Policy Review

1. Purpose of report

1.1 To present to the Panel additions and amendments to Human Resource Policies.

2. Outcomes

2.1 The amendment to existing policies and procedures.

3. Recommendation/s

3.1 That the Panel approve the policies and arrangements set out in Section 5.

4. Background

4.1 From time to time the Council needs to develop new policies and working arrangements to ensure we comply with statutory requirements and effectively manage our human resources.

4.2 The development of new policies and the review of existing policies will also be informed by employment best practice and the organisational needs of the Council.

5. Key Issues and Proposals

5.1 Volunteer Policy  Appendix 1  Reviewed
Recruitment and Selection Policy  Appendix 2  Reviewed
Maternity, Paternity and Adoption Policy  Appendix 3  Reviewed
Safeguarding Adults Policy
Purchase of Additional Annual Leave  Appendix 4  Reviewed
Policy.
Long Service Award Policy  Appendix 5  New
Grading Review and Appeals Procedure  Appendix 6  Reviewed
Appendix 7  Reviewed
5.2 The Volunteer Policy has been updated in liaison with the Volunteer Co-ordinator and has been amended in line with current practice.

5.3 The Recruitment and Selection Policy has been reviewed with no changes.

5.4 The Maternity, Paternity and Adoption Policy has been updated for readability and usability purposes. In addition it has been brought in line with current legislation with the deletion on Additional Paternity Leave which was applicable to babies born before April 2015. Information on the pension scheme during maternity, paternity and adoption leave has also been updated using information on the Your Pension Service website.

5.5 The Safeguarding Adults Policy has been updated to include Domestic Violence, Modern Slavery/Human Trafficking and Counter Terrorism/Prevent Strategy. In addition it has also been updated with new contacts – Lead and Designated Officers.

5.6 The Purchase of Additional Leave Policy is a new policy which enables staff to request up to 5 additional days per annum through a salary sacrifice scheme. It will assist employees with their work life balance and can potentially assist the Council to make savings on salaries.

5.7 The Long Service Award Policy has been updated to reflect current practice.

5.8 The Grading Review and Appeals Procedure has been reviewed to take into consideration the number of trained panel members available to carry out assessments. It also removes the need for Member involvement in the appeal process.

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**Other risks/implications: checklist**

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.
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<tr>
<td>Head of Business Support</td>
<td>(01253) 887316</td>
<td><a href="mailto:Liesl.hadgraft@wyre.gov.uk">Liesl.hadgraft@wyre.gov.uk</a></td>
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**List of appendices**

- Appendix 1 Volunteer Policy
- Appendix 2 Recruitment and Selection Policy
- Appendix 3 Maternity, Paternity and Adoption Policy
- Appendix 4 Safeguarding Adults Policy
- Appendix 5 Purchase of Additional Annual Leave Policy.
- Appendix 6 Long Service Award Policy
- Appendix 7 Grading Review and Appeals Procedure

arm/empap/cr/17/2310lh1
Volunteer Policy

Reviewed October 2017
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1. **Introduction and Scope**

1.1 Wyre Council recognise the important and valuable work that volunteers’ provide to the community and whilst this policy presents the Council with a framework for effective and consistent engagement of volunteers within our services Wyre Council will support any employees wishing to carry out volunteering activities within the community (see section 7 of the Council's Leave and Work Life Balance Policy).

1.2 Wyre Council recognises the significant and valuable role that volunteers have in creating and implementing our services.

1.3 Volunteering should also be a worthwhile and rewarding experience for volunteers, who are an important community resource. Volunteers’ experience of working with us will shape their overall view of the Council.

1.4 This document defines the term ‘volunteer’ and sets out our principles and objectives with regard to the use of volunteers. It provides a framework of best practice and procedures, which we will follow when appointing, managing and supporting our volunteers.

1.5 A copy of this policy will be made available to volunteers during the induction process and they will be advised where they can obtain a copy if required. Where possible a copy will be at premises where volunteers are based.

1.6 There may be occasions when individual departments will need to exercise discretion in the application of this policy.

2. **Definition**

2.1 Volunteers are individuals or groups who offer us their time, experience, knowledge and skills without financial gain beyond reimbursement of expenses, where applicable, helping us to achieve our service objectives, or with the aim of providing a benefit to the local community.

2.2 The role of volunteers is very different from that of councillors, employees, consultants or students on work placements.

2.3 There is no contract of employment or services between the Council and its volunteers.

2.4 Volunteers do not have to commit to a given number of hours and they will not be penalised if they are unable to attend for the hours requested.

3. **Principles**

3.1 We will apply our Equal Opportunity Policy to the recruitment and management of volunteers.

3.2 We will take particular care in relation to children, young people and vulnerable adults.
3.3 We will provide a volunteer agreement to all volunteers.

3.4 We will make information available for volunteers to enable them to claim expenses where applicable.

3.5 We will advise all volunteers of their rights under the Data Protection legislation and expect volunteers to respect the confidential nature of Council business.

3.6 We will provide appropriate public liability insurance cover for all volunteers whilst they are engaged in a volunteer activity with us (see paragraph 14).

3.7 We do not regard volunteers as unpaid employees and will not expect volunteers to be used in a situation where a paid member of staff or a person who provides services under contract to the Council should be used.

3.8 We will consult and involve volunteers on issues concerning their volunteering activity.

3.9 We will offer suitable training and support for volunteers.

3.10 We will provide suitable training and support for staff who manage volunteers.

3.11 In the event that volunteers are involved in workplace incidents or accidents the appropriate support mechanisms will be made available such as the Council’s EAP service and/or Occupational Health.

3.12 We expect all volunteers to behave responsibly and not bring the Council into disrepute.

3.13 All of the information that we give to volunteers and all of the forms that we ask them to fill in will be clear and easy to understand.

4. New Volunteering Roles

4.1 It is recognised that volunteers can enhance and support the work of the Council. Where new volunteering roles are identified these should be reviewed by the Volunteer Co-ordinator in liaison with the Human Resources Department to ensure that the arrangements are in line with legal interpretation of a volunteer.

4.2 If the development of new volunteering opportunities is part of a wider restructure involving paid members of staff this would be considered as part of the consultation process.

5. Volunteer Agreement

5.1 We will record the arrangements for individual volunteer activities in a volunteer agreement. All volunteers are required to sign the agreement which outlines the arrangement between themselves and the Council. No volunteer is able to commence any activity before it is signed and returned to the Volunteer Co-ordinator.
6. **Recruitment**

6.1 We will accept volunteers by applying the following process:

(a) All volunteers will be asked to complete and sign a Volunteer Application/Agreement, Emergency Contact Details Form and Medical Form.

(b) We will invite all prospective volunteers to meet their intended supervisor for a two-way discussion of the proposed role, its requirements and each other’s expectations. This meeting is an opportunity for both the supervisor and prospective volunteer to see if the volunteering opportunity is suitable.

(c) We have the right to refuse the offer of service of any volunteer.

(d) We will require two satisfactory references before a volunteer can take up a role with the council. Based on duties and responsibilities we may also need a satisfactory disclosure from the Disclosure Barring Service (DBS) before a successful volunteer can start their duties.

(e) Satisfactory medical clearance will also be required before a successful volunteer can start their duties.

7. **Disclosure of Convictions and Safeguarding Children and Vulnerable Adults**

7.1 Having a criminal record will not be a bar to volunteering with Wyre Council unless the Director of Service considers that a conviction means that the applicant is unsuitable. Under the requirements of the Rehabilitation of Offenders Act 1974 and any other relevant legislation the council will ask all volunteers to disclose any ‘unspent’ convictions.

7.2 The Council has a legal obligation to protect children or young people under 18 and vulnerable adults. Volunteers who, in the course of their volunteering activity, are likely to come into contact with the following groups of people will be asked to disclose all convictions including any that are ‘spent’ and a Disclosure Application will be made to the DBS:

- people aged under 18;
- people over the age of 65;
- people suffering from serious illness or mental disorder of any description;
- people addicted to alcohol or drugs;
- people who are blind, deaf or have a speech impairment;
- other people who are substantially and permanently disabled by illness, injury or congenital disability.

7.3 It is the responsibility of the volunteers’ supervisor in liaison with the Volunteer Co-ordinator to identify whether the role should be subject to a Disclosure Application.

7.4 The Council aims to comply with the DBS Code of Practice on fair use and handling of disclosure information.
7.5 The Council’s Safeguarding Policies apply to all volunteers who work with or are likely to come into contact with children, young people and/or vulnerable adults in the course of their volunteering activity. It is the volunteer’s supervisor’s responsibility to ensure that in such cases the volunteers have appropriate training.

8. Volunteer Management

8.1 All volunteers will have a named supervisor who shall be responsible for:

(a) Organising a planned induction to the particular service, including explaining relevant policies and procedures including health and safety and the duties and tasks agreed.

(b) Ensuring that during the induction volunteers are made aware of the Council’s confidentiality and data protection policies and receive relevant training as appropriate.

(c) Ensuring that volunteers are aware of the need for confidentiality and not to enter into any relations with the media referring any media enquiries to their Supervisor or the Engagement Team.

(d) Ensuring that volunteers have adequate work space, equipment and services necessary to perform their tasks effectively and safely including personal identification where appropriate.

(e) Arranging a short, timetabled trial period during which new volunteers will receive close support and mutual feedback, including the chance for them to feed back their views.

(f) Providing regular support.

(g) Making sure that the role and activities are reviewed.

9. Training

9.1 We will provide training to make sure that volunteers can carry out their activities on behalf of the Council effectively. This training will directly relate to the activity for which they volunteer.

9.2 If there is any doubt as to whether the training is related to the volunteer’s task, the relevant Head of Service should seek further advice from the Head of Business Support.

10. Conduct and Complaints

10.1 Volunteers will be given an opportunity to discuss any concerns that they may have about their volunteering and consult with us generally.

