employment is likely to be terminated.

5. Recruitment Information & Confidentiality

5.1 The recruitment and selection process necessarily involves the HPC collecting and using information about applicants. Those who are offered employment with the HPC and who may, during their day to day duties, come into contact with children or vulnerable adults will be subject to verification of details supplied by them during the recruitment process to ensure they are accurate and complete, including any relevant criminal convictions.

5.2 The HPC recognises that much of this information is personal in nature and can affect a person's privacy. This is particularly so in respect of information relating to criminal convictions. However, employing workers

with certain responsibilities means that special checks are justified, such as criminal record checks. Information received from the CRB will be kept secure.

- 5.3 The collection, use and retention of personal data obtained as part of the recruitment process will be carefully monitored to ensure compliance with the Data Protection Act 1998. Any information you provide and which relates to criminal convictions, will be classed as sensitive personal data. The HPC will also abide by the CRB'S Disclosure Code of Practice in obtaining and handling disclosure information.
- 5.4 Only the people directly responsible for recruitment, whether or not in the Human Resources department, will be informed of an applicant's criminal record. We will not disclose to any other employers or potential employers information relating to criminal convictions that was provided by you by way of the declaration or that was obtained through a Disclosure from the CRB.
- 5.5 In respect of successful applicants, we will delete information about criminal convictions collected in the course of the recruitment process once it has been verified through a CRB Disclosure unless, in exceptional circumstances, the information is clearly relevant to the ongoing employment relationship. As a general rule, we will only record whether or not a check yielded a satisfactory or unsatisfactory result.

6. Rehabilitation of Offenders Act 1974

- 6.1 The Rehabilitation of Offenders Act 1974 provides that if a convicted person successfully completes a specified period, which varies with the nature of the sentence imposed and is termed the "rehabilitation period", such prior convictions are 'spent' (or ignored) and, generally, are not to be taken into consideration when considering employing that person or that person's continued employment. This means that after the rehabilitation period, with certain exceptions, a person with a conviction is not normally obliged to mention it when applying for a job.
- 6.2 However, certain categories of employment and professions are excluded from the Act. In addition, certain sentences are excluded from rehabilitation under the Act. These excluded sentences, and a table giving the relevant rehabilitation periods, are contained in section 5 of the Act.

Sentence	Rehabilitation Period (Aged under 18 when convicted)	Rehabilitation Period (Aged over 18 when convicted)
Prison sentence of 6 months	3½ years	7 years

or less (<i>including suspended sentences, youth custody, and detention in young offender institutions</i>).		
Prison sentence of more than 6 months to 2½ years (<i>including suspended sentences, youth custody, and detention in young offender institutions</i>)	5 years`	10 years
Prison sentence of more than 2½ years	Never become “spent”	Never become “spent”
Detention Centre	3 years	3 years
Fines, compensation, probation (community rehabilitation orders), community service (community punishment orders), combination (community punishment and rehabilitation orders), action plan, curfew, drug treatment and testing, and reparation orders	2½ years	5 years
Absolute discharge	6 months	6 months

7. Concealing Offences

- 7.1 If you secure employment with the HPC only by concealing a past criminal conviction, for example by failing to disclose it on request by way of self-declaration, and if the Rehabilitation of Offenders Act 1974 is inapplicable, you will be dismissed for false concealment on the basis the information was deliberately withheld.

8. Disclosure Information

8.1 General principles

- 8.1.1 As an organisation using the Criminal Records Bureau (CRB) Disclosure service to help assess the suitability of applicants for positions of trust, HPC complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the

Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

8.2 Storage and access

8.2.1 Disclosure information will be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

8.3 Handling

8.3.1 In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and it is a **criminal offence** to pass this information to anyone who is not entitled to receive it.

8.4 Usage

8.4.1 Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

8.5 Retention

8.5.1 Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult the CRB about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

8.6 Disposal

8.6.1 Once the retention period has elapsed, we will ensure that any Disclosure information is immediately destroyed by secure means (i.e. by shredding, pulping or burning). While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (i.e. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure.

8.6.2 However, notwithstanding the above, we may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

9. Definition of Vulnerable Adults

9.1 Vulnerable Adults are those who are aged 18 or over who have:

- a) A learning or physical disability,
- b) A dependency upon others in the performance of, or a requirement for assistance in the performance of, basic physical functions,
 - i. severe impairment in the ability to communicate with others, or
 - ii. impairment in a person's ability to protect him or herself from assault, abuse or neglect.
- c) A physical or mental illness, chronic or otherwise, including an addiction to alcohol or drugs; or
- d) A reduction in physical or mental capacity.

Section 7a – Training Policy

1.0 Policy

The HPC will seek to develop the competence of its employees through systematic analysis of the needs of the organisation and of the individuals who work for it. This will be achieved using regular appraisals, identifying learning needs identified when agreeing and reviewing performance management objectives, and through development and training programmes.

2.0 Principle

Set out below are the underlying philosophies on which this policy statement is based.

