

To: Councillor Emberson (Chair)
Councillors Brock, Lovelock, Page and
Skeats

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11 November 2020

Your contact is: **Richard Woodford, Committee Administrator**

NOTICE OF MEETING - PERSONNEL COMMITTEE 19 NOVEMBER 2020

A meeting of the Personnel Committee will be held on Thursday, 19 November 2020 at 6.30pm. This will be an Online meeting via Microsoft Teams. The Agenda for the meeting is set out below.

	<u>WARDS AFFECTED</u>	<u>Page No</u>
1. DECLARATIONS OF INTEREST		
2. MINUTES OF PREVIOUS MEETING - 7 NOVEMBER 2019		3 - 4
3. PROCEEDINGS OF LOCAL JOINT FORUM - 16 OCTOBER 2019		5 - 8
4. REVIEW OF THE COUNCIL'S EMPLOYMENT POLICIES		9 - 204
5. EQUALITY AUDIT 2019/20		205 - 238
6. EXCLUSION OF PRESS AND PUBLIC		

At this point, the following motion will be moved by the Chair:

“That, pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following items on the agenda, as it is likely that there would be disclosure of exempt information as defined in the relevant Paragraphs of Part 1 of Schedule 12A (as amended) of that Act”

7.	EARLY RETIREMENTS AND REDUNDANCIES	239 - 244
8.	FLEXIBLE RETIREMENT REQUESTS	245 - 252

Present: Councillor Brock (Vice Chair in Chair);
Councillors Ayub (for Councillor Page), Lovelock and Skeats.

Also Present: Miriam Palfrey and Ali McNamara (for items 1 and 2) and
Shella Smith.

Apologies: Councillors Emberson and Page.

5. MINUTES

The Minutes of the meeting held on 11 July 2019 were confirmed as a correct record and signed by the Chair.

6. PROCEEDINGS OF THE LOCAL JOINT FORUM

The Chief Executive submitted the proceedings of the Local Joint Forum meeting held on 16 October 2019.

7 BRIEFING ON THE TEAM READING PROGRAMME

Shella Smith, Assistant Director of HR and Organisational Development, gave a presentation on the work and achievements of Team Reading over the past six months in relation to recruitment and on-boarding. The presentation explained that the recruitment and selection process had been streamlined and improved for both managers and applicants, and that the costs and time taken to fill vacancies had been significantly reduced.

Resolved: That the presentation be noted.

8. EXCLUSION OF THE PRESS AND PUBLIC

Resolved -

That pursuant to Section 100A of the Local Government Act 1972 (as amended) members of the press and public be excluded during consideration of the following item, as it was likely that there would be disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A (as amended) to that Act.

9. REDUNDANCIES

The Assistant Director of HR and Organisational Development submitted a report, which provided a monitoring statement of all termination costs incurred due to employees, except for schools-based staff, leaving the Council on either early retirement or redundancy grounds between 1 April and 30 September 2019. There had been no early retirements during this period, and a table showing the breakdown of costs incurred due to redundancies was attached to the report at Appendix 1.

Resolved That it be noted that the total termination costs incurred due to employees leaving the Council on redundancy grounds between 1 April and 30 September 2019 was £553,201.

(Exempt information as defined in paragraphs 1 and 2).

PERSONNEL COMMITTEE MINUTES - 7 NOVEMBER 2019

(The meeting commenced at 6.30pm and closed at 7.03pm).

Present:

Councillors Emberson (Vice Chair in the Chair), Brock, Page and Stanford-Beale

K Magee	Unite
A McNamara	National Education Union (NEU)
A Solera	UNISON
S Smith	Assistant Director of HR and Organisational Development
Richard Woodford	Committee Services

Apologies:

I Newnham	Unite
M Palfrey	Unison

1. ELECTION OF CHAIR

Miriam Palfrey was elected to serve as Chair of the Forum for the remainder Municipal Year 2019/2020.

2. APPOINTMENT OF VICE-CHAIR

Councillor Emberson had been appointed to serve as Vice Chair at the Annual General Meeting of the Council on 22 May 2019 (Minute 11 refers).

3. PROCEEDINGS OF THE LOCAL JOINT FORUM MEETING HELD ON 14 MARCH 2019

The Proceedings of the Local Joint Forum meeting held on 14 March 2019 were confirmed as a correct record and signed by the Chair.

4. EU SETTLEMENT SCHEME

The Assistant Director of HR and Organisation Development submitted a report providing the Forum with information about the European Union (EU) settlement scheme and its implications for employees of the Council. Unison had requested that the Council considered giving paid time off to employees who needed to apply for settled status under the EU settlement scheme as a result of Brexit.

The report explained that the scheme had been designed to be simple to use and applications could be made via an app on a mobile phone. Furthermore, employees had until 30 June 2021 to make an application if there was a deal or until 31 December 2020 if there was no deal. It was therefore recommended that paid time off for employees to make an application under the settlement scheme was not required.

The UK was due to leave the EU on 31 October 2019, with or without deal, and it had been made clear that free movement would no longer be possible for UK nationals and European Economic Area (EEA) nationals in the UK after Brexit. If there was a deal, then under the withdrawal agreement all EU nationals (except Irish nationals) who were already resident in the UK would be required to apply under the EU settlement scheme for settled or pre-settled status. This included

PROCEEDINGS OF THE LOCAL JOINT FORUM - 16 OCTOBER 2019

those who already held a registration certificate or permanent residence card. The withdrawal agreement provided for a transition period lasting until 31 December 2020 if there was no deal and the deadline for applications for settled or pre-settled status was 30 June 2021 if there was a deal.

The report explained that in the event of a no deal scenario, the settlement scheme would be available only for EU nationals who were already resident in the UK on or before exit day. They would have until 31 December 2020 to apply for either pre-settled or settled status. The application process had been designed to be straightforward and individuals would apply online and would qualify by meeting three core criteria - Identity, Eligibility and Suitability. A straightforward online application, where the applicant was not required to provide further information, currently took between one and four calendar days to process. The scheme had been fully open for applications since 30 March 2019, there was no fee and there was a free government helpline available seven days a week to support people who needed to make an application.

The Forum discussed the report and a number of points were raised including the following:

- The number of applications was increasing as was the complexity of the cases which meant there were issues with the software and many applicants were having to work with consultants in order to process their applications;
- The Document Check app currently only worked fully on Android smartphones and tablets and not with Apple devices;
- The number of staff who needed to apply for settled or pre-settled status was not known as only eligibility to work in the UK was asked for when staff joined the Council;
- It was noted that the Chief Executive's weekly blog included a reminder to EU members of staff about the need to apply to the EU settlement scheme;
- S Smith agreed to produce further specific communications with staff and to put a reminder in the printed copy of Inside Reading, the monthly newsletter for staff, so that staff who did not have access to email would be made aware of the situation;
- The trade unions asked that the position be kept under review and an update be given at the next meeting in February 2020.

AGREED -

- (1) That paid time off was not required for staff wishing to apply for settled or pre-settled status under the EU Settlement Scheme be agreed;**
- (2) That further communications with staff, including information in Inside Reading, be carried out by S Smith;**

PROCEEDINGS OF THE LOCAL JOINT FORUM - 16 OCTOBER 2019

- (3) That the position be kept under review and an update report be submitted to the next meeting.**

(The meeting opened at 5.00 pm and closed at 5.15 pm).

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READING BOROUGH COUNCIL

REPORT BY ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT

TO:	PERSONNEL COMMITTEE		
DATE:	19 NOVEMBER 2020	AGENDA ITEM:	
TITLE:	REVIEW OF THE COUNCIL'S EMPLOYMENT POLICIES		
LEAD COUNCILLOR:	CLLR ELLIE EMBERSON	PORTFOLIO:	CORPORATE AND CONSUMER SERVICES
LEAD OFFICER:	SHELLA SMITH	TEL:	74697 / 0118 937 4697
JOB TITLE:	ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT	E-MAIL:	shella.smith@reading.gov.uk

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 A review of the Council's employment policy framework is underway which aims to ensure that all employment policies are clear, easy to understand, up to date and reviewed regularly. This report presents thirteen policies, all of which have been reviewed jointly and agreed with the Joint Trade Unions.

1.2 The report includes the following appendices:

- Appendix A: Annual Leave Policy
- Appendix B: Code of Conduct
- Appendix C: Disruption to Normal Working Arrangements Policy
- Appendix D: Recruitment and Selection Policy
- Appendix E: Guidance on Recruitment and Retention of People with a Disability
- Appendix F: Whistle-blowing Policy
- Appendix G: Transgender Policy
- Appendix H: Alcohol and Substance Misuse Policy
- Appendix I: Long Service Awards
- Appendix J: Family Leave Policy
- Appendix K: Overpayment Recovery Policy
- Appendix L: Gifts and Hospitality Policy
- Appendix M: Volunteering Policy
- Appendix N: Equality Impact Assessment

2. DECISION

2.1 That Personnel Committee approve the following revised/new HR policies (detailed in Appendices A to M of this report):

- Annual Leave Policy
- Code of Conduct
- Disruption to Normal Working Arrangements Policy
- Recruitment and Selection Policy
- Guidance on Recruitment and Retention of People with a Disability
- Whistle-blowing Policy
- Transgender Policy
- Alcohol and Substance Misuse Policy
- Long Service Awards
- Family Leave Policy
- Overpayment Recovery Policy
- Gifts and Hospitality Policy
- Volunteering Policy

3. POLICY CONTEXT

3.1 Good employment policies should support a culture based on trust, fairness and inclusion. They can also speed the decision-making process by ensuring that clear guidance is readily available to cover a range of employment issues. Further, they can assist in avoiding involvement with employment tribunal claims by providing guidance for managers that reflects accurately current employment law and good practice. It is therefore important that employment policies are clear, easy to understand, up to date and reviewed regularly.