10.2 Volunteers should raise any complaints or concerns with their supervisor. If this is not appropriate or they are not happy with how this is dealt with, volunteers should
take their complaint to the Director of the Service or the Head of Business Support or follow the Council’s standard published complaints procedure.

10.3 If there are concerns about the conduct or performance of a volunteer, their supervisor should investigate to find out what is happening. This should include talking with the volunteer concerned.

10.4 If conduct or performance is unsatisfactory, the volunteer should be informed that s/he will be offered guidance for an agreed specified period, the objective of which will be to encourage improvement.

10.5 If a volunteer does not meet our standards of performance, and the steps we have taken to encourage them to improve do not work, the volunteer should be offered more suitable alternative voluntary activities or leave with reasonable notice.

10.6 All volunteers should be aware that in carrying out their volunteering activities they are representatives of the council and should conduct themselves in a way so as not to bring the council into disrepute. e.g. through comments made on social media (see the Council’s Social Media Policy).

10.7 If behaviour, which in our view is, equivalent to gross misconduct has occurred the volunteer activity will be terminated immediately.

10.8 In the event of conduct concerns and doubt as to the procedures to follow please contact Human Resources.

10.9 All volunteers have a fundamental right to be treated with Dignity and Respect and any volunteers who feel that they are being treated unacceptably should speak to their supervisor or Human Resources.

11. **Ending Involvement**

11.1 Either the Council or the volunteer can end the volunteering at any time and without any notice. However, unless there is an emergency or misconduct, we will usually try to give volunteers reasonable notice and hope that they will offer the same to us.

11.2 In all cases we will provide the volunteer with details of the reasons why their involvement is no longer needed.

11.3 If asked, we will provide volunteers with a certificate giving details of all the activities that they have successfully undertaken for us.

12. **References**

12.1 If asked, either during a volunteer’s time with us or when it ends, we will supply a reference, based on a volunteer’s service with the Council, indicating the skills and knowledge acquired as well as personal qualities observed.

13. **Health & Safety**

13.1 We have a duty to look after the safety and well-being of our volunteers. We will make volunteers aware of our Health & Safety Policy and any special safety
arrangements relating to their individual role during their induction and any updates as necessary.

13.2 Volunteers as well as employees must take reasonable care for the health and safety of themselves and others who may be affected by what they do, or omit to do, at work. Volunteers must also co-operate with the Council in performing any duty or complying with any requirement imposed by any relevant health and safety laws.

14. Repaying People their Expenses

14.1 In some circumstances we can reimburse expenses. Individual arrangements will be explained to volunteers before they start their volunteering activity.

14.2 If a volunteer wishes to claim expenses they should complete an Expenses Claim Form and attach corresponding receipts and/or travel ticket or other evidence of expenditure.

15. Insurance

15.1 The Council maintains insurance against risks including loss and damage to or destruction of its property, the injury or death of members of the public affected by its activities and its employees and volunteers undertaking authorised work for it.

15.2 The insurance does not, however, extend to unauthorised work or to authorised work carried on by people not authorised by the Council. It is therefore most important that volunteers comply with the conditions of the Council’s insurance and do not do anything, which might result in the Council not being covered.

15.3 All volunteer activities carried out for us will be covered by public liability insurance as long as:

- Volunteers were acting within their authority at the time of the incident giving rise to the claim.
- The Council would have been covered for the claim had the claim been made against the Council.
- The Council has full control of any claim.

16. Copyright

16.1 All records in any medium (whether written, computer readable or otherwise) including accounts, documents, drawings and private notes about the Council and its activities and all copies and extracts of them made or acquired by the volunteer in the course of their volunteering activity shall be:

(a) the Council’s property;

(b) used for the Council’s purpose only;

(c) returned to the Council on demand at any time; and
(d) returned to the Council without demand if the volunteer ceases for more than one month to be actively involved with the Council’s work.

16.2 Volunteers should be made aware that information produced by them in the course of their volunteering may be made available to the public under the Freedom of Information Act 2000.

17. **Asylum Seekers**

17.1 Since April 2000, asylum seekers (people in the process of applying for refugee status) and family members are allowed to volunteer. This includes whilst they are appealing against a decision to refuse them asylum. However, it must be kept in mind that they may not be given the right to remain here. They should not be led to believe that voluntary activity is regarded as a step towards refugee status being granted.

18. **Equality Impact Assessment and Monitoring**

18.1 The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

19. **Data Protection Act 1998**

19.1 In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998.

20. **Monitoring and Review**

20.1 It will be the responsibility of the Head of Business Support to regularly review the operation of this Volunteer Policy and to make sure that it is always in accordance with our Equal Opportunity Policy and best practice in relation to managing volunteers.
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1. **Policy Statement of Intent**

1.1 Wyre Council needs to be able to attract and retain high calibre employees. To achieve this, it is the Council’s policy to ensure that its recruitment process results in the selection of the most suitable applicant for the job in respect of competence, experience and qualifications. The Council is committed to a fair, open and transparent recruitment process.

1.2 Wyre Council fully supports the rights and opportunities of all people to seek and hold employment without discrimination.

1.3 The Council is also committed to ensuring that every person who applies for a job (whether internal or external) must be considered on his/her ability against fair and consistent criteria, which relates solely to the job requirements, insofar as this is compatible with the Council’s policies on re-deployment of current employees.

2. **Principles**

2.1 All Wyre Council recruitment and selection activity is based on principles of equal opportunity, objectivity and fairness. All applicants will be treated consistently regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation.

2.2 The Council will operate this policy in accordance with the following principles:

- Council recruitment and selection procedures are designed to comply with relevant legislation and appropriate codes of practice
- We value diversity and encourage applications from all groups in society
- We operate flexible working arrangements which take into account personal circumstances wherever possible
- Training will be provided for managers in recruitment and selection processes and they will be made aware of their obligations in respect of equal opportunities
- Vacancies will be defined in a non-discriminatory and objective manner through a carefully drafted job description and person specification.
- All vacancies will be open to internal candidates
- All applicants will have access to comprehensive information to enable them to assess their own suitability for advertised vacancies
- We will use fair and objective selection methods to assess the suitability of candidates for advertised vacancies
We will reimburse reasonable expenses for candidates attending selection events

We will monitor and review the effectiveness of our recruitment and selection policy and procedures, particularly in relation to equal opportunities.

3. The Recruitment Selection Process

3.1 This policy should be read in conjunction with the Recruitment and Selection Guidelines – Managers’ Handbook available on the Council Intranet, which contains details of the process and a full explanation of all the stages. Recruiting Managers should follow the process outlined in the Handbook seeking support and guidance from Human Resources where necessary.

4. Responsibilities

4.1 The Council has certain legal responsibilities in relation to discrimination and other matters which are prescribed under the following legislation:

– Equality Act 2010
– Asylum and Immigration Act 1996
– Data Protection Act 1998
– The Local Government and Housing Act 1989
– The Rehabilitation of Offenders Act 1974

In addition, the Council is morally obligated to ensure fair and consistent treatment in all areas of its responsibilities, and aims to achieve this through the Equal Opportunities Policy and related policies and procedures.

4.2 Human Resources

The Head of Business Support will be responsible for the consistent implementation of the Council’s policy on recruitment and selection through the provision of advice and by monitoring compliance.

This policy and The Recruitment and Selection Guidelines – Managers’ Handbook will reviewed to ensure compliance with legislation and best practice.

Appropriate training will be given to all employees involved in the recruitment process in order to ensure that employees fully understand the Council’s and their own responsibilities. Changes in legislation, procedures and their implications will be conveyed to employees as and when they occur.

Human Resources will undertake recruitment and selection monitoring and will report on and publish the findings as appropriate.
Human Resources will retain records of all recruitment interviews for six months after the appointment is made.

4.3 Directors and Managers

Directors and Managers have a particular responsibility to ensure a recruitment process which is free from discrimination and applied fairly and consistently in the work areas of which they are responsible. Prompt action should be taken to stop any discriminatory activity as soon as it is identified.

Directors and Managers have a responsibility to ensure that:

- They attend the recruitment and selection training provided by the Council at the earliest opportunity upon joining the Council or becoming a Manager.
- Job descriptions and Persons Specifications are regularly reviewed and kept up to date.
- They are fully involved with the design of an advertisement and authorise the final draft with Human Resources. To maximise the benefits to be gained advertisements will predominantly go on-line. However, in exceptional circumstances other advertising media will be considered.
- All necessary paperwork is completed and returned to Human Resources.
- An interview panel is arranged with appropriate staff representation.
- Short listing/interviewing is conducted in a consistent manner, giving constant consideration to equal opportunities and best practice as outlined in the Managers’ Handbook.
- Any offer of employment is made subject to receipt of satisfactory references, health clearance, eligibility to work in the UK and where required a disclosure from the Disclosure Barring Service.
- They give feedback as and when required to unsuccessful applicants.

5. Equal Opportunities

5.1 As an Equal Opportunities Employer it is vital that no discrimination occurs. All those involved in the recruitment and selection process must be familiar with the Council’s Equal Opportunity Policy and should attend a Recruitment and Selection training session.

5.2 Selection procedures must be reviewed regularly to ensure that successful applicants are selected based on their merits and abilities.

5.3 Selection procedures, including the advert and interview questions must not be in any way discriminatory.

5.4 Where possible a diverse panel should be utilised.
5.5 The venue for the interview should be suitable for disabled applicants and where appropriate, reasonable adjustments should be made to ensure their consideration for the job is not hindered in any way.

5.6 An Equal Opportunities statement and Ethnic Monitoring Form is made available to all applicants as part of the application process.

6. **Equality Impact Assessment and Monitoring**

6.1 The operation of this policy will be monitored for its impact on different staff groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

7. **Data Protection Act 1998**

7.1 In implementing this policy, the Council will ensure that any personal data relation to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998.
Becoming a Parent?

Maternity, Paternity and Adoption Policy

Revised October 2017
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1. Introduction

1.1 This document sets out to explain your entitlements. It is a general guide and cannot cover all eventualities. For confirmation of your entitlement and further guidance, please contact the Human Resources Section who will be pleased to help.