- Employees new to the organisation and new to a job will receive an effective induction. Arising from this, performance management objectives and learning and development plans will be agreed.
- All employees have an annual performance and development review which is conducted in February each year. These reviews determine training needs, which then feed into the budget planning for the year.
- Training needs will also be determined through 1:1 meetings or as a response to legislative changes.
- Following the annual performance review process each year, the Human Resources Department is responsible for conducting a training needs analysis to identify training which is required at an organisational level. They will then apply for budgets and organise any group training as appropriate.
- The HPC has clear priorities which link the development of people to its aims and objectives at organisation, team and individual level.
- Managers at all levels are responsible for the development of their employees. The HPC will make sure that managers have the knowledge and skills they need to develop and support their teams.
- Each individual accepts prime responsibility for his or her own learning and development.
- Employees are more likely to be committed to their own development when development targets are agreed with them, rather than imposed upon them.

Deleted: February

Deleted: meetings

Deleted: legislative

Deleted: performance

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-07-30	a	HRD	PUB	DRAFT Section 7a - Training Policy	Draft DD: None	Internal RD: None

- Training includes on-the-job training, bespoke courses, off-site training days, and longer term programs which result in a qualification.
Development is not just training courses: it includes coaching, counselling, self directed learning, secondments to other parts of the organisation and special projects.
- The training policy is separate to, but closely linked to, the Study Policy and the Annual Performance Development Reviews.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-07-30	a	HRD	PUB	DRAFT Section 7a - Training Policy	Draft DD: None	Internal RD: None

Health Professions Council
Human Resources Management

ANNUAL PERFORMANCE DEVELOPMENT REVIEW

This review form must be completed in conjunction with the Guidance Notes for Performance Review

EMPLOYEE NAME:

REVIEW PERIOD:

CURRENT POSITION:

CURRENT DIRECTORATE:

CURRENT DEPARTMENT:

MANAGER/DIRECTOR NAME:

DATE OF REVIEW:

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 7b - Annual Performance Development Review	Final DD: None	Internal RD: None

Individual Performance for Year Ending: 2006 - 2007

Performance criteria to consist of key objectives, challenges, goals and responsibilities, and should support the HPC's Strategic Plan and Departmental Business Plans where applicable.

Performance Criteria	Measures and Targets	Results Achieved and Comments	Agreed Feedback Providers	Rating (See Scale Below)

- Rating Scale:
5. Unacceptable (does not meet the expected performance criteria – significant improvement required).
 4. Needs Improvement (occasionally does not meet the expected standards – some improvement required).
 3. Competent (meets requirements and performance criteria).
 2. Exceeds Requirements (from time to time exceeds the standards required).
 1. Outstanding (consistently demonstrates outstanding competence – exceptional quality of work).

COMPETENCY	A	B	C	D	E	COMMENT Comments must be provided to support ratings given	RATING
Initiative Proactively making judgements, dealing with uncertainty. Looking for opportunities for improvement where possible.	Excellent ability to demonstrate initiative when appropriate for a given situation.	Good ability to demonstrate initiative when appropriate for a given situation.	Satisfactory ability to demonstrate initiative when appropriate for a given situation.	Limited ability to demonstrate initiative when appropriate for a given situation.	Unsatisfactory ability to demonstrate initiative when appropriate for a given situation.		
Integrity Respect for and adherence to HPC's guiding principles.	Very willing to take responsibility for own actions and is an extremely ethical and trustworthy team member.	Willing to take responsibility for own actions and is an ethical and trustworthy team member.	Will take responsibility for own actions and is generally an ethical and trustworthy team member.	Reluctant to take responsibility for own actions and requires further development to become an ethical and trustworthy team member.	Does not take responsibility for own actions and is not an ethical and trustworthy team member.		
Tenacity The ability to persist, take action and make progress despite obstacles.	Excellent ability to overcome difficulties that may arise during any given task.	Good ability to overcome difficulties that may arise during any given task.	Satisfactory ability to overcome difficulties that may arise during any given task.	Limited ability to overcome difficulties that may arise during any given task.	Unsatisfactory ability to overcome difficulties that may arise during any given task.		
Standards of Achievement A concern for establishing and achieving standards of excellence and continuously striving for improvement.	A desire to establish and achieve excellent standards.	A desire to establish and achieve good standards.	Establishes and achieves satisfactory standards.	Limited desire to establish and achieve high standards.	Lack of desire to establish and achieve high standards.		
Team work & Co-operation Ability to work co-operatively as part of a team.	Works very well as part of a team and contributes to building team effectiveness.	Works well as part of a team and contributes to building team effectiveness.	Works satisfactorily as part of a team and contributes to building team effectiveness.	Doesn't work satisfactorily as part of a team or contribute to building team effectiveness.	Doesn't work as part of a team or contribute to building team effectiveness.		