3.2 Of the thirteen policies covered in this report, the majority have extended beyond their normal review date and have been updated to reflect changes in employment law and the latest Codes of Practice and guidance issued by the Advisory, Conciliation and Arbitration Service (ACAS).

3.3 ACAS Codes of Practice give authoritative advice in key areas of employment practice. A failure to follow the Code does not, in itself, make a person or organisation liable to proceedings. However, employment tribunals will take the Code into account when considering relevant cases. Tribunals will also be able to adjust any awards made in relevant cases by up to 25% for unreasonable failure to comply with any provision of the Code (by an employer or an employee).

4. POLICIES COVERED UNDER THIS REVIEW

4.1 All employment policies will be reviewed by the HR and Organisational Development team before end of March 2021 and presented for approval to Personnel Committee, following consultation and negotiation with the Joint Trade Unions. The policies listed below have been prioritised because they do not reflect current best practice or are out of date and hence put the Council at risk. A Transgender Policy, Alcohol and Substance Misuse Policy, Overpayment and Recovery Policy and Volunteering Policy are missing from the

current policy framework. This has been addressed and new policies covering these areas are now included. The policies included in this report are:

- Annual leave Policy
- Code of Conduct
- Disruption to Normal Working Arrangements Policy
- Recruitment and Selection Policy
- Guidance and Recruitment and Retention of People with a Disability
- Whistle-blowing Policy
- Transgender Policy (new)
- Alcohol and Substance Misuse Policy (new)
- Long Service Awards
- Family Leave Policy
- Overpayment Recovery Policy (new)
- Gifts and Hospitality Policy
- Volunteering Policy (new)

4.2 The new and residual policies which require review (27 in total) will be brought forward for approval by end of March 2021.

4.3 Principles used for conducting this review

4.3.1 The policies have been written with the following principles in mind:

1. They must reflect current employment law and the ACAS Codes of Practice and/or guidance where relevant.
2. They must be easy to understand and written in plain English
3. They should be concise. Any information which is not germane to the operation of the policy has been removed. For example, management guidance notes are not included in the policies, but available separately.
4. There should be a consistency of approach across related policies (e.g. same period of notice given to employees to attend formal meetings where relevant)
5. They should use gender neutral language

4.4 In future, all employment policies will be reviewed every two years or sooner if legislation requires it.

5. KEY ISSUES AND CHANGES PROPOSED

5.1 The table below sets out in summary terms for each of the revised policies the issues which have been addressed together with additional key changes agreed with the Joint Trade Unions. Once the policy review is complete, hyperlinks will be added to the policies where they are cross-referenced with other policies.

Revised Policies

(See table below)

Issues to be addressed	Additional key changes
Annual Leave Policy - Appendix A	
<ul style="list-style-type: none"> • Now includes the annual leave entitlements (in days and hours) for each set of terms and conditions (e.g. NJC, JNC for Chief Officers etc) • Updated to include reference to the iTrent HR system which must be used for all annual leave requests and approvals 	<ul style="list-style-type: none"> • Brings together all information about annual leave into one place to make it more accessible, including the Buying Annual leave Policy
Code of Conduct - Appendix B	
<ul style="list-style-type: none"> • Last reviewed in 2017 so only needed minor updates to job titles etc. 	
Disruption to Normal Working Arrangements Policy - Appendix C	
<ul style="list-style-type: none"> • Minor updates to job titles etc. The policy has been used effectively throughout the Covid pandemic. 	
Recruitment and Selection Policy - Appendix D	
<ul style="list-style-type: none"> • Updated to reflect recent changes to the recruitment process and use of the iTrent HR system to support effective recruitment • Guidance notes have been removed from the policy which has significantly reduced the length 	<ul style="list-style-type: none"> • Reinforces our commitment to guarantee an interview for applicants who declare a disability, RBC Care Leavers and people who have completed the New Directions Work Experience Programme and who meet the minimum criteria
Guidance on Recruitment and Retention of People with a Disability - Appendix E	
<ul style="list-style-type: none"> • Changed use of language throughout to refer to ‘people with a disability’ (rather than ‘disabled employees’) 	<ul style="list-style-type: none"> • Reinforces our commitment to creating and maintaining a workplace which is accessible by design including, physical buildings and presentation of information
Whistle-Blowing Policy - Appendix F	
<ul style="list-style-type: none"> • Updated job titles and key contact details for people who can receive disclosures and for support services available to staff who may need to make a disclosure (e.g. the Employee Assistance Programme) 	
Long Service Awards - Appendix I	
<ul style="list-style-type: none"> • No fundamental updates required 	
Family Leave - Appendix J	
<ul style="list-style-type: none"> • This policy brings together all family leave related policies into one place. There are no fundamental changes except to align with payroll processes and iTrent. 	
Gifts and Hospitality - Appendix L	
<p>Gifts and Hospitality was originally covered by a section in the Employee Code of Conduct. We have created a standalone policy.</p>	

New Policies

5.2 Transgender Policy (Appendix G)

5.2.1 This is a new policy which sets out the Council's commitment to ensuring that transgender employees are treated with dignity and respect and are not disadvantaged in the workplace. It also sets out the steps the Council takes to support transgender employees and prevent discrimination, including discrimination against employees who may be related to or friends with a transgender person.

5.3 Alcohol and Substance Misuse Policy (Appendix H)

5.3.1 This is a new policy introduced to ensure the health, safety and welfare of staff, and to enable instances of substance misuse by employees to be handled in an appropriate, fair and consistent manner. It reinforces our commitment to ensure our employees understand what constitutes Alcohol and Substance Misuse in the workplace and describes what support mechanisms are in place for anyone who needs guidance.

5.4 Overpayment Recovery Policy (Appendix K)

5.4.1 This is a new policy introduced to provide guidance and a consistent approach on the course of action the Council will normally consider when an overpayment or underpayment occurs. The Council is required to recover public money which has been paid out incorrectly, regardless of the reason.

5.5 Volunteering Policy (Appendix M)

5.5.1 This is a new policy and the Council will give each employee 2 paid days (which can be taken as full days or hours (14.8 hours in total)), each year to carry out volunteering work within the borough.

6. **PROCESS FOR AGREEING THE NEW AND REVISED POLICIES**

6.1 The process for agreeing the policies with the joint trade unions has been as follows:

26 January 2020	The first 7 draft policies (A-G) were emailed to trade union representatives, requesting comments on the policies by 2 March 2020, ahead of first meeting on 4 March
4 March 2020	First meeting with trade unions and Assistant Director of HR and Organisational Development to review feedback from the trade unions and begin negotiation/consultation
24 July 2020	Following a delay to the original timetable due to Covid, the revised policies were sent to trade unions incorporating their feedback from the first meeting on 4 March. Requested any final comments by 7 August 2020 (no further comments were received)

8 September 2020	The remaining 6 draft policies (H - M) were emailed to trade union representatives, requesting comments on the policies prior to the scheduled review meeting on 23 September.
23 September 2020	Meeting with trade unions and HR Services Manager to review feedback from the trade unions and begin negotiation/consultation
7 October 2020	Final meeting with trade unions and HR Services Manager to agree final policies

6.2 A communications plan is in place to communicate the revised policies to managers and employees. This will include:

- Daily news items on the intranet and iTrent Employee Self Service (the HR system used by all staff to book leave, submit mileage claims etc) to highlight the revised policies and who to speak to about any queries (i.e. their line manager or HR)
- Being highlighted in the Chief Executive's weekly email to all staff
- Strategic HR and OD Business Partners/HR Advisers will highlight the revised policies and their implications (for staff and managers) when they attend department management team meetings and 1-1 meetings with managers.
- An email from HR to all line managers to highlight the new policies and explain the changes, and to ask that they discuss them with their staff in team meetings, tool-box talks, 1-1s etc.

7. CONTRIBUTION TO STRATEGIC AIMS

7.1 The new and revised HR policies help to ensure that the Council can meet its Corporate Plan priority, specifically ensuring that the Council is fit for the future.

8. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

8.1 There are no environmental or climate change implications.

9. COMMUNITY ENGAGEMENT AND INFORMATION

9.1 The Joint Trade Unions have been consulted on the revised policies. The Council's LGBT+ Network was also consulted on the Transgender Policy. All the changes they proposed which have been incorporated into the final versions.

10. EQUALITY IMPACT ASSESSMENT

10.1 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.2 An Equality Impact Assessment (EIA) has been carried out (see Appendix N) and has found no differential impact on any groups with protected characteristics. Some positive impacts have been identified.

11. LEGAL IMPLICATIONS

11.1 Certain employment policies and procedures are specifically needed to comply with legal requirements, for example, a written health and safety policy. Even where a policy or procedure is not specifically required by law, employers often find it helpful to have a policy in place to provide clear guidance that reflects the legal framework for handling the issue in question and it also helps employees to be clear about the organisation's stance on a particular subject. The proposed policies presented in this review reflect current employment law and ACAS Codes of Practice and/or guidance where relevant.

11.2 The Council's Constitution confirms that Personnel Committee is responsible for determining the terms and conditions on which staff hold office. The proposed policies will therefore be presented to Personnel Committee for approval, following consultation and negotiation with the trade unions.