1.2 Employee’s entitlements to adoption leave and associated procedures are mainly the same as those for maternity leave however for ease of reference it has been kept separate within this document.

2. Glossary of Terms

2.1 The following terms are used frequently throughout this policy:

**EWC (Expected Week of Childbirth):** This is the week in which your baby is due. A week runs from Sunday to Saturday so, if your baby is due on a Wednesday, your EWC starts on the Sunday before.

**MPP (Maternity Pay Period):** The 39 week period for which Statutory Maternity Pay (SMP) is payable.

**OML (Ordinary Maternity Leave):** The first 26 weeks of maternity leave, available to all employees, regardless of length of service, who comply with the notification requirements.

**AML (Additional Maternity Leave):** The Additional Maternity Leave follows on immediately after the 26 weeks Ordinary Maternity Leave period and lasts for 26 weeks. This is also available to all employees and we will assume that you are taking this leave unless you notify us to the contrary.

**OPL (Ordinary Paternity Leave):** Up to two weeks leave taken consecutively within eight weeks of the birth of the child.

**SPL (Shared Parental Leave):** Mothers will be able to end their maternity leave early and share up to 50 weeks' untaken leave and 37 weeks' unclaimed pay with their partner. **QW (Qualifying Week):** The 15th week before the expected week of childbirth

**MAT B1 maternity certificate:** This gives the date the baby is due. It is signed by a doctor or midwife and issued after the 20th week of pregnancy.

**SMP (Statutory Maternity Pay):** This is how much you are entitled to be paid during the Maternity Pay Period (MPP). This payment is subject to qualifying criteria - see section 5.

**SPP (Statutory Paternity Pay):** This is how much you are entitled to be paid during the Paternity Pay Period. This payment is subject to qualifying criteria - see section 8.

**OAL (Ordinary Adoption Leave):** The first 26 weeks of adoption leave, available to all employees, regardless of length of service, who comply with the notification requirements.
**AAL (Additional Adoption Leave):** The Additional Adoption Leave follows on immediately after the 26 weeks Ordinary Adoption Leave period and lasts for 26 weeks. This is also available to all employees and we will assume that you are taking this leave unless you notify us to the contrary.

**SAP (Statutory Adoption Pay):** This is how much you are entitled to be paid during the adoption leave period. This payment is subject to qualifying criteria - see section 11.

**Week’s Pay:** Is the normal amount payable under the Contract of Employment for working the normal hours per week. Where there are no normal working hours it is the average earnings over the previous 12 weeks.

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<td><strong>3.1</strong> It is important that you advise your manager as soon as possible that you are pregnant as there are health and safety considerations for the council.</td>
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<td><strong>3.2</strong> Your Health and Safety at work</td>
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<td>The council wishes to provide a healthy working environment for all its employees and want you to take care of yourself and your baby. Advising your manager as soon as possible that you are pregnant will enable him/her to carry out a risk assessment and ensure that your health and that of your unborn child is not at risk.</td>
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<td>Risks may include physical conditions of work such as handling loads, extremes of cold or heat, travelling, excessive use of visual display equipment etc.</td>
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<td>If you do have any concerns about your health at work during your pregnancy, please contact your manager who in liaison with Human Resources will arrange a referral to Occupational Health.</td>
</tr>
<tr>
<td><strong>3.3</strong> Ante–Natal Care</td>
</tr>
<tr>
<td>You are entitled to take reasonable paid time off work to attend appointments resulting from your pregnancy. This includes relaxation, exercise and parent-craft classes where the appointment has been made on the advice of your doctor, registered midwife or registered health visitor.</td>
</tr>
<tr>
<td>You may be required to provide evidence of appointments as well as the advice regarding the need to attend.</td>
</tr>
<tr>
<td>You should give your line manager as much notice as possible of antenatal appointments and, wherever possible, try to arrange them as near to the start or end of the working day.</td>
</tr>
<tr>
<td>Prospective fathers also have the right to time off (unpaid) to attend up to 2 antenatal appointments (see 8.1).</td>
</tr>
<tr>
<td><strong>3.4</strong> Sickness absence</td>
</tr>
<tr>
<td>If you are absent from work during pregnancy owing to sickness, you will receive normal statutory or contractual sick pay in the same manner as you would during any other sickness absence provided that you have not yet begun OML. If, however, you</td>
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are absent from work due to a pregnancy-related illness after the beginning of the fourth week before the EWC, your maternity leave will start automatically.

4. Maternity Leave

4.1 Notification of Maternity Leave

You will need to give formal notice of your intention to take maternity leave no later than the end of the 15th week before the EWC.

The ‘Maternity Leave Notification Form’ (available on the intranet or from Human Resources) has been designed to assist you with applying for maternity leave. The completed form should be sent to the Human Resource Section with the original form MAT B1.

We will write to you within 28 days of receipt of the initial notification to inform you of when your maternity payments (subject to entitlement - see section 5) will come to an end and the date that you are expected to return if you intend to take your full 52 weeks entitlement to maternity leave.

If it is not possible for you to give notice by the end of the QW, for example, if your baby is born before this date, please give as much notice as possible.

4.2 Maternity Leave

Providing that you have complied with the notification procedures you will be entitled to 26 weeks ordinary maternity leave and 26 weeks additional maternity leave. Additional maternity leave begins on the day after ordinary maternity leave ends.

Maternity leave will start on the day you have chosen, provided it is not before the 11th week before the EWC. However if either of the following events occur, your maternity leave and MPP will start automatically:

- Your baby is born before you have started your maternity leave. In this case, your maternity leave and MPP will start the day after the birth of your child;
- You are absent from work for a pregnancy related reason in the four weeks before your EWC (and you have not already started your maternity leave). In this case, your maternity leave and MPP will start the day after your pregnancy-related absence began.

You are entitled to change the date you want to start your maternity leave and MPP provided you give notice of the new date in writing. Notice must be given at least 28 days before the date you were originally going to start your maternity leave or the new date, whichever is earlier.

4.3 Terms and Conditions during Maternity Leave

During both ordinary and additional maternity leave you are entitled to the benefit of – and are bound by - all the terms and conditions of employment that would have applied but for your absence, with the exception of salary and other remuneration.

Although not entitled to normal salary during your maternity leave you may qualify for Maternity Pay which will be determined by your length of service and level of earnings.
You will continue to accrue annual holiday and bank holiday entitlement throughout the period of your maternity leave.

4.4 Compulsory Maternity Leave

You will not be able to return to work for a period of two weeks commencing on the date of childbirth; It is a criminal offence for an employer to permit or require a woman to do so.

5. Entitlement to Maternity Pay

5.1 Your entitlement to Maternity Pay is dependent on your length of service, and for ease of reference the remainder of part 5 is divided into sections.

These qualifying periods can be confusing – please contact Human Resources if you require further clarification.

5.2 Employees with less than 26 weeks local government service from the commencement of employment date up to and including the qualifying week (the 15th week before the EWC)

**Maternity Payments:** To get Statutory Maternity Pay (SMP) you must have been employed in Local Government continuously for at least 26 weeks continuing into the 15th week before the expected week of child birth. Because of your length of service, you will not qualify for SMP. You will however be given a SMP1 by the Human Resources team so that you can claim Maternity Allowance from Jobcentre Plus. You can find more information about Maternity Allowance in Leaflet NI17A - A guide to Maternity Benefits at [www.gov.uk/government/publications/maternitybenefits-technical-guidance](http://www.gov.uk/government/publications/maternitybenefits-technical-guidance).

5.3 Employees with more than 26 weeks service by the end of the 15th week before the EWC but less than one year continuous service by the beginning of the 11th week before the EWC.

**Maternity Payments:**

Weeks 1 to 6 - provided that your average earnings in the 8 weeks ending with the 15th week before the EWC were equal to the lower earnings limit for national insurance, you will be entitled to SMP, which will be 6 weeks at 9/10 pay.

Weeks 7 to 39 – for the remaining 33 weeks you will receive SMP at the prescribed rate, (or 9/10 if this is less), please contact Human Resources for details of the current rate.

5.4 Employees with 1 year’s continuous local government service at the 11th week before the EWC.

**Maternity Payments:**

Weeks 1 to 6 - provided that your average earnings in the 8 weeks ending with the 15th week before the EWC were equal to the lower earnings limit for national insurance you will be entitled to SMP, which will be: 6 weeks at 9/10 pay.

Weeks 7 to 18 - if you have declared in writing that you intend to return to work in local government (not just your current authority) employment for at least 3 months after the end of your maternity leave you will receive half of a week’s pay plus SMP at the prescribed rate (contact Human Resources for details of the current rate). **NB if this...**
combined payment exceeds your normal pay then the payment will be restricted to full pay. If you are not intending to return, payment will be restricted to your SMP entitlement as described in section 5.2.

Weeks 19 to 39 - for the remaining 21 weeks you will receive your SMP entitlement at the prescribed rate.

Please note: You may be required to refund any salary paid to you by Wyre Council if you fail without good cause to return to local authority employment for a period of at least three months after the end of the maternity leave period.

5.5 Your entitlement to SMP ceases if after the baby is born:

- you start work during your MPP for an employer who did not employ you in the qualifying week or
- you are taken into legal custody at any time during the MPP.

You will need to inform Human Resources immediately if you cease to become eligible for SMP.

If you come back to work at any time when you are receiving SMP you will lose that whole week’s SMP.

5.6 The NJC for Local Government Services terms and conditions detail the Occupational Maternity Scheme, which is reflected in this guide.

5.7 Local Government Pension Scheme: - Your position under the Local Government Pension Scheme is explained in Appendix 1.

6. Contact during Maternity Leave

6.1 We may make reasonable contact with you (and you with us) while you are on maternity leave, as you may wish to know about any changes at work, job vacancies, training, and other work or social events that you may wish to attend.