COMPETENCY	A	B	C	D	E	COMMENT Comments must be provided to support ratings given	RATING
Adaptability The ability to think on one's feet, flexible approach in response to challenges and changing environments.	Embraces change and adapts to challenges and changing environments very well.	Accepts change and adapts to challenges and changing environments well.	Tolerates change and adapts to challenges and changing environments.	Uncomfortable with change and has difficulty adapting to challenges and changing environments.	Dislikes change and does not adapt to challenges and changing environments.		
Listening and Responding The ability to hear and understand the positions of others and reconsider one's position when needed.	Excellent ability to listen to and consider the opinions of others.	Good ability to listen to and consider the opinions of others.	Satisfactory ability to listen to and consider the opinions of others.	Limited ability to listen to and consider the opinions of others.	Unsatisfactory ability to listen to and consider the opinions of others.		
Communication Skills The ability to communicate effectively both in person and in writing.	Excellent interpersonal skills and ability to communicate effectively both in person and in writing.	Good interpersonal skills and ability to communicate both in person and in writing.	Satisfactory interpersonal skills and ability to communicate both in person and in writing.	Limited interpersonal skills or ability to communicate in person and in writing.	Unsatisfactory interpersonal skills and inability to communicate both in person and in writing.		
Attendance A genuine desire to attend work on time. No lateness or punctuality patterns to cause concern.	Excellent level of punctuality and a desire to attend work on time.	Good level of punctuality and a concern for attending work on time.	Satisfactory level of punctuality and interest in attending work on time.	Poor level of punctuality and lack of concern for attending work on time.	Unsatisfactory level of punctuality and no desire to attend work on time.		
Core Skills Performance of the core duties and responsibilities of the post.	Performs their core duties and responsibilities to a high standard	Performs their core duties and responsibilities to a good standard.	Performs their core duties and responsibilities to a satisfactory	Does not perform their core duties and responsibilities to a satisfactory standard.	Does not perform their core duties and responsibilities.		

Date
2007-08-29

Ver.
a

Dept/Cmte
HRD

Doc Type
POL

Title
Section 7b - Annual Performance
Development Review

Status
Final
DD: None

Int. Aud.
Internal
RD: None

			standard.				
Timeliness & Delivery Ability to deliver work and projects within established deadline.	Excellent ability to deliver work and projects within set deadline.	Good ability to deliver work and projects within set deadline.	Satisfactory ability to deliver work and projects within set deadline.	Limited ability to deliver work and projects within set deadline.	Unsatisfactory ability to deliver work and projects within set deadline.		
COMPETENCIES: MANAGERS ONLY	A	B	C	D	E	COMMENT Comments must be provided to support ratings given	RATING
Management Know-How Understanding management best practise and applying these skills to the benefit of the team and organisation.	Excellent understanding and application of management practices.	Good understanding and application of management practices.	Satisfactory understanding and application of management practices.	Limited understanding and application of management practices.	Unsatisfactory understanding and application of management practices.		
Developing Talent Excellent ability to foster the learning & development of team members.	Excellent ability to foster the learning & development of team members.	Good ability to foster the learning & development of team members.	Satisfactory ability to foster the learning & development of team members.	Limited ability to foster the learning & development of team members.	Unsatisfactory ability to foster the learning & development of team members.		
Leadership Ability to motivate and manage staff effectively and to remain professional at all times.	Excellent leadership skills with the ability to motivate and manage staff to a high level.	Good leadership skills with the ability to motivate and manage staff to a good level.	Satisfactory leadership skills with the ability to motivate and manage staff to a satisfactory level.	Limited leadership skills or ability to motivate and manage staff to a satisfactory level.	Unsatisfactory leadership skills and an inability to motivate and manage staff to a satisfactory level.		

Budget Management The ability to accurately forecast budget requirements, manage them effectively and address any deficits promptly.	Excellent ability to produce accurate budgets and to manage them well throughout the year.	Good ability to produce accurate budgets and to manage them throughout the year.	Satisfactory ability to produce accurate budgets and to manage them throughout the year.	Limited ability to produce accurate budgets or to manage them well throughout the year.	Unsatisfactory ability to produce accurate budgets or to manage them well throughout the year.		
Resource Management The ability to consider and plan resource needs and to effectively work forecast for departmental resources.	Excellent ability to plan ahead and to accurately forecast resource needs.	Good ability to plan ahead and to forecast resource needs well.	Satisfactory ability to plan ahead and forecast resource needs.	Limited ability to plan ahead or effectively forecast resource needs.	Unsatisfactory ability to plan ahead or effectively forecast resource needs.		

Rating Scale: “A” being the highest rating achievable, “E” being the lesser rating achievable.

Please note: these are generic competencies which were designed with the intention of being applicable to all posts at HPC. If however there is a competency which is not relevant to a particular post, please mark the rating as non-applicable (this should be in exceptional circumstances only).

Objectives for the coming year: 2007 - 2008

Performance criteria to consist of key objectives, challenges, goals and responsibilities.