12. FINANCIAL IMPLICATIONS

12.1 There are no financial implications arising from this report.

13. BACKGROUND PAPERS

13.1 None

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Annual Leave Policy

August 2020



Document History	
Version	1.2 (see below)
Status	Final
Date	August 2020
Target audience	All employees of Reading Borough Council with the exception of staff working term time only, teaching or school based staff and casual staff for whom alternative procedures apply
Ratification	None
Author	HR Employment Services Team

Version control	Reviewers
Version 1.0	Initial draft – January 2020
Version 1.1	Incorporating TU comments
Version 1.2	Final version agreed with Joint Trade Unions in August 2020 (Next review is due August 2022 or sooner if required by legislation)

Table of Contents

1	Introduction.....	3
2	Scope.....	3
3	Annual leave year.....	3
4	Requesting annual leave.....	4
5.	Annual leave pay.....	5
6.	Public and bank holidays.....	5
7.	Annual leave entitlement in year of joining.....	5
8.	Christmas closure dates.....	5
9.	Annual leave at the end of employment.....	6
10	Sickness during annual leave.....	6
11	Taking annual leave during sick leave.....	7
12	Buying annual leave.....	7
	Appendix 1.....	10

1. Introduction

1.1 This policy sets out Reading Borough Council’s approach to annual leave and the basis on which it may be taken.

2. Scope

2.1 The scheme applies to all employees of the Council, except:

- Staff working term time only
- Teaching or school based staff
- Casual workers

3. Annual Leave Year

3.1 The annual leave year runs from 1 April to 31 March.

3.2 Annual leave entitlements are based on the employee’s terms and conditions of employment and their length of service as follows:

	1 – 5 years’ service	After 5 years’ continuous Local Government service	After 10 years’ service with Reading Borough Council
Reading Grades 1 to 10 (NJC for Local Government Services)	177.6 hours (24 days)	214.6 hours (29 days)	236.8 hours (32 days)
Reading Senior Manager Grades A to D and Director grades	222 hours (30 days)	No change	236.8 hours (32 days)
Trades Terms and Conditions	185 hours (25 days)	No change	222 hours (30 days)

3.3 Long service leave

3,3,1 In addition to the entitlements above, long service awards are given to Council employees in recognition of achieving 20 years’ continuous service. The Council is currently running two long service award schemes:

- A one-off money award of £1,000 for those achieving long service with either the Council or a combination of the Council and Berkshire County Council, with the provision for employees to “trade in” all or part of the award for additional days’ leave, currently at the rate of £100 per day; or;
- £573 plus double leave for achieving 20 years’ service for employees appointed by the Council before 1 April 1999.

3.3.2 Further information about these awards can be found in the [Long service awards guidance](#) on the intranet.

3.4 Annual leave entitlements for staff who work less than 37 hours per week are pro rata based on the employee’s contractual weekly working hours using the formula below:

$$\text{Full time equivalent annual leave hours} \times \frac{\text{Contractual weekly working hours}}{37}$$

3.5 Under normal circumstances, all annual leave should be taken during the annual leave year in which it is accrued. Untaken annual leave of a maximum of one week’s contractual working hours can be carried over automatically to the next annual leave year.

3.6 Managers are advised that there are circumstances, generally maternity, adoption, shared parental leave or long term sickness absence, when employees are unable to take their full annual leave entitlement. In such cases the amount of annual leave that can be carried forward to the next leave year will not be capped at the number of hours equivalent to the employee’s contractual working week, i.e. a maximum 37 hours for full-time staff. In cases of sickness absence, see [Section 10](#) below.

3.7 If an employee needs to carry over untaken annual leave in excess of the automatic amount **for any other reason**, they should seek approval from their line manager by completing the form in [Appendix 1](#).

4 Requesting Annual Leave

4.1 Employees can check their annual leave entitlement, balance and leave taken by accessing iTrent Employee Self-Service (ESS).

4.2 All annual leave requests must be made on ESS.

4.3 All annual leave requests must be authorised before the leave is taken by the employee's line manager on Manager Self-Service (MSS).

4.4 As much notice as possible of proposed annual leave dates must be given to the line manager to ensure adequate staffing cover at all times. It is expected

that such notice should either be set out in locally agreed protocols or should be at least twice the number of working days that the employee wishes to take as annual leave. It is recognised that there may be occasions when notice cannot be given (e.g. in emergency situations) although agreement should still be sought from the manager before annual leave is taken wherever possible. Retrospective annual leave requests must still be entered onto ESS by the line manager.

5. Annual Leave Pay

- 5.1 Annual leave pay is calculated on the basis of the employee's current rate of pay.
- 5.2 There will be no payment for any untaken annual leave except on termination of employment (see Section 9).

6. Public and bank holidays

- 6.1 All recognised public and bank holidays are permitted as paid holiday as they occur, in addition to the annual leave entitlement. The exact dates of public and bank holidays are updated on iTrent ESS at the start of each annual leave year.
- 6.2 Public and bank holidays can only be carried over beyond the end of the leave year for those staff who have been on maternity, adoption or shared parental leave. The only other exception is where an employee is required to work on a bank holiday and is prevented from taking their bank holiday leave entitlement on an alternative date due to operational requirements before the end of the leave year.

7. Annual leave entitlement in year of joining

- 7.1 If the employee joins the Council part way through an annual leave year, they will be entitled to a proportion of their annual leave entitlement based on the number of days between the employee's date of joining and the end of the annual leave year. This will automatically be calculated and added to the employee's annual leave entitlement on iTrent ESS.

8. Christmas closure

- 8.1 The Council usually has a period of time between Christmas and New Year when there is a planned closure for all non-essential services. This usually starts at 5pm on 23 December and continues until 9am on 2 January the following year (or the first working day after 1 January). This not a contractual entitlement and is subject to agreement each year.

- 8.2 If a decision is made to close for all but essential services over the Christmas period, then staff working in non-essential services must take annual leave to cover the working days which occur within the closure period. Alternatively, staff can buy up to 2 days of annual leave at their normal rate of pay and be gifted the equivalent amount to use during this period. Staff who are required to work over Christmas can still take advantage of this offer but must use the leave before the end of the leave year (i.e. 31 March).

9. Annual leave at the end of employment

- 9.1 If the employee leaves their employment part way through an annual leave year, they will be entitled to be paid in lieu of any untaken annual leave accrued up to the date of termination.
- 9.2 However, the Council reserves the right to require the employee to take any outstanding annual leave entitlement during any period of notice, whether such notice is given by the Council or by the employee.
- 9.3 If, on the employee's date of termination, they have taken paid annual leave in excess of their accrued entitlement, they will be required to reimburse the Council (by means of deduction from salary if necessary) in respect of such annual leave.

10. Sickness during annual leave

- 10.1 Where an employee falls sick or is injured while on annual leave, the Council will allow the employee to transfer to sick leave and take replacement holiday at a later time. Please also refer to the Council's [Managing Sickness Absence Policy](#). This policy is subject to the following conditions:
- The total period of ill health must be fully certificated by a qualified medical practitioner. The cost of obtaining a certificate will be borne by the Council.
 - The employee must contact their line manager (by telephone if possible) as soon as they know that there will be a period of sickness during a holiday
 - The employee must submit a written request no later than ten days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that the employee wishes to take at another time
 - Where the employee is overseas when they fall ill or are injured, evidence must still be produced that the employee was ill by way of a medical certificate
- 10.2 Where the employee fulfils all of the above conditions, the Council will grant the employee the same number of days' replacement annual leave as the number of leave days lost due to sickness or injury.

- 10.3 An employee who is absent on sick leave will continue to accrue their contractual annual leave entitlement and will be given the opportunity to take this at a later date, including in the subsequent leave year, if they do not take their contractual annual leave entitlement due to being on sick leave. In such cases the amount of annual leave that can be carried forward to the next leave year will not be capped at the number of hours equivalent to the employee's one working week, i.e. 37 hours for full-time staff.
- 10.4 Annual leave accrued and carried over due to sickness absence must be taken within a period of 15 months of the end of the leave year of which the annual leave arose.
- 10.5 The Council reserves the right to require an employee to take all or part of the annual leave accrued and carried over due to sickness absence on particular days and will aim to provide reasonable notice.

11. Taking annual leave during sick leave

- 11.1 An employee who is absent on sick leave will continue to accrue their annual leave entitlement.
- 11.2 An employee on sick leave may apply to take annual leave while on sick leave. The annual leave dates must be approved in accordance with this policy ([See Section 4](#)).
- 11.3 If an employee takes part in activities inconsistent with their stated reasons for sickness absence, or something that worsens their illness or prolongs their absence, the Council reserves the right to stop statutory sick pay and/or contractual sick pay. In some cases, this may result in disciplinary action. Also see [Section 5 of the Managing Sickness Absence Policy](#). Advice from Occupational Health must be sought by the line manager before any such action is taken.

12. Buying annual leave

12.1 Amount

Employees can apply to purchase additional annual leave, up to a maximum of 74 hours (10 days) in any leave year. For part-time staff this entitlement is pro rata according to the number of hours they work each week (e.g. someone who works 18.5 hours per week can apply to purchase up to 37 hours).

12.2 Process for application

- 12.2.1 There is a separate process for buying leave to cover the Christmas closure. For existing employees, requests to buy additional leave can be made from 1st February for the following annual leave year. The last day that leave can

be purchased is 10th April. New employees can buy additional leave within their first month of joining.