6.2 Keeping in Touch Days (KIT days)

During maternity leave you can do up to 10 days’ work under your contract of employment, this is to allow you to "keep in touch" with the workplace. This may include staff meetings, training or any activity aimed at keeping in touch. Any work carried out on a day constitutes one day's work. This means that if you come in for a one-hour management meeting, this will count as one of the 10 days available.

The Council cannot insist that you carry out any work and you are protected from suffering a detriment for refusing to do so. Equally, you cannot insist on being given any work to do.

A keeping-in-touch day under this provision must not take place during the two-week period of compulsory maternity leave.
You will be paid for any hours work undertaken on KIT day in line with your contracted rate of pay. The combined entitlement to pay and maternity payment must not exceed the contracted rate of pay for that day.

7. **Returning to Work**

7.1 It will be assumed that you will be returning to work at the end of your additional maternity leave. If you are unable to attend work at the end of your maternity leave due to sickness or injury, the Council's normal arrangements for sickness absence will apply.

If you wish to return earlier than the expected return date you must give the Council at least 8 weeks' notice of your date of return, in writing.

If you decide not to return to work after your maternity leave you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment.

7.2 **Rights On and After Return to Work**

If you take ordinary maternity leave, you are entitled to return to the same job. If you take longer than the ordinary maternity leave and it is not reasonably practicable for you to return to the same job, you will be offered an alternative position on no less favourable terms and conditions.

If you worked full-time prior to your maternity leave there is no automatic right to return to work on a part-time basis or to make other changes to your working patterns. However, all requests for part-time work or other flexible working arrangements will be considered in line with the operational requirements of the Council. If you would like this option to be considered, you should write to your line manager setting out your proposals as soon as possible before your return date, so that there is adequate time for full consideration of the request. The procedure for dealing with such requests is set out in the Council’s policy on flexible working.

7.3 **Return to work interview**

All line managers will be required to conduct a return to work interview on the officer’s return so as to ensure that they are up to date with all changes, understand their entitlements and are clear on what is expected of them.

8. **Paternity Leave**

8.1 **Time off for Antenatal Appointments**

New rights introduced from 1 October 2014 enable prospective fathers or a mother’s partner to take unpaid time off to attend up to 2 antenatal appointments.

8.2 **Ordinary Paternity Leave (OPL)**

To qualify for OPL you must:

- Have 26 weeks continuous service by the end of the 15th week before the EWC;
- Be the father, or married to or the partner or civil partner of the child’s mother;
- Expect to have responsibility for the upbringing of the child; and
Take the leave for the specific purpose of caring for a newborn-child and supporting the mother (or for the purpose of caring for a child newly-placed for adoption and supporting the adoptive parent).

8.2.1 Entitlement

Qualifying employees are entitled to take up to two weeks leave. Paternity leave must be taken within eight weeks of the birth (or adoption) of the child as either a one or two week block, odd days and weeks that are not consecutive cannot be taken.

If the child is born early, it must be taken from the time of the birth but within eight weeks of the expected date of childbirth. Ordinary paternity leave can start either from the date the child is born or placed for adoption or from a chosen number of days or weeks after that date.

Only one period of leave is provided per pregnancy. Therefore, if your partner gives birth to twins the entitlement will still only be two weeks’ leave.

8.2.2 Paternity Payments

Paternity leave will be paid as follows:

- Week 1: a week's full pay offset against payments made by way of Statutory Paternity Pay (SPP)
- Week 2: you will receive your SPP entitlement, provided that your average earnings in the 8 weeks ending with the 15th week before the EWC were equal to the lower earnings limit for national insurance. Please contact Human Resources for details of the current rate.

See section 9 - Maternity Support Leave if you think you may not qualify for Paternity Payment.

8.2.3 Notification

Wyre Council will require the following information:

- The EWC and, (or if the baby is born early), the date of the child’s birth.
- The length of the leave requested.
- The date the leave is intended to start.
- A declaration that you are in an enduring relationship with the mother, will be responsible for the child’s upbringing and will be taking time off to support the child’s mother or care for the child.

At the very least you must give the following information to Wyre Council by the end of the 15th week before the EWC:

- The EWC.
- The length of the leave requested.
- The date the leave will start.

The ‘Paternity/Maternity Support Leave Form’ (available on the intranet or from Human Resources) has been designed to assist you with applying for leave. The
completed form should be sent to the Human Resource team with a copy of the mother’s form MAT B1.

You may change your mind provided 28 days’ notice is given.

9. **Maternity Support Leave**

9.1 **Entitlement**

If your wife or partner is pregnant or you are the nominated carer of an expectant mother, under the Local Government Conditions, you are entitled to 5 days paid leave at or around the time of the birth. This is irrespective of length of service.

A nominated carer is the person nominated by the mother as their primary provider of support.

The ‘**Paternity / Maternity Support Leave Form**’ (available on the intranet or from Human Resources) has been designed to assist you with applying for leave. The completed form should be sent to the Human Resource team with a copy of the mother’s form MAT B1.

**NB** - It is not intended to pay maternity support leave in addition to the paid paternity leave nor is there a facility for there to be more than one nominated carer.

e.g. If a father and a grandparent were employed by the authority and the father intends to claim paternity / maternity support leave there is no requirement for an additional nominated carer and the grandparent would have no entitlement.

10. **Shared Parental Leave**

Full details of shared parental leave including eligibility and the notification process are set out in a separate document – the “**Shared Parental Leave and Notification Procedures**” available from Human Resources or the Intranet.

10.1 **Main elements of shared parental leave**

- Under the new provisions mothers are able to switch part of their statutory maternity leave and pay into shared parental leave and shared parental pay provided both parents satisfy the eligibility requirements.
- In the 52 week period there will be two weeks’ compulsory maternity leave which the mother must take and then eligible parents are able to share the remaining maternity leave and pay between themselves.
- Fathers are still entitled to two weeks basic paternity leave.
- Employees who have taken shared parental leave have the right to return to the same job if the total leave taken is 26 weeks or less in aggregate, even if the leave is taken in discontinuous blocks.
- Any subsequent leave will attract the right to return to the same job, or if that is not reasonably practicable, a similar job.
- It is up to the parents how they share the parental leave – they could take it in turns or take time off together, provided they take no more than 52 weeks of this leave, combined in total.
10.2 Qualifying for shared parental leave

Shared parental leave applies only to employees with a working partner (employed or self-employed) as long as both of them both meet the qualifying conditions. If the mother does not qualify for maternity leave or maternity allowance, her partner will not be eligible for shared parental leave and pay. Details of the eligibility criteria are set out in the “Shared Parental Leave and Notification Procedures”.

10.3 Notification requirements

The notification procedures are quite complex as the mother has to give written notice to end her maternity leave before starting the shared parental leave.

The mother must give at least eight weeks written notice to end her maternity leave (in order to start shared parental leave). The notice is binding and can be given before or after the birth.

Please see the “Shared Parental Leave and Notification Procedures” and contact Human Resources if you have any queries.

10.4 Keeping in touch (KIT) days

Each parent has the right to have up to 20 Keeping in touch (KIT) days during shared parental leave. This is in addition to the ten days allowed during maternity leave.

10.5 Shared Parental Pay

The amount of statutory shared parental pay that is available for the parents to share is 39 weeks, minus the amount of statutory maternity pay or maternity allowance taken by the mother. The mother cannot curtail her maternity leave and pay until the end of the compulsory maternity leave period (two weeks), so the maximum amount of shared parental pay available is 37 weeks. Similar provisions apply for parents taking shared parental leave in an adoption situation.

For example, if the mother takes maternity leave for 30 weeks, then the father takes a period of shared parental leave of 12 weeks, then the mother takes a period of shared parental leave of 10 weeks; the mother would be paid statutory maternity pay for 30 weeks and the father would be paid statutory shared parental pay for the first nine weeks of his leave period (provided that they meet all the relevant eligibility requirements).

Statutory shared parental pay will be paid at a flat rate for all 39 weeks.

Fathers will still be entitled to two weeks basic paternity pay.

10.6 Possible shared parental leave arrangements

Examples of how parents could share the parental leave are as follows:

- The mother could take the first eight months, with the father taking the remaining eight months.
- The mother could return to work for a period in the middle of the year with the father looking after the child for that time.
- The parents could both stay at home together with the child for up to six months.
11. Adoption Leave and Pay

11.1 Introduction

Prospective adoptive parents are entitled to take time off for the purpose of having contact with the child or for any other purpose connected with the adoption.

If you adopt a child through an approved adoption agency you are entitled to up to 52 weeks’ adoption leave. Your entitlement is to take up to 26 weeks’ ordinary adoption leave followed immediately by up to 26 weeks’ additional adoption leave.

All employees who take adoption leave have the right to return to work at any time during either ordinary adoption leave (OAL) or additional adoption leave (AAL) subject to their following the correct notification procedures as set out below.

Adoption leave entitlement applies to one adoptive parent the other adoptive parent will be entitled to take paternity leave as set out in section 9 of this document.

11.2 Entitlement to Adoption Pay

If you have at least 26 weeks’ continuous service calculated as at the week in which notification of matching is given by the adoption agency you will qualify for statutory adoption pay (SAP) provided that your average weekly earnings are not less than the lower earnings limit for national insurance contributions.

Statutory adoption pay is in line with Statutory Maternity Pay and is at 9/10 of your average weekly earnings for the first six weeks followed by the a further 33 weeks at the prescribed rate set by the Government for the relevant tax year, or at 9/10 of your average weekly earnings if this is less.

11.3 If you have at least 1 year’s continuous service as at the week in which notification of matching is given are entitled to adoption payments as follows:

Weeks 1-6 - 9/10 of a weeks’ pay

Weeks 7-18 – if you have declared in writing that you intend to return to work in local government employment for at least 3 months after the end of your adoption leave you will receive half a week’s pay plus SAP at the prescribed rate. NB if this combined payment exceeds your normal pay then the payment will be restricted to full pay. If you are not intending to return, payment will be restricted to your SAP entitlement as described in 12.2.