Objectives	Measures and Targets	Results Expected to be Achieved/Comments	Agreed Feedback Providers

CAREER ASPIRATIONS – (the employee to determine what they would like their career aspirations to be, working in conjunction with input and suggestions from their Manager/Director)

Employee	Manager/Director
Short Term Career Aspirations (0-2 years)	Manager/Director's comments on the employee's short term career aspirations.
Employee	Manager/Director
Long Term Career Aspirations (2-5 Years)	Manager/Director's comments on the employee's long term career aspirations.

EMPLOYEE DEVELOPMENT PLAN (Please note: Under the Area to be Developed both areas requested/identified by the employee and areas identified by the Manager should be noted).

<u>AREA TO BE DEVELOPED</u> Specific skills, qualifications and competencies identified for improvement in this review must be achievable within training budget.	<u>ACTION PLAN</u> Should include internal/external training and coaching to develop the employee.	<u>TARGET PERIOD</u>

COMMENTS ON PERFORMANCE REVIEW:

Comments By Manager/Director (Summary of Overall Performance of Employee):

(Please note – any instances of exceptional performance such as special projects or duties performed significant over and above the level of the job description may be noted here),

Comments By Employee (In Response to Above or Any Other Aspect of the Performance Review):

SIGNATURES:

Employee: Date:
(I acknowledge that this form has been discussed with me and I have sighted this form)

Manager/Director: Date:
(I acknowledge that I have discussed this form with the relevant employee and I have sighted this form)

Section 7b – Performance Development Review Guidance Notes

1.0 Introduction

The degree to which an organisation successfully develops their employee's range of skills and depth of knowledge and experience has a direct impact on organisational results, public image and the ability to manage business.

Performance appraisals are a key aspect of any organisation's operation. They form the foundation for employee achievement, development and recognition. With this in mind the process of evaluating or measuring individual's achievements against set objectives is very valuable for both employees, Managers, and the HPC in meeting business needs. Constructive feedback along with direction, guidance, support and encouragement should form the basis of good performance discussions.

2.0 Timeframe

Performance reviews should be conducted at least once per year (currently as a standard across the organisation for all Departments in February of each year).

All performance reviews to have been organised and completed, with hard copies forwarded to Human Resources are to be completed by 17th February of each year (however a shorter deadline in February may be given depending on budgetary and Finance and Resources Committee considerations).

3.0 Process

3.1 Preparation

- Human Resources to forward Managers the performance development forms and the employees electronic position description in December of every year.
- Managers to print off the electronic copies of the previous year's performance development review.
- Managers to schedule in performance reviews with each employee. Prior to the performance review taking place (two days prior to the review) the Manager should ensure that:
 - a) The employee has a copy of the previous year's performance review;
 - b) The employee has a copy of their job description.
 - c) The proposed comments and ratings for discussion should be provided to the employee prior the view (although these may require amendment pending discussions during the review).

- d) Managers should ensure their employees have access to HPC’s Strategic Plan, any relevant Departmental Business Plans and the HPC Principles (found on the Website and/or Intranet of HPC).
- e) The Manager to type their thoughts, ratings and comments on the performance review form and provide this to the employee ahead of the meeting. These comments and ratings however are subject to change following the discussions held in the meeting.
- f) Please ensure that both Management and the employee are well aware before the performance of any significant performance issues – important and significant non-performance issues should not come as a surprise to employees in the review.

3.2 Conducting the Review

3.2.2 Individual performance for Year Ending.....

This section is used to review the achievement of the objectives set the previous year. Each objective is rated from 1-5, please can you mark 1, 2, 3, 4, or 5 in the “ratings” column. Ratings must be one number only. The “Results Achieved and Comments” column must be utilised to provide comments which support the ratings given. Ratings cannot be given unless there are comments to support the reasoning.

3.2.3 Competency

Competency is measured through the 11 performance criteria where 5 ratings can be achieved. Each competency is giving a rating ranging from A-E. For each rating a comment must be provided to support the rating chosen. Ratings must be one letter only.

There are then 5 performance criteria which assess employees in managerial posts only.

3.2.4 Performance Criteria for Coming Year

This section requires Managers/Directors to set specific measurable objectives for the coming 12 months. Performance criteria to be given deadline appropriate to that particular criteria (for example, some may have 3 month deadlines, some may be greater, and some may be ongoing). These should be determined in conjunction with the employee.

3.2.5 Career Aspirations

Career aspirations should be discussed and detailed in this area. The purpose of this section is as a positive area to recognise potential, develop career progression plans and to demonstrate to both Managers and employee's each others views on what could be achieved at HPC or in the future generally. The employee to determine what they would like their career aspirations to be, working in conjunction with input and suggestions from their Manager/Director.

3.2.6 Employee Development Plan

The employee development plan is intended to highlight areas for individual development (for example, training, coaching, monitoring opportunities and needs). These development objectives are to be mutually determined and comprehensively discussed.