12.2.2 You can make a request to your manager to buy additional leave through iTrent Employee Self-Service (ESS). Each application is subject to your manager's approval, as there will be budget and staffing implications to be considered. There is no guarantee that your request will be agreed, but no request will be unreasonably refused.

12.2.3 Your manager will consider your request and respond within 21 days. The response will:

- Confirm whether your request has been approved or;
- If it has not been approved, the reasons for the request being declined

12.2.4 Your manager may approve some, but not all, of your request and in the event of a 'part approved' application the manager will set out the reasons for not approving the full amount of leave requested.

12.3 **Buying additional leave – how it will be implemented**

12.3.1 Any deductions from your salary for the additional leave will be made monthly over a 12 month period and calculated at your rate of pay as at 1st April for each year requested.

12.3.2 One day is priced at 1/260th (or 0.385%) of your annual salary (this will include base salary, and regular payments like shift allowance, market supplement, first aider allowance, but not irregular payments like overtime unless this is contractual).

12.3.3 You can apply to buy additional leave at any time of the year; payments will be deducted at the point of agreement with your manager. This can be as a "one off" arrangement to provide additional days for a particular purpose or occasion. Alternatively, this can be a permanent arrangement each year going forward. If your application is agreed and made effective on this basis within an existing leave year (i.e. April to March), then you will receive a pro rata entitlement for the first part year (i.e. number of days approved /12 x remaining full months in the leave year).

12.3.4 If you work part-time, your entitlements will be pro rata. If you work less than 5 days per week, the maximum amount of leave that you can buy is the number of your contractual hours per week x 2. For example, someone who works 30 hours per week can buy 60 hours additional leave per year.

12.3.5 If you work variable hours then the maximum number of hours available to buy will be calculated on the average number of hours over a two week period.

12.4 **If your application is not accepted**

- 12.4.1 If your application is not accepted (in whole or in part), then you may appeal against the decision of your manager to your Assistant Director.
- 12.4.2 Your appeal should be made in writing setting out the full grounds of your appeal and be received by your Assistant Director within 10 working days of the rejection of your original application.
- 12.4.3 The Assistant Director will consider your appeal and respond to you within 15 working days. The decision of the Assistant Director will be final.

12.5 **Other impacts of buying annual leave**

- 12.5.1 There may be a small number of staff who, if they opt to purchase additional leave, will reduce their salary to below the current National Insurance limit. This may affect their entitlement to state benefits (e.g. Statutory Sick Pay; Statutory Maternity Pay).
- 12.5.2 It is important, therefore, that you seek your own independent advice about the impact of this decision.

12.6 **Buying leave to cover the Christmas closure**

- 12.6.1 There is a separate process for buying leave to cover the Christmas closure which will be notified to staff, usually in November each year. The process in 3.1 and 3.2 of this policy does not apply for Christmas leave.

12.7 **Worked Example**

A full-time employee (37 hrs per week) with a salary of £20,000 per annum as at 1st April requests to buy 37 hours (5 days) leave. Their leave year begins on 1st April.

They do not receive any other form of regular payments.

Their manager agrees to the request and the effective date for implementation is 1st September.

37 hours (5 days) additional days leave = $\frac{5}{260}$ th of annual salary. So the cost to the employee will be £384.62 in a full year (£32.05 per month)

Cost of period: September – March (7 months) = $\frac{£384.62}{12} \times 7 = 2.91$ days at a cost of £224.36

Appendix 1



APPLICATION FOR OUTSTANDING ANNUAL LEAVE TO BE CARRIED FORWARD TO NEXT LEAVE YEAR

SECTION A (to be completed by employee)	
Employee's name:	Directorate:
Employee job title:	Line manager's name:
Number of hours to carry forward beyond 31 March:	
Reason for request:	
If a previous request to carry forward has been made, please give details of amount, date and outcome:	

SECTION B (to be completed by line manager)	
I am the line manager of the applicant, and approve / refuse (delete as appropriate) the request, as detailed above.	
Reason for approval / refusal (delete as appropriate):	
Line manager's signature:	
Date:	

Please forward completed form to the Employment Services Officer

HR Department use only Decision?	
Authorised signature:	
Date actioned on iTrent:	

Code of Conduct

August 2020



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Contents

PURPOSE	3
WHO IS COVERED BY THE CODE OF CONDUCT?	3
PRINCIPLES	4
1. Conduct during working hours	5
2. Political Neutrality	5
3. Personal Relationships	6
4. Recruitment.....	6
5. Use of Information	7
6. Confidentiality.....	8
7. Hospitality	7
8. Gifts	8
9. Bribery & Corruption	9
10. Dressing Appropriately	9
11. Use of Council property, facilities and equipment	10
12. Using the services of people who deal with the Council	10
13. Conduct outside working hours.....	10
14. Employment outside the Council.....	11
15. Personal Interests	12
16. Breach of the code	12

SECTION 1: PURPOSE, SCOPE AND PRINCIPLES

PURPOSE

- To meet requirements specified by the National Conditions of Service for all employee groups.
- To specify and explain the standards the Council has set, therefore protecting employees from misunderstanding or criticism.
- To help employees maintain fully acceptable standards of conduct set by the Council.
- To ensure that the Council maintains a deserved reputation for the high standards of its activities and the integrity of its employees at all levels.

WHO IS COVERED BY THE CODE OF CONDUCT?

- The Code of Conduct applies to all those working for Reading Borough Council, including those on permanent, temporary or part-time contracts, job sharers, and employees on non-standard terms of employment. Relevant parts of the Code should be included in the specifications for consultants and contractors, and drawn to the attention of voluntary workers on Council projects.
- Some employees may already have specific requirements relating to conduct included in their contracts or standard conditions of employment. Where contract conditions and requirements of individual contracts are more specific, due to the nature of the work, they will override the provisions of this Code.

In addition:

- a) The Code may be supplemented within services/directorates by specific provisions or requirements, for example, a professional Code of Conduct. Where this is the case, proposed codes and rules should follow proper process by consulting through the Directorate Joint Forum.
- b) Individual services and professions may have their own Codes of Conduct and/or ethics. Where this is the case, they complement, rather than replace, this Code of Conduct.
- c) References to “the Council” throughout this document mean Reading Borough Council.
- d) This Code has been agreed between the Council and recognised trades unions.

PRINCIPLES

This Code is based on and consistent with the following seven principles which are set out in Section 28 of the Localism Act 2011, and which were originally set out by the Nolan Committee on Standards in Public Life:

- a) **Selflessness**
Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits.
- b) **Integrity**
Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- c) **Objectivity**
In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- d) **Accountability**
Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- e) **Openness**
Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- f) **Honesty**
Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- g) **Leadership**
Holders of public office should promote and support these principles by leadership and example.

The various sections in [section 2](#) of this document set out how the general principles are applied to different aspects of conduct. **The Code cannot describe every possible circumstance that may occur.**

Employees and managers need to exercise good sense and judgement in deciding whether specific situations fall within the Code or not. For employees, a key guideline is:

**WHEN IN DOUBT AS TO WHETHER THE CODE APPLIES –
ASK YOUR MANAGER**

SECTION 2: CODE OF CONDUCT FOR EMPLOYEES

1. Conduct during working hours

You have a responsibility to act in accordance with the Council's equal opportunities policies, statutory guidance and best practice. Service decisions and activities must not favour one person or section of the community on any grounds which would be in contravention of equal opportunity principles.

All forms of unlawful discrimination, victimisation, bullying and harassment, in any form, is unacceptable and will not be tolerated. Allegations will be investigated and dealt with under the Council's [Disciplinary Policy](#) where necessary.

2. Political Neutrality

You serve the Council as a whole. This means that all Councillors are served equally, irrespective of their political group or affiliation and you must ensure that the individual rights of all Councillors are respected.

You must not allow your own personal or political opinions to interfere with your work or influence the advice you give to Councillors, the public or other staff.

If your job involves you giving advice to political groups, you must do so in ways which do not compromise your political neutrality.

If your post is designated a "politically restricted post" under the provisions of the Local Government & Housing Act 1989, certain additional rules will apply to you and you should have been informed of these rules when you are appointed. It is your responsibility to acquaint yourself with the rules, if they apply to you.

If your post becomes politically restricted during the course of your employment, then you will be notified.

Posts affected by these rules (politically restricted posts) fall into the following categories:

- a) Certain specified posts, such as the Head of the Paid Service, the Monitoring Officer and all Chief Officers and their Deputies
- b) Posts that, by the nature of the work involved, are deemed to be "sensitive". For example:
 - (i) posts where the employee regularly advises members, committees or sub-committees or any joint committee on which the authority are represented, and

- (ii) posts where the employee regularly speaks on behalf of the authority to journalists and broadcasters.

Exemptions to this Act (i.e. not politically restricted) are:

- (i) posts reporting directly to the Chief Executive where the duties of the postholder are solely secretarial or clerical.
- (ii) Head Teachers, Principals of schools or colleges, or other educational establishments maintained/assisted by the local LEA. Any person holding the post of Teacher or Lecturer in any such educational establishment will not be politically restricted.

If you are unsure if your post falls within the politically restricted categories, or whether your post is exempt from the political restrictions, you should speak to your manager or the Assistant Director of Legal & Democratic Services.

3. Personal Relationships

Personal relationships may develop with colleagues, Councillors, contractors, customers and clients. You should not allow a personal relationship to place you in a position where you are unable to carry out the duties of your job in a proper and impartial manner. Certain Directorates have particular rules regarding personal relationships (eg, [see these guidelines](#)), and you should ensure that you abide by these.