Weeks 19-39 – for the remaining 21 weeks you will receive your SAP entitlement at the prescribed rate.

Please note you will be required to refund any salary paid to you by Wyre Council if you fail without good cause to return to local authority employment for a period of at least three months after the end of the maternity leave period.

11.4 You will lose your right to Statutory Adoption Pay if at any time during the Adoption Pay Period:

- You start working for another employer, or
- You are taken into legal custody.
11.5 Local Government Pension Scheme – your position under the Local Government Pension Scheme is explained in Appendix 1.

11.6 Timing and Notification of Adoption Leave

Adoption leave can start on the day the child is placed for adoption, or up to 14 days earlier.

You are encouraged to discuss the timing of your adoption leave as early as possible with your line manager.

11.7 Notice Requirements

In order to be entitled to take adoption leave and receive statutory adoption pay, you are required to give the Council written notification of your intention to take adoption leave no later than 7 days after the date on which notification of the match with the child was provided by the adoption agency. Notification of leave must be made in writing using the Adoption Leave Notification Form available on the intranet and must include the date the child is expected to be placed with you for adoption and the date you intend your leave to start.

The completed form should be sent to the Human Resources section with a copy of the matching certificate from the adoption agency.

Human Resources will write to you within 28 days of receipt of your notification to confirm the date you are expected to return to work if you intend to take your full 52 weeks’ entitlement.

You are entitled to change the date you want to start your adoption leave provided you give notice of at least 28 days before the date you were originally going to start your leave or the new date whichever is earlier.

11.8 Rights during Adoption Leave

During your adoption leave all terms and conditions of employment will continue with the exception of salary and other remuneration.

You will continue to accrue annual holiday and bank holiday entitlement throughout the period.

11.9 Contact during Adoption Leave

Provisions regarding contact and Keeping in Touch Days (KIT) for employees on adoption leave are the same as for those on maternity leave and are set out in section 5 of this document.

11.10 Returning to Work after Adoption Leave

Provisions regarding returning to work after adoption leave are the same as for those returning to work after maternity leave and are set out in section 6 of this document.
11.11 **Transfer of Adoption Leave**

Provisions regarding the transfer of any untaken adoption leave if you propose to return to work early without using your full 52 week entitlement are the same as for those on maternity leave and are set out in section 10 of this document.

12. **Fertility Treatment**

12.1 Employees undergoing fertility treatment will be allowed time off for consultants’ appointments and actual treatment. Partners of those undergoing treatment are allowed the time if they are undergoing treatment themselves and/or it is essential for the success of the treatment that they attend. Appointments where they are attending as support for their partner will need to be taken as flexi or annual leave.

If employees are not fit to attend work following treatment this would be treated as sickness absence and therefore counts towards sickness absence triggers.

In situations where treatment is unsuccessful and employees elect to undergo repeated treatment, this arrangement would need to be reviewed.

13. **Equality Impact Assessment and Monitoring**

13.1 The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

14. **Data Protection Act 1998**

14.1 In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998.
Local Government Pension Scheme

What happens if I am on maternity, adoption or paternity leave or shared parental leave?

During any period of relevant child related leave the pensionable pay figure used to work out your pension is your assumed pensionable pay. Using your assumed pensionable pay (where this is higher than your actual pensionable pay received), rather than the amount of pensionable pay you actually receive when on relevant child related leave, means that you will continue to build up a pension in the section of the LGPS you are in, as if you were working normally and receiving pay.

You will continue to pay your basic LGPS contributions on any pay that you receive while you are off on relevant child related leave.

If you are in the 50/50 section and go onto no pay during ordinary maternity, paternity or adoption leave you will automatically be moved to the main section of the scheme from the beginning of the next pay period. This means from that point forward you will build up full pension benefits in the LGPS even though you are not paying pension contributions. However, any period of unpaid additional maternity or adoption leave or unpaid shared parental leave will not count for pension purposes unless you elect to pay Additional Pension Contributions (APCs) to purchase the amount of pension lost during that period of unpaid absence.

The amount of pension lost is calculated as the appropriate fraction of your lost pensionable pay for that period of absence (i.e. 1/49th of your lost pensionable pay if you were in the main section of the scheme or 1/98th if you were in the 50/50 section).

If you wish to purchase the amount of lost pension and make the election within 30 days of returning to work (or such longer period as your employer allows) then the cost of the APC is split between you and your employer. You will pay one-third of the cost and your employer will pay the rest. This is known as a Shared Cost Additional Pension Contract (SCAPC). You can pay these additional contributions in a one-off lump sum or through regular payments from your wages.

The maximum period of absence you can elect to buy back by a SCAPC is a period of 3 years.

You can obtain a quote and print off an application form to buy lost pension at www.lgpsmember.org

If you have membership of the LGPS before 1 April 2014 you will have built up benefits in the final salary scheme. If you choose to pay for the lost pension in the scheme the amount you pay will go towards covering the protections associated with the pre 1 April 2014 membership.

If you have Keep in Touch (KIT) day(s) or Shared Parental Leave in Touch (SPLIT) day(s) during a period of unpaid additional maternity or adoption leave or unpaid shared parental leave
you will build up a pension (based on the section of the scheme you are in) for the day(s) you are paid.

You can contact Your Pension Service for further information on paying Additional Pension Contributions.

Please use the ‘Local Government Superannuation Regulations-Notification of Maternity Leave’ form available on the Intranet or from the Human Resources Section.

The Human Resources Section will give you further details.
Safeguarding Adults Policy

Reviewed October 2017
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1. **Policy Statement**

1.1 Wyre Council is committed to safeguarding and promoting the welfare of vulnerable adults and to delivering services that promote good practice.

1.2 The welfare of the vulnerable adult is paramount and is always the primary concern of the Council who recognise the need to ensure the welfare of vulnerable adults whatever their age, gender, sexual orientation, race, religion or belief, gender reassignment, disability, culture or circumstance.

1.3 The Council is committed to the following principles and actions:

- The Council will ensure that a protective safeguarding culture is in place and is actively promoted within the Council and will work together with other agencies to safeguard vulnerable adults.

- The Council will implement procedures to safeguard vulnerable adults and take all reasonable steps to protect them from harm, discrimination and to respect their rights, wishes and feelings.

- All employees of Wyre Council who work with vulnerable adults will be recruited with regard to their suitability for that responsibility. Employees who have substantial access to vulnerable adults are subject to an enhanced Disclosure Barring Service (DBS) check prior to appointment, which includes a check against the vetting and barring scheme in line with the Safeguarding Vulnerable Groups Act 2006.

- All employees/volunteers will be required to adopt and abide by this policy and procedures there in and will be provided with supervision, guidance and/or training in good practice and reporting procedures to ensure that they are properly equipped to:
  - identify where there may be a problem
  - know how to obtain advice
  - refer concerns to relevant specialists

- All employees have a responsibility to report concerns of suspected abuse or poor practice and the Council will provide designated points of contact to deal with such reports.

- Council employees are expected to work in an open and transparent way avoiding any conduct that may cause a reasonable person to question their motives and intentions.

- The Council will promote good practice that encourages a safe environment, protects all parties and avoids mistaken allegations of abuse.

- The Council will take all incidents of poor practice and allegations or suspicions of abuse seriously and these will be responded to swiftly and appropriately.

- The Council will respond promptly to suspicions or allegations involving employees and appropriate disciplinary and appeals procedures will be implemented.

- Confidentiality shall be upheld in line with current data protection and human rights legislation.

2. **Introduction**

2.1 The Care Act became law on the 14th May 2014. The Act creates a single law for adult care and support, replacing more than a dozen different pieces of legislation.
2.2 The Act introduces new duties and requirements of local authorities in a number of areas, including Safeguarding Adults.

2.3 The Safeguarding duties apply to an adult who:

- Has needs for care and support (whether or not the local authority is meeting any of those needs); and
- Is experiencing, or at risk of, Abuse or Neglect; and
- As a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of Abuse or Neglect.

3. Who does the policy apply to?

3.1 The policy applies to Members, employees, volunteers, contractors and everyone working on behalf of or representing the Council. For the purpose of this policy the term “employee” relates to any person paid or unpaid working on behalf of the Council.

4. Principles

4.1 This policy is based on the following principles that all adults have the right to:

- Live their lives free from fear, violence, harassment, humiliation, degradation, abuse and neglect;
- Be safeguarded from harm and exploitation;
- Be treated with dignity and respect, protected from mistreatment and abuse;
- Live an independent lifestyle and to make choices, even if some of those choices involve a degree of risk.

5. Identifying Abuse

5.1 Some adults (aged 18 and over) due to age, disability, illness or lifestyle may not be able to protect themselves against significant harm or exploitation.

5.2 Abuse occurs when someone’s human and civil rights are violated by someone else which may result in significant harm to, or the exploitation of the person subjected to it.

5.3 Abuse may consist of a single act or repeated acts;
- It may be physical, verbal, psychological or emotional;
- It may be an act of neglect or an omission to act;
- It may occur when a person is persuaded to enter into a financial or sexual transaction to which they had not consented, or cannot consent;
- Abuse may be deliberate or unintentional or result from lack of knowledge.

5.4 Anyone can abuse, often it can be the person you least expect, such as:

- Spouse/partner.
- Carers and care worker.
- Family member/relative.
- Friend.
- Neighbour.
- Volunteer helper.
- Someone not known to the person.
5.5 An abusive relationship often includes the misuse of power by one person over another and is most likely to take place in situations where either one person is dependent on another for their physical care or due to power relationships in society e.g. between a professional worker and a service user, a man and a woman and a person belonging to the dominant race / culture and a person belonging to an ethnic minority.

5.6 Things to look out for:
- Possible changes in the person’s behaviour or mood/personality.
- Unexplained injury or a series of injuries.
- Signs of fear or distress.
- Signs of neglect.
- Theft, fraud or unexplained financial worries.