4.0 Following the review

- The hard copy of the review should be sent to Human Resources within one week of conducting the review. This should be typed, with live original signatures on it.
- The employee should receive a copy of the review from their Manager (electronic or hard copy).
- The electronic copy to be stored in the relevant Department's folder on HR related matters, only be accessible by the Manager of that Department and HR.
- The Manager and employee sign the performance development form during the meeting. The signature by the employee indicates that the review has been discussed with him/her - not that he/she is in complete agreement. If the employee is not in agreement with the review, there is opportunity for them to comment on this in the Comments section above the signature.

If the comments by the employee reflect significant disagreement/dissatisfaction about the contents of the performance review, the review will consequently be escalated to the next Manager in the hierarchy by Human Resources.

5.0 New Employees

Following the successful completion of a probationary period, managers have the option to formulate goals and objectives for the new starter to be assessed against in February of that year. This will occur regardless of when in the year the new employee commenced with HPC.

Section 7c – Study Policy and Reimbursement of Professional Membership Fees

Deleted: Courses, Study and Exam Leave

Please note that this policy relates to courses of study that lead to professional qualifications or certification and not to one-off training courses.

1.0 Courses

- 1.1 The HPC will consider applications from employees who wish to undertake a course of study which will be of primary benefit to the HPC and/or relates to their area of work.
- 1.2 The HPC will fund all or part of the costs of a course that has been approved. Approval and funding decisions will be based on the course relevance/benefit to HPC and the employee's role, the cost, resource and budget availability and equitability amongst employees.
- 1.3 Anyone seeking the HPC's financial support to undertake a course should complete the HPC Application for a Course of Study form which can be found on Springfield and provide a course outline to their manager.
- 1.4 Timeframes for completing the course need to be stated on the application form and agreed between the employee and manager. HPC will not continue to fund a course of study if it is not completed within the stated timeframe.
- 1.5 Completed forms together with any other relevant information in support of an application will be considered by the line manager and human resources, who will provide advice as to whether the request is fair and consistent in comparison with organisation-wide requests and approvals.
- 1.6 Financial support will be limited to course costs and will not include costs for materials, books or any other expenses.
- 1.7 The guideline amount for financial support is £1,000 per employee in any one year. In exceptional circumstances, managers may grant up to a maximum of £2,500 per employee per year with approval from the Human Resources Department.
- 1.8 Where an employee does not pass their final examination or assessment for a particular module, HPC will not pay for the module or exam to be re-taken or provide a further exam leave day.

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Deleted: HPC training application form

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The payment made by HPC for the failed module/exam will be recovered from the employee by automatic deduction from their salary in the next

monthly payroll or through instalments over a maximum period of three months if requested by the employee. The manager will then have a discussion with the employee regarding HPC's overall support for the course and managers have the discretion to withdraw support after consultation with Human Resources.

- 1.9 Where an employee resigns from their role at HPC while still completing the funded course, HPC may reclaim the funds paid within the last calendar year from the employee's final net salary payout.

2.0 Exam Leave

- 2.1 Anyone receiving financial support from the HPC is entitled to take a maximum of 5 days per year for the purpose of sitting examinations. Any time off for exams over and above 5 days in one year must be taken as annual leave. This leave must be agreed in advance with the line manager by completing an Application for a Course of Study form and attaching a copy of the exam details.

Deleted: 1.5 . In exceptional circumstances, the HPC will fund the cost of retaking an examination.¶

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3.0 Professional Membership Fees

- 3.1.1 The HPC currently reimburses professional membership fees for memberships approved at the discretion of the line manager. This reimbursement is subject to available monies in the budget concerned.

In considering whether to reimbursement professional membership fees, the manager will consider not only the relevance of the professional body to HPC and whether the Departmental budget will allow for the membership, but also benefits to HPC. These may include free training and legal updates to the employee concerned as part of the membership. Line managers should seek advice from the Human Resources Department if necessary prior to approving reimbursement of rees.

**Human Resources Department
Applications for a Course of Study**

This form is to be used for employees to request authorisation for a course of study in accordance with Section 7C of the Employee Handbook (Courses, Study and Exam Leave).

Please forward a copy of the completed form to the Human Resources Department.

Name of Employee:		Department:	
Job Title:		Director/Manager:	
Name of Course of Study:		Date(s) of course and/or duration: Time, if any, applied for Study Leave:	
Source of Funding: Departmental Training Budget/HR Training Budget (Delete as appropriate)		Cost: £	Budgeted amount £
Study Course Provider:		How many years of funding or time applied for and dates:	
What are your objectives in completing the course of study and how will it be of primary benefit to HPC or relate to your area of work?			
Please outline or attach proposed modules of study, provider and timeframes:			

Signature of employee and date:	Signature of Line Manager/budget holder and date:
Signature of Human Resources Director and date:	Signature of Director of Finance and date:
Signature of Chief Executive and Registrar and date:	

Completed forms to be sent to the Human Resources Department

Human Resources Department – Training Application Form

Private and Confidential

This form is to be used for employees to request authorisation to attend training courses (in accordance with the provisions of Section 7 of the Employee Handbook). The Training Application Form is to be completed before any training, and the Training Evaluation Form is to be completed immediately after the completion of the training, in conjunction with the employee’s Director/Manager.