You should inform your manager if you have, or develop, a close personal relationship with another employee which could be considered, by colleagues or others, to have an impact on how you conduct yourself at work. The information will be treated with confidentiality.

You must maintain a professional working relationship with colleagues, Councillors, contractors, customers and clients.

Elected Councillors are subject to their own statutory Code of Conduct which addresses relationships between Councillors and employees. ^①

4. Recruitment

If a relative or close personal friend is a candidate for a post that you are involved in the recruitment for, you must discuss this with your manager.

¹ (① The Local Government and Housing Act 1989 has given statutory status to the National Code of Local Government Conduct (for the guidance of councillors of local authorities)).

It may be appropriate for you to withdraw from the process, if your manager considers this appropriate and it is practicable for you to do so.

You must follow the Council's Recruitment and Selection Policy and ensure fairness is applied at all stages.

5. Use of Information

The law requires that certain types of information must be available to members, auditors, government departments, service users and the public. Your manager must identify, and make you aware of this information at induction, including outlining when additional information is relevant.

Information you gather while working for the Council must not be used for personal or commercial gain, or be otherwise misused.

You must not destroy, alter or falsify any document or record, whether for personal gain or to cover up, mislead or deceive other people.

You must comply with the Council's [Data Protection Policy](#).

You must not pass on information to anyone not entitled to receive it, nor post it on any public forum or any social media platform.

You must comply with the Council's [Social Media Policy](#).

You must not pass on to the public or press, information from any Committee or meeting, from which they have been excluded.

You must not deal directly with the press or media, or make any public statement, unless you have been authorised to act as an official spokesperson.

6. Confidentiality

You may be subject to "restrictive covenants", which are intended to protect the Council's confidential information, which restrict you from disclosing or using such information during and after leaving employment.

7. Hospitality

In certain circumstances, receiving hospitality may be acceptable. Where that is the case, you must discuss it with your manager and the details – the type of hospitality offered and the person/organisation offering it - should be recorded in a register maintained by your directorate.

Examples of generally acceptable hospitality are:

- (i) Invitations to attend events where you represent the Council
- (ii) Hospitality offered by other public sector organisations or recognised civic or government bodies that have links with the Council
- (iii) A working lunch or other meal which allows the work or discussion to continue during the course of the day
- (iv) An event where the Council should be seen to be represented.
- (v) Hospitality to mark the completion of a transaction or piece of work provided it has been successfully concluded and the nature of the hospitality is reasonable
- (vi) Where the Council is a regular client of an organisation or firm and the hospitality is being offered to a number of clients in the ordinary course of the business.

Examples of hospitality which should be declined include:

- (i) Offers of hotel accommodation or other form of holiday
- (ii) Free use of other forms of leisure, sports or entertainment facilities or equipment

8. Gifts

If you are offered a gift you should consider whether it is one of “low” value (£25 as at 2020). You must use common sense and tell your manager, who should decide if the gift is acceptable or should be declined. It must be recorded in a register maintained by your directorate.

Examples of generally acceptable gifts:

- (i) Small gifts that have been sent or given as an advertisement for a particular firm, for example, appropriate items for use in the office
- (ii) Small gifts such as a bottle of wine or a box of chocolates that have been given at the end of work on a project. These gifts should be made generally available to those who have worked on the project

(iii) Christmas boxes – in a number of jobs, for example, refuse collection, it has been traditional for members of the public to give the team concerned gifts with varying financial values. As a normal and well-established practice, acceptance of the Christmas gift, on behalf of the team concerned, is acceptable, provided:

- The gift is not solicited or requested either directly or indirectly
- There is no suggestion that decisions concerning the service, or the quality of the service provided will change in any way
- Any gift that is of such a value that falls outside a normal range is notified to your manager

Gifts should be declined if it is from anyone who is, or may be in the foreseeable future, tendering for any contract with the Council, seeking planning permission, seeking employment or in dispute with the Council.

9. Bribery & Corruption

The Bribery Act 2010 makes it an offence to seek, accept or agree to accept a financial or other advantage as an inducement or reward to perform a function improperly. In simple terms, for public employees, agency and contracted staff it is a crime to seek or accept a financial or other advantage in return for making a decision, granting an award or performing any other public function, regardless of what decision is made. The maximum sentence for a bribery offence is 10 years imprisonment.

The Bribery Act 2010 also makes it an offence for employees to offer or pay bribes and both the individual and the organisation may be prosecuted.

The Local Government Act 1972 makes it an offence for employees to accept any fee or reward (including gifts) for their employment other than their proper pay, and on conviction employees are liable to be fined.

10. Dressing Appropriately

- a) You are expected to dress appropriately for the role for which you are employed. You must be mindful of the impact your appearance will have on the client/customer relationship.
- b) If you are required to wear a uniform you must conform to that requirement.

- c) You are required to comply with any Health & Safety clothing requirements.
- d) If you have personal, cultural or religious objections to these requirements, you should discuss them with your Head of Service who will consider each case on its merits and take appropriate action.

11. Use of Council property, facilities and equipment

- a) Be mindful that you are using Council assets, not your own personal property
- b) You may make phone calls within reason and within your own time
- c) You may access the Council's internet connection for personal use, but only within your own time and as stated in the Council's ICT rules
- d) Council vehicles must be used for authorised purposes only
- e) You must return any Council property if you stop working for the Council

12. Using the services of people who deal with the Council

You are not prohibited from personally obtaining goods and services from organisations that deal with the Council. However, you must make sure that you are not being offered preferential rates in an attempt to influence the Council to use that organisation. As far as possible, make sure that the price you are quoted is a competitive one.

If you are authorised to award or recommend the award of contracts to an individual or an organisation, you should try to avoid using that individual or organisation for the purchase of goods or services for yourself, unless it can be demonstrated that there was little or no alternative. This should be declared to your manager if this happens.

This does not affect the purchase of goods or services at discount rates negotiated through a scheme endorsed by the Council or a Trades Union.

13. Conduct outside working hours

In general, what you do outside work is your own concern. However, you must avoid doing anything which may result in damaging the Council's reputation. Some actions, including serious misconduct or criminal offences can lead to disciplinary action and may lead to dismissal.

Remember that if you are expected to wear a uniform as part of your job, and wear it outside working hours, you can be identified as a Council employee and you must act appropriately while wearing the uniform.

For certain professions, if it is considered that you have brought the profession into disrepute, you may be struck off the professional register and no longer able to practise.

14. Employment outside the Council

If you take on, or consider taking on, paid or unpaid work in addition to your work at the Council, you must be certain that it does not have an adverse effect on your work for the Council and does not conflict with the interests of the Council.

You must declare any personal interest or activities that may be perceived by others as being potentially in conflict with the Council's interests.

You should bring this to the attention of your manager to check that it is acceptable for you to do it. In particular, you must ensure that you comply with the following conditions:

- (i) You must not undertake private work or business (including private work for your line manager) during your Council working hours, on Council premises or using Council equipment.
- (ii) You must not take on work that will adversely affect the way in which you perform your duties for the Council. You must consider the Working Time Regulations.
- (iii) You should take care when undertaking paid or unpaid private work that involves official contact with the Council (for example, work for relatives or friends that needs planning permission). You must discuss this with your manager.
- (iv) You must not undertake paid or unpaid private work for any person or organisation if you allocate business to them as part of your duties at the Council, or if you are in a position to award contracts or commission work, or influence the awarding of contracts or commissioning of work, or grant approval or permission.
- (v) You must not be involved in awarding, monitoring or managing contracts in which partners, spouses, relative or friends are employed.
- (vi) If you are invited to speak at a conference, in your position as an officer of the Council, your fees for this would normally be paid to the Council.

There may be situations where it may be appropriate to carry out some form of **unpaid** "outside work", academic research or other task in the workplace. Generally this would only be appropriate out of work time (e.g. during lunch breaks or outside normal work hours) and in no way for personal gain.

15. **Personal Interests**

It is accepted that you will have outside interests and will support, or belong to, different groups or organisations, whether this is paid or unpaid. You should declare to your manager your involvement or interest (financial and non-financial interests) **if and when** your outside activities, or the activities of the group you belong to, could conflict with the Council's interests or Council policy, or with your duties and responsibilities as an employee.

You should declare to the Council's Monitoring Officer (Assistant Director of Legal and Democratic Services) membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct (for example, Freemasons). The Monitoring Officer will keep a confidential record of such declarations.

16. **Breach of the code**

Failure to comply with the Code of Conduct could lead to criticism of the Council or you. In such cases, the Council's Disciplinary Procedure would apply.

If you have any concerns about the application of any part of this code to your own circumstances you should discuss it, as soon as possible, with your manager.

DECLARATION

I undertake to comply with any reasonable requirement which the Council may specify in order to avoid a conflict of interest.

I appreciate Reading Borough Council has a duty to protect the Council's interest and therefore a failure to provide a full disclosure, or any action related to this declaration which results in unacceptable conduct, could result in disciplinary action against me by the Council.

Signed: _____ Date: _____

Noted

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Further action by employee required? YES
NO

Action required by & notified to employee: _____

Signed _____ Position _____ Date: _____

Declarations must be made on the proforma. It should be completed and returned to the employee's managers. The form will be handled in confidence. One copy will be held on the employee's HR file, one copy retained for the directorate register and one copy sent to the Council's Monitoring Officer.