6. Different Types of Abuse

6.1 Abuse can take many forms, including the following:

**Physical abuse** such as hitting, pushing, pinching, shaking, misusing medication, withholding food or drink, force-feeding, scalding, restraint and hair pulling, failing to provide physical care and aids to living, prolonged exposure to heat or cold.

**Sexual abuse** such as rape, sexual assault or sexual acts to which the person has not or could not have consented, or pressurising someone into sexual acts they don’t understand or feel powerless to refuse.

**Psychological or emotional abuse** such as threats of harm or abandonment, being deprived of contact with others, humiliation, blaming, controlling, intimidation, harassment, verbal abuse and being prevented from receiving services or support.

**Financial or material abuse** such as theft, targeted scams, fraud or exploitation, pressure in connection with wills, property, or inheritance, misuse of property, possessions or benefits.

**Neglect or Acts of Omission** such as ignoring medical or physical care needs; or preventing access to health, care or educational services or withholding the necessities of life such as food, drink and heating; or failing to ensure adequate supervision which exposes a person to unacceptable risk.

**Self Neglect** such as neglecting to care for one’s personal hygiene, health or surroundings, includes behavior such as hoarding.

**Discriminatory abuse** such as that based on race or sexuality or, harassment, slurs or maltreatment because of someone’s race, gender, disability, age, faith, culture or sexual orientation.

**Organisational or Institutional abuse** can sometimes happen in day services residential homes, nursing homes or hospitals when people are mistreated because of poor or inadequate care or neglect and poor practice that affects the whole of that service.

7. Domestic Violence

7.1 The official Government definition of domestic violence and abuse is:

*Any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. This can encompass but is not limited to the following types of abuse:*
• Psychological
• Physical
• Sexual
• Financial
• Emotional

Controlling behaviour is: a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

Coercive behaviour is: an act or pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten their victim.”

7.2 This definition includes honour based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

7.3 The majority of domestic abuse is committed by men towards women. It can also involve men being abused by their female partners, abuse in same sex relationships, and by young people towards other family members, as well as the abuse of older people in families. Domestic abuse occurs irrespective of social class, racial, ethnic, cultural, religious or sexual relationships or identity.

8. Modern Slavery/Human Trafficking

8.1 Modern Slavery encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

8.2 Human trafficking is the movement of a person from one place to another, using methods of deception, coercion, the abuse of power or of someone’s vulnerability and for the purposes of exploitation. It is possible to be a victim of trafficking even if their consent has been given to being moved. Human trafficking may occur across international borders or take place within one country.

8.3 According to the National Crime agency, there are three main elements:

1. The movement: recruitment, transportation, transfer, harbouring or receipt of people;
2. The control: threat, use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or the giving of payments or benefits to a person in control of the victim;
3. The purpose: exploitation of a person, which includes prostitution and other sexual exploitation, forced labour, slavery or similar practices, and the removal of organs.

9. Prevent

9.1 The Counter Terrorism and Security Act came into force on 1 July 2015 which placed duties on local authorities to have due regard to the need to safeguard and PREVENT people from being drawn into terrorism.

9.2 Prevent Strategy

Prevent is a Government strategy led by the Home Office and focuses on working with individuals and communities who may be vulnerable to the threat of violent extremism and terrorism. Supporting vulnerable individuals and reducing the threat from violent extremism in local communities is priority for statutory partners and their partners.
9.3 **Channel**

Channel is a multi-agency safeguarding programme run in every local authority in England and Wales. It works to support vulnerable people from being drawn into terrorism and provides a range of support such as mentoring, counselling, assistance with employment etc. Channel is about early intervention to protect vulnerable people from being drawn into committing terrorist-related activity and addresses all types of extremism.

9.4 Any member of staff who identifies concerns, for example as a result of observed behaviour or reports of conversations to suggest the person supports terrorism and/or extremism, must report these concerns to the Lead Designated Officer, who will consider what further action is required.

9.5 If staff have any concerns about someone and would like more advice ring 101/999 if urgent, if not then email concern@lancashire.pnn.police.uk.

Additional contact details available in section 14.

9.6 The Prevent Referral Form is available on Brian.

10. **Where does abuse take place?**

10.1 Abuse can take place anywhere, including:

- In the person's own home
- In the homes of their family or friends
- In public places / the community
- Place of work
- Colleges of further education
- In hospitals, G.P surgeries, or other health centres
- Care settings
- Police station.

10.2 Abuse may result from a deliberate intention to cause harm but may also occur where a provider of care lacks the necessary knowledge or skills to respond to the individual's needs.

11. **How to Protect Vulnerable Adults**

11.1 It is not the responsibility of employees to decide that abuse is occurring, but it is their responsibility to act on any concerns by reporting any suspicions they have.

11.2 Everyone has a responsibility to ensure action is taken to deal with any concerns about the abuse of a vulnerable adult. Every reported incident of abuse, or suspected abuse, must be taken seriously and the appropriate action taken.

11.3 **What to do if you are worried about a vulnerable adult**

Staff members should follow the procedure shown on Appendix A.

- **In an emergency, where there is a serious or immediate threat to a vulnerable adult:** call 999.

- **Not an emergency, in work hours:** contact your line manager and complete the Vulnerable Adult Incident Reporting Form (Appendix B). This form should always be completed as soon as possible after disclosure, incidents or concerns. To ensure that
information is as accurate and helpful as possible, a detailed record should always be made at the time of disclosure/incident or concern.

Following initial discussion with your manager, concerns should be reported to Adult Social Care Services on 0300 123 6721. They have the lead responsibility in safeguarding adults who may be at risk and will determine what action to take next.

- **Not an emergency, outside work hours or if line manager not available**: Contact Adult Social Care Services on 0300 123 6721 or Lancashire Police on 0845 1 25 35 45.

  Staff should inform their line manager at the earliest opportunity and complete the Vulnerable Adult Incident Reporting Form.

11.4 As a general rule contact should be made within 24 hours of the allegation, from when abuse or neglect has been witnessed or suspected.

11.5 A preliminary risk assessment should be made by the staff member and line manager. The main objective should always be to act in the adult’s ‘best interests’ and to prevent further harm. The following should be considered when assessing risk:-

- Is the adult at risk still in the place where the suspected/alleged abuse happened?
- Is the adult about to return to the place where the suspected/alleged abuse happened?
- When will the alleged perpetrator(s) next have access to the adult or others who might be at risk?

And

- What degree of harm is likely to be suffered if the alleged perpetrator is able to come into contact with the adult or others again?

11.6 When speaking to the Adult Social Care Services, Council employees should:

- give their name and details of their role within the Council.
- obtain and record the social worker’s name and the time the call was made.
- explain their concerns, giving as much clear and concise information as possible, based on their professional judgement.

11.7 The social worker will assess the situation and if required initiate the appropriate procedures to protect the vulnerable adult.

11.8 Once the incident has been reported any associated paperwork including the Vulnerable Adult Incident Reporting Form should be given to the Lead Designated Officer for secure storage in line with Data Protection legislation.

11.9 **What to do if someone tells you that they are being abused**

You must:

- Stay calm and try not to show shock or disbelief;
- Listen carefully to what is being said;
- Do not ask detailed or probing questions.

What do you tell the vulnerable person who discloses abuse?

- They were right to tell you;
- The information is being treated seriously;
- It was not their fault
- Give them information about the steps that will be taken, including any emergency action to address their immediate safety, health and well-being.
Do not:

- Stop someone who is freely recalling significant events, as they may not tell anyone again;
- Promise to keep secrets, instead explain the information will only be passed to those who “need to know”;
- Make promises that you cannot keep, such as “this will not happen to you again”;
- Contact the alleged perpetrator or anyone who might be in touch with them;
- Be judgmental, e.g. “why did you not tell them to stop and go away”;
- Tell anybody who does not need to know, i.e. gossip.

12. Allegations of abuse against employees

12.1 If an allegation of abuse is made against an employee, the Head of Business Support must be informed immediately. They will inform the relevant Director and consideration will be given to suspending the employee from work or moving them to alternative duties not involving contact with vulnerable adults – in accordance with the Council’s Disciplinary Policy and Procedure.

12.2 If it is necessary to conduct an investigation into events surrounding the complaint, this will be conducted in liaison with Adult Social Services and in accordance with the Disciplinary Policy and Procedure.

12.3 The consideration of suspension in such circumstances does not imply guilt but is a neutral course of action, which is designed to ensure that both employees and complainants are protected during the investigation.

12.4 The details of the safeguarding allegation should not be discussed with them until the multi-agency strategy for investigation has been agreed. This is because the police may decide to lead the safeguarding investigation, and any discussion which takes place prior to police interview may result in contamination of evidence.

12.5 Externally conducted investigations, e.g. police investigation, will normally take precedence over any internal investigations.

12.6 The alleged perpetrator will be considered innocent unless proven otherwise. Suspension offers protection for them as well as the alleged victim and other service users, and enables a full and fair investigation to take place.

13. Confiden
tiality

13.1 Personal information about service users held by professionals is confidential and should not normally be disclosed without the consent of the person involved. The law does however permit disclosure of confidential information without permission if it is necessary to safeguard a vulnerable adult.

13.2 Making decisions about sharing confidential information

When concerns are about abuse of vulnerable adults and there are sufficient grounds to justify sharing information on a 'need to know' basis and/or 'in the public interest', unnecessary delays in sharing that information should be avoided. Whenever possible the vulnerable adult must be consulted about information being shared on their behalf. Where they have capacity and they are not being pressured or intimidated their agreement should be sought and their refusal respected. If other vulnerable adults are at risk the 'public interest' principle may over-ride their decision.

13.3 The principles that should govern the sharing of information include: -
Confidentiality must not be confused with secrecy. Information will only be shared on a 'need to know basis' when it is in the best interests of the service user(s). Informed consent should be obtained but if it is not possible and other vulnerable adults are at risk, it may be necessary to override the requirement. It is inappropriate for partner agencies to give assurances of absolute confidentiality in cases where there are concerns about abuse, particularly in those situations when other vulnerable people may be at risk.