Please forward a copy of the completed form to the Human Resources Department.

Name of Employee:	Department:	
Job Title:	Director/Manager:	
Name of Training course:	Date(s) of course and/or duration:	
Source of Funding: Departmental Training Budget/HR Training Budget (Delete as appropriate)	Cost: £	Budgeted amount £
Training Provider:		
What are your objectives in attending the training?		
Is any post training course assistance needed, such as assessments, time away to complete tasks? Yes/No. If yes, please give details		

Signature of employee and date:	Signature of Line Manager/budget holder and date:
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Completed forms to be sent to the Human Resources Department

Training Evaluation Form – Human Resources Department

Private and Confidential

Name of Employee:	Department:
Job Title:	Director/Manager:
Name of training course: Provider:	Date(s) of course and/or duration:
How well were your objectives/expectations met?	
<p>What did you find most useful about the course?</p> <p>What will you do differently as a result of the course?</p> <p>Can the training be shared with others?</p>	
<p>What could have been improved about the training course, and would you recommend that other employees attend this course?</p> <p>On a rating of 1-4, (1 = excellent, 2 = good, 3 = satisfactory, 4 = poor) overall how would you rate the course and training provider?</p>	
Any other comments	

Signature of employee and date: 	Signature of Line Manager/budget holder and date:
---	---

Completed forms to be sent to the Human Resources Department

8a – Office Security Policy

All employees are expected to take reasonable responsibility for security of the office environment. This includes:

- ensuring that each department/floor is secure at close of business/when not occupied (e.g., windows firmly shut/locked);
- challenging visitors/unknown persons in the building who do not display identification;
- not lending or giving keys to any persons outside the organisation, unless previously sanctioned by the Chief Executive and Registrar or the Facilities Manager; and
- not divulging access/security codes to unauthorised persons within or outside the organisation.

Deleted: Office

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-07	a	HRD	POL	Section 8a DRAFT - Security Policy	Draft DD: None	Internal RD: None

8b – Working Late

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1.0 As a rule, the HPC discourages employees from working late into the evening or at weekends. However, we recognise that occasionally working outside usual office hours may be necessary.

2.0 Employees who need to work at weekends must ensure that they are sufficiently well-versed in procedures for deactivating and setting the alarm and locking up the building. Employees must also notify the Facilities Manager who will re-programme the access card accordingly.

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Deleted: should none of the authorised HPC key holders be available to carry out these functions.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-07	a	HRD	POL	Section 8b DRAFT - Working Late	Final DD: None	Internal RD: None

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8c – Use of Employees’ Lounge/Kitchen Facilities

- 1.0 Employees are encouraged and welcome to use the communal staff lounge for meal breaks. Generally speaking, consumption of food in areas of Park House other than the employees’ lounge or the garden is prohibited (these areas include work desks and all meeting rooms) although clearly a degree of flexibility and responsibility by employees and managers will be required in the interpretation of this policy.
- 2.0 The employee lounge and kitchen facilities are for the use and enjoyment of everyone working at Park House. As a matter of courtesy to others in the area, please refrain from either preparing and/or eating food that may be regarded by others as particularly odorous. Such food should not be eaten in offices / at desks.
- 3.0 Everyone who uses the lounge/kitchen facilities has a responsibility to ensure the area is left in a clean and tidy condition after use. This includes washing up, drying and putting away crockery and cutlery.

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Deleted: 4.0. When the Catering Officer is preparing morning/afternoon refreshments, staff should avoid the kitchen area (between 9 and 10am and 2 to 3pm).-¶

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Section 8d – Non-Smoking Policy

1.0 Principle

1.1 The HPC as an employer has a duty to ensure as far as is practicable, the health, safety and welfare of its employees.

1.2 ~~Employees who smoke are considered to be damaging their health and the health of others who do not smoke, through passive smoking.~~

Deleted: 1.2. The HPC is of the view that to allow smoking on its premises is inconsistent with this duty. ¶

1.3 The HPC will provide support for anyone considering or wanting to give up smoking.

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2.0 Legislation

2.1 On 1st July 2007 the Smoke-Free Regulations 2007 came into effect in England making it against the law to smoke in virtually all indoor public places and workplaces.

2.0 Policy

2.1 The HPC's premises are designated as non smoking areas and are clearly marked with no-smoking signs. This includes the garden and the building entrances and exits at Park House and Stannary Street.

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2.2 The HPC smoking policy and Smoke-Free Regulations 2007 prohibit both employees and visitors from smoking in the HPC's premises.

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2.3 Smoking on the premises will be considered, depending on the facts of the matter, as gross misconduct and the matter will be dealt with under the HPC's disciplinary policy and procedure.

Deleted: are expected to comply with the smoking policy which prohibits

Deleted: except for designated smoking areas.

2.4 Persons in breach of the Smoke-Free Regulations 2007 can face a £50 on the spot fine or £200 if the matter goes to court and the HPC can face fines for failing to prevent smoking in a smoke-free place.