DECLARATION

In accordance with the requirements of the Code of Conduct, I undertake that should this request be approved:

- (i) the outside work involved will not conflict with the interests of Reading Borough Council nor adversely affect my ability to comply with my contractual duties as a Council employee.
- (ii) I will not at any time disclose any confidential information or use documentation which is the property of the Council or use any Council equipment or material in the course of this outside work.
- (iii) the organisation or person for whom I would be working is aware that I would be taking up such work as a private individual and not as a representative, agent or secondee of Reading Borough Council, and that all professional indemnity and other relevant insurance or tax requirements are my own responsibility.
- (iv) I appreciate Reading Borough Council has a duty to protect the Council's interest and therefore a failure to abide by this declaration could result in disciplinary action against me by Reading Borough Council.

Signed: _____ Date: _____

FOR OFFICE USE

Request approved? YES
NO

If refused, reason for refusal:

Signed _____ Position _____ Date: _____

The request must be made on the proforma. It should be completed and returned to the employee's manager. The form will be handled in confidence. One copy will be held on the employee's HR file and one copy will be held for the directorate register.

The rules relating to outside working are set out in [Section 14](#) of the Council's Code of Conduct.

Disruption to Normal Working Policy

August 2020



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Document History	
Version	1.4 (See below)
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Target audience	All Council employees with the exception of staff employed by schools
Ratification	None
Author	HR Employment Services Team

Version control	Reviewers
Version 1.1	Agreed by Personnel Committee in December 2010
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Version 1.3	Incorporating TU comments (March 2020)
Version 1.4	Final version agreed with Joint Trade Unions in August 2020 (Next review is due August 2022 or sooner if required by legislation)

Table of Contents

1. Introduction.....	3
2. Scope	3
3. Core Objectives.....	3
4. Key Principles.....	3
5. Other Absences During an Emergency.....	5
6. Child / Dependant Care if Schools or Centres Close	5
7. If the Council Closes Buildings / Services.....	5
8. Redeploying Staff – Voluntary Measures	6
9. Other Forms of Redeployment	6
10. Additional Costs / Payments	7
11. Cancelling Annual Leave	7

1. Introduction

- 1.1 This policy is intended to allow managers and staff to adapt to extreme events that may disrupt the local / national transport infrastructure or otherwise affect the ability of staff to report for work (e.g. flu pandemic, weather, terrorist attack etc).
- 1.2 The policy is also intended to provide an overarching, corporate framework on the deployment of staffing which supplements existing service continuity and other contingency plans that are already in place.
- 1.3 This policy is not intended to be used in the event of disruption caused by industrial action undertaken by Council staff. Separate guidance will be issued to cover these circumstances.

2. Scope

- 2.1 This policy applies to all Council employees, excluding agency staff and school staff.

3. Core Objectives

- 3.1 The first core objective of this policy is to ensure that as far as possible, extreme events (see above) do not adversely impact on the services provided by the Council to vulnerable clients and the community at large.
- 3.2 The second core objective is that in meeting the first objective staff are treated fairly and consistently, and their health and safety is not compromised.
- 3.3 Like many public sector employers, the Council benefits from having staff who are motivated and flexible to meet the needs of the people that depend on its services. Each extreme 'event' – be it flooding, snow or other disruption – will bring its own particular challenge and circumstances.
- 3.4 This policy recognises that staff will often make exceptional efforts to attend for work or otherwise mitigate the effects of disruption. This additional effort should be recognised and reciprocated by managers when agreeing arrangements to make up for time lost (see 4.8 below).

4. Key Principles

- 4.1 Events that impact on the attendance of staff can sometimes be foreseen and planned for (e.g. bad weather, transport strike) but they can also occur without warning. Managers and staff should be aware of what is expected of them before an event occurs. This means that expectations are discussed, explained and explored on a regular basis within teams, induction etc and as part of service continuity planning. Staff should be made aware of the contents of this policy and in any relevant service continuity plan.

- 4.2 Staff are expected to attend for work if it is safe and reasonable for them to do so, and if an event occurs during the working period for that employee they are expected to remain at work if it is safe and reasonable to do so. The guidance in this document applies to both scenarios.
- 4.3 **The Council does not have a general policy of paid time off for staff who are unable to attend for work.** Managers and staff are encouraged to take a flexible approach to this aspect of contingency planning.
- 4.4 If staff are unable to attend for work (or predict that they will have difficulties) then they should discuss (not text or e-mail) this with their manager at the earliest opportunity – before they leave work in the event of a foreseen event, or as soon as possible in the event of an unforeseen emergency.
- 4.5 If it is not possible for the employee to speak to the manager (i.e. manager is unavailable) then the employee should speak to the next senior person available at that time. The manager and employee should then discuss options for either making up the time lost, (ideally the manager should record the arrangements in writing), or alternative ways in which staff can contribute to the provision of services such as -
- allowing staff to stagger journey times (to and from work) where possible (with flexibility for making up time later)
 - car sharing to ease the number of cars on the roads and lifts for staff who generally rely on buses
 - arrangements for staff to be prepared to work from home or
 - arrangements for staff to report for duty to another work location - either Service Managers (or the Council's Emergency Planning team) may be able to assist with this should the need arise
- 4.6 Staff are ultimately responsible for making their way to work and the Council does not have a policy to pay (or otherwise provide) alternative means of transport. However, where there is an exceptional need for an employee to be at their normal (or alternative) place of work, then support may be offered. Such support will be time limited and not be a precedent for the future.
- 4.7 When discussing options for an employee consideration should be given to factors such as the distance between their home and work, the nature of the disruptive event, health factors, and any disability the employee may have.
- 4.8 Staff and managers can be creative about the ways in which time can be made up - either using the provisions of the flexible working hours scheme, paid (annual)/unpaid leave or some other form of work in lieu. Managers are encouraged to be reasonable, and not overly rigid in recovering time lost. Decisions on recovery of lost time should have regard for any exceptional efforts to attend for work undertaken by an individual and should reflect a balance between this effort and the time to be recovered.
- 4.9 In exceptional circumstances managers can be more flexible about how they address these challenges - for example 'pulling forward' leave from next year.
- 4.10 Records of decisions / agreements with individuals should be made and kept.

- 4.11 Existing Council policies and procedures are unaffected by these arrangements, but do not in themselves presume that staff will be granted paid leave of absence. Decisions should be made on a case by case basis with managers able to justify objectively any variations between staff.

5. Other Absences During an Emergency

- 5.1 Other pre-planned absences such as annual leave, special leave, flextime leave or leave for public duties, may need to be cancelled or rearranged during an emergency to ensure sufficient cover can be maintained. Leave requests should also be prioritised, e.g. special leave requests for bereavement situations and public duties which must be provided by law, will take precedence over non-critical flextime / annual leave requests. Decisions must be rational, proportionate and discussed with the individuals concerned and recorded. If it is necessary to cancel leave and employees have already paid for flights, hotels or incurred other expenses then the Council will reimburse the costs incurred subject to proof of expenditure (see also 11.2). The manager must ensure that all other options have been explored before cancelling leave where this would incur costs as described above.

6. Child / Dependant Care if Schools or Centres Close

- 6.1 If a member of staff needs to take care of children or other dependants in the event that schools or other care centres close, a progressive approach should be taken with the onus on the individual to sort out care needs in the first instance, but with support and understanding from the employer – using existing compassionate leave, annual leave, unpaid leave policies. Consideration may be given to allowing staff to make up time over a period.

7. If the Council Closes Buildings / Services

- 7.1 If services are temporarily shut down in response to an agreed plan, the first stage would be to seek to redeploy people to appropriate areas of work that still need to be delivered; this may involve some retraining. If, however, this is not possible then employees may be asked to stay at home, for which they will continue to receive contractual pay (but not for any elements of pay that are dependent on the work actually being carried out).
- 7.2 Staff will have to be continually available for work during this period (and so cannot arrange leave or be out of travelling distance from work without going through the normal process to request leave) and may be called in to attend work at short notice.

8. Redeploying Staff – Voluntary Measures

- 8.1 A manager of a service designated RED or AMBER on the Council's Business Continuity list will assess when staffing levels are about to reach critical minimum and then seek redeployees from neighbouring services / across the Council as necessary. Managers in other services would encourage those staff who have already indicated a willingness to volunteer to put their names forward in a collective effort to resource the affected areas.
- 8.2 Managers will take account of individuals outside responsibilities outside of work, such as child or older person care.
- 8.3 Volunteers can also be sought from other employees outside of the above areas. Those who volunteer should be provided with adequate basic training and information to enable them to carry out the task safely and effectively. If employees from other areas of the Council volunteer to cover essential service delivery areas they will still have to meet any basic requirements of the role (e.g. checks or qualifications). If these cannot be met, then the situation will have to be subject to a relevant risk assessment agreed by a senior manager.

9. Other Forms of Redeployment

- 9.1 Major emergencies and transport disruption may mean that managers will need to identify any critical areas that are likely to have a shortage of employees in line with the Business Continuity Plan.
- 9.2 Although it is preferable to identify volunteer staff to assist in the provision of essential services, it may be necessary to direct other staff to avoid a failure of critical service provision. Notwithstanding the provisions of 8 above (and the related provisions for training and adequate health a safety elsewhere), the Council may have to issue an instruction for staff from one service area to support another. Such instructions must be reasonable, accord with the guidance in this document and be time limited.
- 9.3 Employees are expected to be flexible to ensure that services can be maintained. The general principle is that the authority should make the best use of resources to support its communities and that resources should be prioritised towards critical services.
- 9.4 Where necessary, employees who are suitably trained or skilled to carry out tasks can be asked temporarily to provide cover if the number of employees available for work who normally provide the service becomes too low. This might apply across sections / departments as well, particularly for those employees who are not able to work in their own area if the service is suspended.
- 9.5 In exceptional circumstances the underlying principle is that if someone has an acceptable level of training or skills and knowledge to carry out the basic

task, it should be reasonable to expect them to do it. The aim is to ensure that critical Council services are maintained wherever possible.