14. Contacts and Communication

14.1 Internal – Designated Safeguarding Officers

Lead Designated Officer
Mark Broadhurst, Service Director of Health and Wellbeing
Tel: 01253 887433 Email: mark.broadhurst@wyre.gov.uk

Designated Officers
David McArthur, Private Sector Housing and Housing Options Manager
Tel: 01253 887434 Email: david.mcarthur@wyre.gov.uk

Michele Scott, Care and Repair Manager
Tel: 01253 887540 Email: Michele.scott@wyre.gov.uk

Human Resources and Staff Issues
Liesl Hadgraft, Head of Business Support
Tel: 01253 887316 Email: liesl.hadgraft@wyre.gov.uk

Outside of office working hours 5pm – 8.30am Monday to Friday and anytime weekends and bank holidays contact the Council Duty Officer
Tel: 01253 891000.

14.2 External

Lancashire County Council Adult Social Care Services: 0300 123 6721

Prevent/Channel and Related Contacts
- Prevent/Channel Referrals, concern@lancashire.pnn.police.uk
- Lancashire Prevent Team –
  - Sgt Kathryn McIntyre, 01282 472329, 2399@lancashire.pnn.police.uk
  - Sgt Gordon McGeechan, 01282 472323, 2417@lancashire.pnn.police.uk
- Burnley Prevent Co-ordinator – Rob Grigorjevs, 01772 413029, rgrigorjevs@burnley.gov.uk
- Anti-terrorism hotline 0800 789 321

15. Equality Impact Assessment and Monitoring

15.1 The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

16 Data Protection Act 1998

16.1 In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998.
Appendix A

Safeguarding Adults Procedures for Recording and Reporting Abuse

Do you have concerns, think someone is being abused or has someone made a disclosure?

Is the person at risk in any immediate danger of further abuse?

Yes

In an Emergency Dial 999

No

Consult with your manager and complete the Vulnerable Adult Incident Reporting Form

Is Manager available and inside work hours?

Yes

Consult with your manager at the earliest opportunity and complete the Vulnerable Adult Incident Reporting Form

No

Report Concerns to Adult Social Care Services on 0300 123 6721 or online at www.lancashire.gov.uk and complete the Partner Alert Form.
Appendix B

Vulnerable Adult Incident Reporting Form
Please give as much information as possible, using extra sheets if necessary. All information will be treated in strict confidence.

Date: Time: Venue:

Name of Vulnerable Adult: D/o/B: Age:
Ethnicity:
Address:

Postcode: Telephone Number:

Address (if different from above):
Postcode: Telephone Number

Are you reporting your own concerns or passing on those of someone else? Own/Other*
Give details:

Brief description of what has promoted the concerns: include dates, times, locations etc. of any specific incidents. Please write only facts and avoid interpretation.

Any physical signs? Behavioural signs? Indirect signs?

Have you spoken to the vulnerable adult? Yes/No* If so, what was said?

Has anybody been alleged to be the abuser? Yes/No* If so, give details?

Have you consulted anybody? Yes/No* If so, give details of Police or Adult Social Care Services contact re:- Police Officer Name Badge No. Social Worker details, give dates.

Does the Vulnerable Adult have a disability? Yes/No

Your name: Position:
To whom reported: Position:
Date of reporting:

Signature: Date: Time:

This form must now be given to a Service Manager or other responsible Manager in a sealed envelope marked ‘Confidential’. REMEMBER TO MAINTAIN CONFIDENTIALITY, DO NOT DISCUSS THE MATTER WITH ANYONE OTHER THAN THOSE THAT NEED TO KNOW
Purchase of Additional Annual Leave Policy

October 2017
1. **Introduction**

1.1 As part of our continued commitment to assisting employees with their worklife balance, the Council has introduced a scheme allowing employees to purchase up to 5 days additional annual leave per annum.

1.2 The cost of purchasing annual leave is provided through salary sacrifice, which is an agreement between employees and the Council to vary their salary and benefits package under their contract of employment. Specifically, under this arrangement, employees agree to give up part of their contractual salary in return for the Council providing additional annual leave.

1.3 This scheme does not replace or restrict the discretion of line managers to grant unpaid leave in line with the Leave and Worklife Balance Policy.

2. **Principles of the scheme**

2.1 The scheme will apply to all employees who have either a permanent contract or a fixed term contract with sufficient months left to allow for full payments to within an agreed period;

2.2 To assist with the planning of resources, applications for purchasing additional annual leave should normally be made prior to the commencement of the leave year.

2.3 Any request to purchase additional annual leave is subject to Service Director approval and will be dependent upon the needs of the service. Managers have the discretion to agree to the request in full, in part or decline it altogether. Separate requests must be made for each leave year.

2.4 The maximum amount of additional annual leave available for employees to ‘purchase’ under the scheme would be 5 days (37 hours), pro rata for part-time employees;

2.5 Any additional leave granted under the scheme will be added to the employees existing entitlement and must be requested and taken in line with existing annual leave procedures.

2.6 Salary deductions will be monthly and will be calculated on an employee’s basic pay at the date of the commencement of the agreement. Additional annual leave must be paid for within 12 months;

2.7 An employee should note that by completing and submitting the request for additional annual leave form that, this form also constitutes their consent to the applicable salary deduction.

2.8 Once an application has been approved, the agreement becomes binding (but see 6.3 re. Maternity/Paternity/Adoption). Purchased leave may not be “sold back” to the Council.

2.9 The scheme cannot be accessed by an employee if the purchase of additional leave causes the hourly rate to drop below the national minimum wage.
### Cost

<table>
<thead>
<tr>
<th>3.</th>
<th>Cost</th>
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<tbody>
<tr>
<td>3.1</td>
<td>Employees agree to give up part of their contractual salary in return for the Council providing additional annual leave. Purchasing annual leave through salary sacrifice reduces basic salary, meaning a lower amount of Tax and National Insurance is paid.</td>
</tr>
<tr>
<td>3.2</td>
<td>The costs of purchasing additional annual leave are spread over a twelve, six or three month period.</td>
</tr>
<tr>
<td>3.3</td>
<td>The cost of a day’s of leave is calculated as follows:</td>
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<tr>
<td></td>
<td>- Actual annual salary / 365 x 7 / 5</td>
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<tr>
<td></td>
<td>- For the total cost multiply this by the number of days leave you are requesting.</td>
</tr>
<tr>
<td></td>
<td>- For the cost per month, divide the total cost by 12, 6 or 3 months.</td>
</tr>
<tr>
<td>3.4</td>
<td>Any additional purchased leave not taken within the given 12 month period will be subject to existing carry over arrangements.</td>
</tr>
<tr>
<td>3.5</td>
<td>It is important that any employee who is in receipt of any benefits, such as working tax credits, child tax credits, Statutory Maternity, Paternity etc. contacts the relevant body for advice on how this scheme may affect you.</td>
</tr>
<tr>
<td>3.6</td>
<td>Deductions will commence on the next available pay date following receipt of your signed/authorised application form, NOT when your additional annual leave begins.</td>
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</table>

### Process

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<tr>
<th>4.</th>
<th>Process</th>
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</thead>
<tbody>
<tr>
<td>4.1</td>
<td>Employees who wish to purchase additional leave should discuss this with their line manager initially.</td>
</tr>
<tr>
<td>4.2</td>
<td>All requests must be made in writing using the Authorised Absence Form and sent to the employee’s line manager.</td>
</tr>
<tr>
<td>4.3</td>
<td>Managers will consider all requests to purchase additional leave, within 21 days of receipt of the request, taking into account the priority of the operational needs of their business area and the potential impact that the absence could have on their team. The form should be sent to the relevant Head of Service for final authorisation.</td>
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</table>

### Leaving the Council

<table>
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<tr>
<th>5.</th>
<th>Leaving the Council</th>
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<tbody>
<tr>
<td>5.1</td>
<td>If an employee should voluntarily leave during the year still owing for purchased leave that is already taken, the amount owing for those days will be recovered from their final salary.</td>
</tr>
<tr>
<td>5.2</td>
<td>If an employee should voluntarily leave during the year, the cost of any additional leave that has been purchased but not taken will be refunded.</td>
</tr>
<tr>
<td>5.3</td>
<td>Any redundancy payment will be based on gross salary before Salary Sacrifice deductions.</td>
</tr>
</tbody>
</table>
6. **Sick Absence and Maternity/Paternity/Adoption Leave**

6.1 The ‘payments’ for additional annual leave will continue for the previously agreed period (i.e. 12, 6 or 3 months) whether or not an employee is on sick leave.

6.2 Maternity or adoption pay is calculated on the basis of the average earnings during a two month period, ending 15 weeks before the due date or date of placement. If your salary is reduced during this period as a result of purchasing additional annual, it will have an impact on the average earnings and, therefore, on how much maternity or adoption pay is payable.

6.3 Any additional leave agreement in place prior to the commencement of Maternity, Shared Parental or Adoption Leave will be reviewed and/or renegotiated as soon as a notification of intended absence is received.

6.4 It is advisable to obtain individual advice from human resources on these issues.

7. **Pensions Implications**

7.1 There are no pension implications for the purchase of additional annual leave as pension contributions will be deducted on normal full pay.