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2.5 Any employee that witnesses smoking on the premises should inform their manager or Human Resources in the first instance.

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8e – Dress Code

- 1.0 The HPC is a professional organisation where employees are expected to represent the organisation externally or welcome visitors and customers into the building. In these situations the HPC does require employees to dress appropriately.

At all other times the HPC requires employees to dress smart/casual. This dress code is intended to provide a flexible guide to workplace clothing that avoids being too prescriptive, where employees can dress in a way that is comfortable to them but which would not give an unprofessional impression to any visitors.

Any confusion over what constitutes 'smart/casual' should be discussed in the first instance with the individual's manager. However, as an indication, 'smart casual' does not include track suits, bare mid-drifts or flip flops. Further guidelines are as follows:

Shorts are permitted however these must be below the knee dress shorts (tailored) and no others. Jeans are allowable provided that they meet the criteria of smart/casual (no ripped, torn, or bleached jeans or those with logos which may be offensive).

This dress code does not preclude employees dressing in a particular fashion because of their religion.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-07-30	a	HRD	PUB	Section 8f - Dress Code	Draft DD: None	Internal RD: None

Section 8f – Eye Care

1. Employees carrying out personal computer work are encouraged to have annual eye examinations.
2. The HPC expects that examinations will be conducted to the standards produced by the British College of Optometrists.
3. The HPC will pay for the cost of the eye test and in the event that special prescription lenses are required to work with a VDU, the HPC will contribute £40 towards the cost of glasses or contact lenses.
4. Before undertaking an eye test employees should complete the relevant part of the HPC eye examination form. This form will also need to be completed by the optician carrying out the examination.
5. Completed forms should be returned to the Human Resources department for processing.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 8h - Eye Care	Final DD: None	Internal RD: None

Health Professions Council
Vdu Eye Examination Record

Part A: To be completed by the employee

First Names:
Surname:
Date of Birth:
Department:

Approximate Date of VDU work started:

Normal time spent at VDU's hrs/days

Current Visual Problems? Yes/ No*

Part B: To be completed by the practitioner:

Date of Eye Examination:

Result of eye examination:

Details of Prescription (where applicable)

	Distance right	Distance Left	Intermediate Right	Intermediate Left	Near Right	Near Left
Unaided Vision						
Sph						
Cyl						
Axis						
Prism						
Visual acuity						

Signed.....Date.....

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 8h - Eye Care	Final DD: None	Internal RD: None

Part C – To be completed by the employee

I consent to the above details being provided to my employer.

Signed: Date

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 8h - Eye Care	Final DD: None	Internal RD: None

HEALTH PROFESSIONS COUNCIL

VDU EYE EXAMINATION REPORT

To be completed by the Ophthalmic Optician/ Ophthalmic Medical Practitioner.

TO:
Human Resources Department
Health Professions Council
Park House
184 Kennington Park Road
London SE11 4BU

FROM:

RE:

I am conversant with the statement of good practise produced by the British College of Optometrists and am aware that reimbursement is not applicable for spectacles to correct a pre-existing refractive error.

In my opinion the above named person:

- 1. Satisfied the standard with/ without * spectacles
- 2. Fails to satisfy the standard
- 3. Does/does not* require additional spectacles to meet the standard
- 4. Does/does not* require additional spectacles to be provided solely for use with the VDU.

Signed

Date.....

Optician's Stamp



* Delete as applicable.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 8h - Eye Care	Final DD: None	Internal RD: None

8g – Employee Records Policy

1 Introduction

- 1.0 The Employee Records Policy applies to all employees of HPC in relation to all Employee (or Personnel) Files held in Human Resources.
- 1.1 The purpose of the Employee Records Policy is to clarify who has access to the above employee records.
- 1.2 All Employee Records are kept in a locked filing cabinet in the Human Resources Department.

2. Access to Employee Records

- 2.1 All employees may request to view their own Employee (or “Personnel”) File subject to a request through Human Resources.
- 2.2 The Employee’s Manager or Director may also have access to the above File subject to a request through Human Resources. The Chief Executive and Registrar has access to all Files.
- 2.3 Under circumstances where the employee file needs to be accessed by Management and where:
 - a) the relevant Director or Manager is absent and/or;
 - b) there is an Acting Manager in place,

the file can only be accessed by the next most senior Director/Manager in the line of hierarchy.

- 2.4 Any Employee Files being accessed by employees or their Managers are not to be removed from within the Human Resources Department.
- 2.5 No employee including Managers is permitted to see another employee’s file unless authorised by the Human Resources Manager or Chief Executive and Registrar to do so. This is in very exceptional circumstances only (for example, members of the Finance Department may need to see certain parts of the Employee File for Payroll issues).

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 8I - Employee Records Policy	Final DD: None	Internal RD: None

Section 8h – Gifts and Hospitality

This policy must be followed with regard to gifts or benefits received in connection with your employment.