10. Additional Costs / Payments

- 10.1 In the event that the Council directs staff (or staff volunteer) to work in different areas during an emergency and this results in the employee incurring additional costs from those that they would normally incur when working, then these will be met by the Council providing that they are reasonable and agreed with the relevant budget holder before they are incurred. Note there is a reimbursement of expenses policy concerning travel to other sites. All expenses must be claimed within three months of the event occurring.
- 10.2 If a member of staff is redeployed into a post that has a higher salary grade, managers should ensure that the member of staff who is being redeployed has the necessary skills, training or experience to operate at that higher level. Staff will receive enhancements currently paid to the substantive staff in the post covered. Only where this is not possible (e.g. the elements are subsumed into a grade) should consideration be given to ad hoc payments. Staff will not be financially worse off (e.g. if they are temporarily redeployed to a lower graded role).
- 10.3 Staff who work additional hours shall receive the normal enhancements payable under their contract of employment or may receive time off in lieu. In the event that staff grade RG5 or above work additional hours, then they will not normally be eligible for an overtime payment but may receive an ad hoc payment as determined by the Corporate Management Team from time to time.
- 10.4 Payment for work whilst on maternity leave must be treated as a Keeping in Touch (KIT) day in accordance with the Maternity Leave Policy.

11. Cancelling Annual Leave

- 11.1 When other voluntary / redeployment processes have been used (and as a last resort), staff may be required to cancel pre-planned annual leave. This is an exceptional step and will only be done when all other reasonable steps have been taken to find alternative means of providing essential services.
- 11.2 In cases where staff were instructed to cancel their holiday (or in negotiation with someone who volunteered to do this and there is no cost free alternative available to the manager), the Council will reimburse the cost incurred, providing that necessary proof of expenditure is provided.
- 11.3 The manager will discuss the intention to cancel leave with the employee/s prior to issuing any instruction and will fully consider any comments or submissions made by the employee. In particular, the manager will set out the reasons behind the request, the alternatives that have been considered, and the support that the employee will receive to rearrange their leave.

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Recruitment and Selection Policy

August 2020



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Document History	
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Table of Contents

1.	Introduction.....	3
2.	Scope	3
3.	Aims	3
4.	General Principles	4
5.	Responsibilities	4
6.	Recruitment and selection process.....	5

1. Introduction

- 1.1 The Council is committed to providing efficient and effective services to the diverse communities of Reading Borough Council (RBC). However, in order to achieve this, the Council recognises that it is crucial to recruit the right people with the right skills and values to the right job and that these individuals should reflect, as far as possible, the diversity of the local community it serves.
- 1.2 This policy provides a framework to ensure the Council has a fair, objective, consistent and transparent recruitment and selection process that promotes good practice and a positive approach to equality and diversity. As it only sets out the broad principles, recruiting managers should read it in conjunction with the more detailed guidance relating to each stage of the process published on the Intranet. Managers should also be familiar with the separate Guidance on Recruitment and Retention of Disabled People.

2. Scope

- 1.1 This policy applies to all Reading Borough Council recruitment.

3. Aims

- 3.1 This policy aims to:
 - Ensure the Council has a talented, skilled, flexible and motivated workforce that can deliver effective, value-for-money services in line with the organisation's strategic priorities, both now and in the future
 - Set out the standards to ensure that the Council's recruitment processes are fair, consistent, transparent and comply with relevant legislation and good practice
 - Increase the diversity of the workforce through the attraction and recruitment of high-quality candidates from across the community, particularly from under-represented groups
 - Balance the benefits of recruiting externally with the aspirations of existing staff to develop and progress within the organisation
 - Ensure that new recruits are assessed not only on their technical ability, but also for their compatibility with the Council's Team Reading values and behaviours
 - Promote a positive image of the Council as an employer

4. General Principles

- The recruitment and selection process must be appropriate to the job concerned and be able to deliver a quality candidate for the job at a reasonable cost
- The process must be fair but not overly bureaucratic or daunting to potential applicants
- Safer recruitment practices must be employed for all posts involving contact with children and/ or vulnerable adults
- Council Redeployees (i.e. staff who are at risk of redundancy) will be given prior consideration if the minimum criteria for the role are met (refer to the Employment Stability Agreement for more detail)
- Applicants with a disability, RBC Care Leavers and people who have completed the New Directions Work Experience Programme and who meet the minimum criteria for the job will be guaranteed an interview (see also the Guidance on Recruitment and Retention of Disabled People)
- No job will be advertised without having been job evaluated
- All appointments must be made on merit following assessment against clearly defined criteria
- The process should be undertaken by competent managers who have received appropriate training
- The process must be transparent and auditable with detailed written evidence available to support the decision made in respect of each applicant
- The required pre-employment checks must be carried out on all preferred candidates
- No appointee can start work before receipt of satisfactory pre-employment checks

5. Responsibilities

5.1 **Executive Directors and Assistant Directors** are directly responsible for ensuring that:

- This policy is followed within their own service areas,
- Their managers attend recruitment and selection training, including refresher training
- Their managers are held accountable for their practices

5.2 **Recruiting Managers** are responsible for:

- Familiarising themselves with, and adhering to this policy
- Adhering to the Council's recruitment and selection processes, including safer recruitment practices where appropriate to the job role

- Carrying out recruitment fairly, transparently and without prejudice in accordance with Council procedures
- Maintaining their technical knowledge and skill levels by undertaking recruitment and selection training, including refresher courses, as required

5.3 **Human Resources** are responsible for:

- Ensuring all required pre-employment and other suitability checks are carried out
- Providing specialist advice to managers
- Ensuring that monitoring of recruitment and selection activity is carried out
- Providing briefings and corporate training for staff involved in the process according to their needs
- Providing guidance and advice on statutory requirements and best practice in the protection of people in vulnerable groups – not just restricted to recruitment
- Investigating any complaints from applicants, managers or trades union representatives
- Work with managers and trade unions to implement any changes to the policy

6. Recruitment and selection process

6.1 Reviewing the Vacancy

Before beginning the process to fill any vacant post, managers should review it against their service area's strategic plans to make sure there is still a need for the role in its current form and consider potential redeployment opportunities for staff under the [Employment Stability Agreement](#).

6.2 Vacancy Control Procedures

Managers must follow the vacancy control procedures in place at the time they propose to recruit.

6.3 Opportunities for Young People

The Council is committed to helping young people get into work through its work placements and apprenticeships. Managers are, therefore, encouraged to consider creating suitable opportunities that would enable young, unemployed people to gain valuable work experience and skills. Managers should contact their HR Partner in the first instance if they are interested in taking on an apprentice.

6.4 Use of Agency Workers

The Council aims to fill all vacant posts with directly employed staff. The use of agency workers should therefore be kept to a minimum and at all times subject to vacancy control procedures. The use of agency workers will also be reviewed at Directorate Joint Forum meetings with trade unions.

6.5 **Job Descriptions and Person Specifications**

All posts must have an up-to-date, accurate job description/ person specification or job role profile.

6.6 **Customer-facing Roles**

When recruiting to roles where the employee is required, as a regular and intrinsic part of the job, to speak to members of the public, either face-to-face or over the telephone, managers must have regard to the guidance within the “Code of Practice on the English Language Requirement for Public Sector Workers”. This means that they must ensure that employees in such roles, irrespective of their nationality or origins, have a command of spoken English which is sufficient to enable them to perform the role effectively. The level of fluency required must be appropriate to the demands of the role and this must be specified in the person specification or job role profile. Fluency does not relate to regional or international accents, dialects, speech impediments or the tone of conversations.

6.7 **Advertising the vacancy**

The Council is committed to 'simultaneous advertising' where all posts will be advertised internally and externally at the same time except where Council policies, procedures and agreements with the Trades Unions provide otherwise.

6.8 **Advertising Media**

Advertising will be designed to ensure that job opportunities are accessible to as wide and diverse an audience as possible and that they attract the strongest possible field of candidates.

6.9 **Adverts**

Recruitment advertisements should reflect the realistic requirements of the job with regard to skills, qualifications and experience and shall not include any unjustifiable or discriminatory requirements.

6.10 **Executive Search**

For a limited number of senior management positions or hard-to-fill professional posts, it may be appropriate to use a consultancy firm to assist with finding potentially suitable candidates. This approach may be used to complement advertising on the open market to attract a wide pool of suitable candidates. The approval of the Assistant Director of HR and Organisational Development is required in all cases where it is proposed to use executive search techniques and the company to be used must be selected in accordance with the Council's procurement rules.

6.11 **Selection Process**

The recruitment and selection of employees is one of a manager's most important responsibilities. In view of this, only those managers who, as a minimum, have undertaken the Council's recruitment and selection and equalities training can be involved in the recruitment and selection process. Normally all members of the recruiting panel should shortlist and it will be usual for the same managers who were

involved in shortlisting to also sit on the interview panel. It is not permitted for a manager to interview alone.