8. **Equality Impact Assessment and Monitoring**

8.1 The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

9. **Data Protection Act 1998**

9.1 In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998.
Long Service Award Policy
## Long Service Award Policy

<table>
<thead>
<tr>
<th>1. Introduction</th>
<th>The council wishes to recognise and reward long serving employees’ loyalty to the council within their employment. Long service will be formally acknowledged in accordance with this policy.</th>
</tr>
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<tbody>
<tr>
<td>2. Award</td>
<td>An award to the value of £150 will be in the form of an appropriate gift or redeemable voucher obtained from a range of retail or other appropriate organisations.</td>
</tr>
</tbody>
</table>
| 3. Eligibility | To be eligible for an award an employee:-  
- must be currently employed by the Council;  
- must have completed 20 years continuous service with Wyre Council (a break in service of up to eight years for maternity reasons will be disregarded as breaks when determining continuous service, except if other full time employment has been taken).  
A further long service award of £150 will be made to those who have 40 years of service with Wyre Council.  
Where a previous long-service award has been made in the previous 10 years the payment is not exempt from HM Revenue and Customs deductions. This payment must be made via the payroll system so that the appropriate deduction can be made in respect of tax and National Insurance. |
| 5. Procedure   | The Human Resources section will identify those employees who are eligible for the receipt of an award, verify the employee’s continuous service and inform them of their entitlement to a Long Service Award.  
The employee will be invited to choose their gift/voucher to the value of their award (Note that no tax or National Insurance payable on the award as Wyre Council policy is compliant with HMRC Regulations). |
| 6. Equality Impact Assessment and Monitoring | The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required. |
| 7. Data Protection Act 1998 | In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998. |
Grading Review and Appeal Procedure

Revised October 2017
## 1. Statement of Intent

1.1 Wyre Council is committed to ensuring that all staff are rewarded fairly in relation to the roles to which they are appointed. The current economic climate and in particular the reduction in funding from Central Government means that staffing reviews are now more frequently undertaken. Consequently, roles change in relation to complexity, level of duties, accountabilities and responsibilities. Such changes ultimately require a review of the grade for the post.

## 2. Purpose and Scope

2.2 This document sets out the process that should be followed when:

- a new post is created
- a staffing review identifies that a post has changed significantly
- a post holder has taken on additional responsibilities over a period of time.
- it is believed that an equivalent job is more highly graded
- an existing employee is dissatisfied with their grade

Managers should identify significant changes in job roles and not allow employees to reduce or take on additional responsibilities without considering the impact on the grading of the post.

The document applies to all Wyre Council employees engaged on National Joint Council for Local Government Services [Green Book] conditions of service and/or whose jobs have been evaluated using the GLPC Job Evaluation Scheme.

## 3. The Evaluation Procedure

3.1 Changes to staffing resources are documented and approved using the Officer Delegation Report (ODR). The Head of Service will complete the ODR in consultation with the Corporate Director and produce job descriptions and person specifications for the new or amended positions.

3.2 Management will ultimately determine the duties and responsibilities of posts, however where changes are being made to the post of an existing employee, the manager will formally consult with the post holder regarding the content of the revised job description.

3.3 Where the proposals create a new position or affect the duties and responsibilities of an existing post the ODR and the supporting documentation should be forwarded to the Human Resources Advisor with responsibility for job evaluation to provide an initial assessment and instigate a formal job evaluation of the role by a Job Evaluation Panel.

3.4 The Job Evaluation Panel should comprise of a minimum of three trained staff which should include one Trade Union Official and the Head of Business Support or a nominated HR Advisor as a chair person.
Once the initial JE Assessment is validated and the ODR is approved the JE Assessment will stand for a period of 12 months from the date of appointment to the new/amended post. If after 12 months the employee is dissatisfied with their job evaluation the employee has the right to request a review.

3.5 The 12 month review is a formal procedure that allows for the ‘testing’ of a new job description and initial job evaluation assessment. The post holder is given the opportunity to draw on the 12 months experience of working in the post and put forward any additional information to support the application. The application for review should be made no later than 20 days after the end of the 12 month period.

4. Request for Review

4.1 Grounds for review

An employee who is dissatisfied with their job evaluation may ask for a review on one or more of the following grounds:

- a review is requested by an existing employee after 12 months in post
- an existing employee is dissatisfied with their grade
- it is believed that an equivalent job is more highly graded;
- the job has changed significantly since the initial evaluation

It should be noted that:

- an increase in the volume of work undertaken by the post holder would not necessarily result in an increase in the job size sufficient to warrant re-grading;
- it will not be appropriate to consider individual factor elements identified as part of the review in isolation all other factor levels should be re-evaluated;
- this procedure could lead to a re-evaluation that results in an increase or decrease in salary.

4.3 Making an application

The application should be submitted to the Head of Business Support on the appropriate form (see Appendix 1 of this document). The form mirrors the factors used in the GLPC Job Evaluation process and each request should clearly state the basis for the request and provide as much information as possible to support the application.

4.4 Procedure on receipt of the application

On receipt of the request for review the Human Resources Advisor responsible for Job Evaluation will review the application and meet with the employee and/or Head of Service to ensure that the information provided is accurate and complete. It may also be necessary to meet with other job holders if the post is a generic position.

The Human Resources Advisor responsible for Job Evaluation will present the application and all related information to the Job Evaluation Panel for a review of the position.
HR will inform the employee, their Head of Service and Service Director of the outcome. Any change to the grade must be approved by the Service Director and Head of Finance on an Officer Delegation Form.

4.5 **The agreed effective date**

New or changed posts (i.e. application made following a 12 month review period):
- If successful the agreed effective date will be the date that the employee was appointed to the role.

4.6 All other posts: If successful the agreed effective date will be the date that the employee submits their application to the Head of Business Support.

4.7 If no agreement is reached the post holder will be advised in writing of the decision that the post will not be re-graded. The post holder has the right of formal appeal in accordance with the procedure described below. The application for appeal should be made in writing to the Head of Business Support.

5. **Hearing the Appeal**

5.1 All appeals will be referred to a Grading Appeals Panel and will be heard within 20 working days.

5.2 Due to the size of the Authority it will not be possible to restrict the panel members to those who have had no earlier involvement in the job evaluation process. The Grading Appeals Panel will therefore comprise of a minimum of five trained staff which should include a Service Director, Head of Service and Trade Union Official that have not been previously involved with the evaluation and a HR Advisor and Trade Union representative from the original job evaluation panel.

5.4 The employee must be given at least 5 working days’ notice of the time and date of the appeal hearing and if they wish, their representative has the right to attend the meeting and present their case. A management representative from the applicant’s service area may also be present.

5.5 After presenting the case the employee, their representative and the management representative will leave the room to allow the Grading Appeals Panel to consult and re-evaluate with the advisors and consider their decision.

5.7 The Grading Appeals Panel will:

- check whether the applicant satisfies one or more of the grounds for appeal - if appeals which do not meet one of the grounds for appeal will be rejected and employees will be advised giving reasons for the rejection;
- consider the original evaluation, the job description and all the representations made in respect of the application;
- ascertain whether or not the issue is one that has been subject to a local convention, or one that has been dealt with as part of the moderation or
evaluation process previously. In such a case the advisors to the hearing should identify the convention and advise the panel accordingly.

- determine whether or not to uphold the original evaluation or to make changes to the factor levels for the post.

This determination could result in an increase or decrease in the grade of the post.

| 5.8 | The decision of the Grading Appeals Panel will be reached by a majority vote and there is no further right of appeal. |
| 5.9 | **Notification of outcome** |
|     | The employee will be notified by Human Resources of the outcome of their appeal within 5 working days. |

### 6. Equality Impact Assessment And Monitoring

**6.1** The operation of this policy will be monitored for its impact on different equality groups in line with the Equality Act 2010. This will enable the Council to assess whether any differences have an adverse impact on a particular group, such that further action would be required.

### 7. Data Protection Act 1998

**7.1** In implementing this policy, the Council will ensure that any personal data relating to the application of this policy will be obtained, processed and destroyed in line with the requirements of the Data Protection Act 1998.
Request for Review

Name: ......................................................... Contact Details: .................

Post Title: ................................. Grade: ......................................

Directorate: ................................. Service: .................................

Is this job covered by a generic job description? Yes [ ] No [ ]
(i.e. Are there other people doing the job covered by this job description)

If so, is this a group application? Yes [ ] No [ ]
If so, please name all those who are submitting this appeal / re-grading request: [Please continue on another sheet if required]

________________________________________________________________________

I wish to appeal as the job evaluation scheme has been wrongly applied to my post

I wish to appeal because the job information provided at the evaluation stage was not complete

I wish to appeal as I believe that an equivalent job is more highly graded

I wish to apply for a re-grading because my post has changed significantly since the initial job evaluation.

________________________________________________________________________

All factors will be reviewed, however, you are requested to identify which factor scores you are specifically want to have re-evaluated: (Place a tick in the box)

| Supervision and Management of People | Work Environment |
| Creativity and Innovation | Physical Demands |
| Contacts and Relationships | Working Conditions |
| Decisions – Discretion | Work Context |
| Decisions - Consequences | Knowledge and Skills |
| Resources. | |
**APPEAL / RE-GRADING EVIDENCE** – You must complete an evidence box for each factor you want to have re-evaluated.

<table>
<thead>
<tr>
<th>Factor Level</th>
<th>Please include all relevant evidence.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supervision and Management of People</td>
<td></td>
</tr>
<tr>
<td>Creativity and Innovation</td>
<td></td>
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<tr>
<td>Contacts and Relationships</td>
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<tr>
<td>-------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td><strong>Resources</strong></td>
<td>cash plant/equipment stocks/materials data systems buildings</td>
</tr>
<tr>
<td><strong>Work Environment</strong></td>
<td>work demands</td>
</tr>
<tr>
<td><strong>Work Environment</strong></td>
<td>physical demands</td>
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<tr>
<td><strong>Work Environment</strong></td>
<td>working conditions</td>
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<tr>
<td><strong>Work Environment</strong></td>
<td>work context</td>
</tr>
<tr>
<td><strong>Knowledge and Skills</strong></td>
<td></td>
</tr>
</tbody>
</table>

I / we have also enclosed additional information in support of my/our application / appeal.
**Head of Service Report.** You should include your own observations on the evidence provided and confirm that the information is accurate and complete. Please also state whether there are any other factors that should to be taken into consideration as part of the process.

Signed: .......................................................  Date: .................................

Head of Service.

The completed form should then be forwarded to the Head of Business Support.