- 1.0 You must not directly or indirectly seek, receive or obtain, in respect of any services provided by or on behalf of the HPC, any gift, hospitality, discount, rebate, commission or other inducement or corrupt payment (whether in cash or in kind) which is not authorised by the HPC's policy.
- 2.0 Excessive amounts of entertainment accepted by you, or given by you to others, is forbidden.
- 3.0 Other than by way of a token nature, you are not permitted to receive, without the prior permission of your Manager and the Human Resources department, any gifts, hospitality, discounts, rebates, commission or favours in relation to the HPC's business from any person or business with whom you are involved on the HPC's business.
- 4.0 Gifts of a token nature should not be declared using the Gifts and Inducements Register, however, all others must be declared.

Excessive amount of entertainment may include (but are not limited to) offers of days out at events, offers of gifts such as a basket of goods, attending functions which involve non-work related events. This may also include gifts such as offering employees private discounts if they buy products for their personal use from a supplier.

Gifts of a token nature may include items such as flowers, pens, tee-shirts, diaries, calendars, bottles of wine, or functions that are work related (such a dinner following a day of working with consultants).

At Christmas time it is recognised that Departments receive a larger than normal amount of gifts and in this case, it is advisable that gifts should be shared within the Departments receiving them or the company generally. For very significant gifts such as large food hampers, the supplier should be contacted and advised that such gifts cannot be accepted in future.

No gifts should be accepted under any circumstances at the time of business transactions or contract awards.

A Gifts and Inducements Register is kept within the Human Resources Department and gifts should be registered with Human Resources within seven days of your receipt of the same by using the attached Gifts and Inducements Form. Failure to comply with the above notification and/or recording requirements is likely to result in disciplinary action.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 8m - Gifts and Inducements Policy	Final DD: None	Internal RD: None



GIFTS AND HOSPITALITY FORM

Employee Name and Position: _____

Department: _____

Company who supplied gift and HPC relationship with them: _____

Reason for Gift or Inducement: _____

Gift or Inducement: _____

Approximate Value of Gift or Inducement (if Known): _____

Employee Signature _____ **Date:** _____

Manager/Director Signature: _____ **Date:** _____

Director of Human Resources: _____ **Date:** _____

Please Note: This form must be forwarded to Human Resources; it will be retained on your Employee Personnel File and details of the gift received by you will be recorded in the Gifts and Hospitality Register.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 8m - Gifts and Inducements Policy	Final DD: None	Internal RD: None

Section 9a – Time off for Public Duties

1.0 Policy/Principle

- 1.1 The HPC is open to requests from its employees to take time off in order to take part in the activities of public bodies.
- 1.2 Employees carrying out public duties have a statutory right to reasonable time off in order to perform these duties. However, it is still necessary for time off to be agreed in advance with line managers.
- 1.3 This document outlines the provisions relating to time off for public duties and the procedure for employees considering an involvement in public duties.

2.0 Duties covered by the provisions

- 2.1 The provisions apply to employees who are:
 - justices of the peace;
 - members of a local authority;
 - members of a police authority;
 - members of any statutory tribunal;
 - members of a health authority or special health authority or a primary care trust;
 - members of the managing or governing body of an educational establishment maintained by a local education authority or a further or higher education corporation;
 - members of the General Teaching Councils for England and Wales;
 - members of the Environment Agency or the Scottish Environment Protection Agency;
 - members of the boards of prison visitors, and in Scotland, prison visiting committees; and
 - members of the service authority for the National Criminal Intelligence Service of the service authority for the National Crime Squad.

3.0 What duties are covered?

- 3.1 The duties which the HPC is required to permit reasonable time off are:
 - Attendance at meetings of the body or any of its committees or sub-committees; and
 - Performance of duties approved by the body which need to be done in discharging its functions or those of any of its committees or sub-committees.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 9a - Time off for Public Duties	Final DD: None	Internal RD: None

4.0 What is reasonable time off?

4.1 When considering requests for time-off the HPC will take into account

- how much time off is required overall to perform the duties and how much time off is required to perform the particular duty in question;
- how much time off the employee has already been given for this purpose and/or other activities;

and

- The needs of the business and the effect of the proposed absence will have upon it.

5.0 Will employees be paid by the HPC for time off?

5.1 No – Time off to undertake public duties will be unpaid.

6.0 What should employees do if they are considering involvement in public duties?

6.1 They should consult their manager at the earliest opportunity and, certainly before making a final commitment.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 9a - Time off for Public Duties	Final DD: None	Internal RD: None

Section 9b – Jury Service

- 1.0 If you are called for Jury Service, you should let your manager know as soon as possible. You will be expected to produce the summons. The HPC will pay you during your period of Jury Service and therefore you will not be entitled to claim compensation for loss of earnings.
- 2.0 On days that you are released early from Jury Service, the HPC would expect you to make every effort to attend work.

Date	Ver.	Dept/Cmte	Doc Type	Title	Status	Int. Aud.
2007-08-29	a	HRD	POL	Section 9b - Jury Service	Final DD: None	Internal RD: None