An interview must form the core part of every recruitment and selection process and, for a large number of posts, it will be sufficient to use it as the sole method of assessment. However, for others, particularly more senior or technical roles, a more challenging selection process involving some form of testing might be appropriate. Care must be taken to ensure that tests do not unfairly discriminate. Where a candidate is known to have a disability that may put them at disadvantage, the panel should make reasonable adjustments to the tests to enable the candidate to participate fairly. All proposed tests should be discussed with HR. At the beginning of an interview the chair of the panel must check with all candidates that their access needs have been met.

Under no circumstances must an individual who is a friend, family member or has, or has had, a personal relationship with a candidate, participate in shortlisting or sit on an interview panel. The same would apply if an individual's knowledge of an applicant is such that their objectivity may be compromised. In these circumstances an individual must declare an interest and withdraw from the process. If a panel member has any concerns about this then they must seek advice from the Council's Resourcing team well before the interviews are due to take place.

6.12 Involvement of clients/service users

Where the successful candidate will have to work extensively and closely with children or vulnerable adults, it may be desirable to involve representatives of the clients/service users in the recruitment and selection process.

6.13 Post Selection Checks

The Council reserves the right to undertake such pre-employment checks as are necessary to ensure the suitability of the applicant for the job in question. This means that before a conditional offer of employment is confirmed, a number of pre-employment checks must be carried out and the outcomes considered satisfactory. These include:

- appropriate written employment references
- health clearance
- verification of qualifications and/or professional registration where appropriate
- Disclosure & Barring Service check where appropriate
- Right to Work in the UK check
- Driving licence check where appropriate to the post

6.14 Record Keeping

Recruiting managers must keep accurate and detailed records of the recruitment and selection process in order to be able to provide feedback to unsuccessful candidates and as evidence in case the appointment decision is challenged. All records must be kept confidential and stored securely in accordance with the Data Protection Act.

6.15 **Feedback**

Applicants will always be notified by email of the outcome of their application at every stage of the process. Recruiting managers should always offer to provide feedback as soon as reasonably practicable to candidates on the outcome of their application. Feedback given must be accurate and any comments must be able to be substantiated by documentary evidence if required. Feedback must relate specifically to the individual's personal application and must not include comments about the specific performance of other applicants.

6.16 **Complaints**

The Council operates a right of complaint for applicants who feel their applications have not been fairly considered. Applicants may complain in writing to the Assistant Director of HR and Organisational Development at any stage in the recruitment process. This must be within 5 working days of the alleged act complained of. All complaints will be dealt with through the Council's Corporate Complaints Procedure.

The recruitment process will normally be halted at the point that the complaint is received.

6.17 **Monitoring**

In order for the Council to ensure that recruitment and selection practices are undertaken in accordance with the principles set out in this policy, HR will monitor and review arrangements through any of the following:

- Structured telephone discussions with recruiting managers prior to, and on completion of, the recruitment process
- Random scrutiny of individual recruitment exercises
- Manager surveys to review the ongoing effectiveness of the recruitment and selection procedures
- Ad hoc surveys to review the candidate experience
- Production and analysis of recruitment and selection statistics for the purposes of equalities monitoring
- Through trade union representatives observing a random sample of shortlisting meetings and interviews

Guide to recruitment and retention of people with a disability

August 2020



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Table of Contents

1. Objectives and scope.....	3
2. Relevant legislation.....	3
3. Definitions.....	3
4. Fair recruitment and selection.....	6
5. Support for staff with a disability.....	7

1. Objectives and scope

- 1.1. The Council will endeavour to create and maintain a workplace which is accessible by design including, but not limited to, physical buildings and presentation of information.
- 1.2. This guide should be read alongside the Council's Recruitment and Selection Policy and is designed to:
 - assist managers and other employees involved in the recruitment, selection, management and retention of employees with a disability, and;
 - be a guide for employees with a disability to ensure they are aware of their employment rights and the support and advice which is available to them as an employee with a disability of Reading Borough Council.

2. Relevant Legislation

- 2.1. The Equality Act 2010 prohibits discrimination against people with a disability in a range of circumstances covering the provision of goods, facilities and services, the exercise of public functions, premises, work, education and associations.
- 2.2. Disability is one of the specified protected characteristics under the Act.

3. Definitions

- 3.1 A person has a disability if they have a physical or mental impairment and the impairment has a substantial, long-term, adverse effect on their ability to carry out normal day-to-day activities.
- 3.2 Whether a person has a disability for the purposes of the Act is generally determined with reference to the effect that an impairment has on that person's ability to carry out normal day-to-day activities.
- 3.3 A disability can arise from a wide range of impairments which can be:
 - Sensory impairments, such as those affecting sight or hearing;
 - Impairments with fluctuating or recurring effects such as rheumatoid arthritis, myalgic encephalitis (ME)/chronic fatigue syndrome (CFS), fibromyalgia, depression and epilepsy;
 - Progressive, such as motor neurone disease, muscular dystrophy, forms of dementia and lupus (SLE);

- Organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases, including thrombosis, stroke and heart disease;
- Developmental, such as autistic spectrum disorders (ASD), dyslexia and dyspraxia;
- Learning difficulties;
- Mental health conditions and mental illnesses, such as depression, schizophrenia, eating disorders, bipolar affective disorders and some self-harming behaviour;
- Produced by injury to the body or brain
- Congenital (from birth)

3.4 Exclusions from the definition

3.4.1 Certain conditions are not regarded as impairments for the purposes of the Act. These are:

- Addiction to, or dependency on alcohol, nicotine, or any other substance
- The condition known as seasonal allergic rhinitis (e.g. hay fever)
- Tendency to set fires;
- Tendency to steal;
- Tendency to physical or sexual abuse of other persons
- Exhibitionism;
- Voyeurism.

3.5 'Substantial adverse effect'

A substantial effect is one that is greater than the effect which would be produced by the sort of physical or mental conditions experienced by many people which have only 'minor' or 'trivial' effects.

This could include:

- The time taken to carry out an activity;
- The way in which an activity is carried out;
- Cumulative effects of an impairment

For example, someone with depression experiences a range of symptoms that include a loss of energy and motivation that makes even the simplest of tasks or decisions seem quite difficult

- Effects of behaviour

For example, it would be reasonable to expect a person who has back pain to avoid extreme activities such as parachuting but would not be expected to give up or modify, more normal activities that might exacerbate the symptoms; such as moderate gardening, shopping, or using public transport.

- Effects of environment e.g. humidity, lighting, the time of day, how tired the person is, or how much stress he or she is under, may have an impact on the effects.
- Effects of treatment;
- Progressive conditions e.g. dementia, rheumatoid arthritis
- Severe disfigurements e.g. scars, birthmarks, limb or postural deformation

3.6 **'Long-term effects'**

The Act states that, for the purpose of deciding whether a person has a disability, a long-term effect of impairment is one:

- Which has lasted at least 12 months; or
- Where the total period for which it lasts, from the time of the first onset, is likely to be at least 12 months; or
- Which is likely to last for the rest of the life of the person affected

3.7 **'Normal day-to-day activities'**

The Act does not define what is to be regarded as a 'normal day-to-day activity'. Account should be taken of whether the person's impairment substantially affects their ability to carry out normal day-to-day activities such as remembering to do things, organising their thoughts, planning a course of action and carrying it out, taking in new knowledge, and understanding spoken or written information.

For example, a woman has Asperger's syndrome, a form of autism, and this causes her to have difficulty communicating with people. She finds it hard to understand non-verbal communications such as facial expressions, and non-factual communication such as jokes. She takes everything that is said very literally, and therefore has difficulty in making or keeping friends or developing close relationships. She is given verbal instructions during office banter with her manager, but her ability to understand the instruction is impaired because she is unable to isolate the instruction from the social conversation. Effective communication can be achieved in many ways including verbal and non-verbal communication, including follow up written confirmation of any instruction/request.

4. Fair Recruitment and Selection

4.1 The Council has signed up to the government's Disability Confident Scheme which guarantees that applicants who declare a disability will receive an interview for the role they have applied for if they meet the minimum criteria. The scheme supports employers to make the most of the talents people with a disability can bring to the workplace. More information about the scheme can be obtained from Human Resources.

4.2. Application Forms

Application forms are available on request in formats that may be appropriate for applicants who have a visually impairment and include large print, computer disc and Braille on request. Consideration will be given to applicants with a disability who wish to present the required information in a different way.

4.3. Job Descriptions and Person Specifications

Job descriptions and person specifications that contain discriminatory criteria are contrary to the Equality Act 2010 and recruiting managers should review them prior to the recruitment process. Health related criteria should be carefully considered as they are usually irrelevant e.g. good eyesight, good verbal skills or being "fit and healthy". Even if a physical activity is usually essential to a job, a reasonable adjustment under the Equality Act could be to allocate this duty to a colleague.

4.4. Advertising

All advertisements should carry the Disability Confident statement to encourage applications from people with disabilities. Advertisement should state the closing date for applications and the date the interviews will be held in order to give prospective applicants some idea of the timescale for recruitment. This is particularly important for applicants with a disability who may need to make travel arrangements and book interpreters.

4.5. Shortlisting and Selection Process

4.5.1 All shortlisted applicants will be informed that reasonable adjustments will be made to the interview arrangements in order to meet their access needs if required.

4.5.2 Access to Work (see 5.1) may be able to cover the costs of interpreters and the candidate's travel if a taxi is needed.

4.5.3 Interview panel members should not make assumptions based on a person's impairment or the person's ability to undertake work. This would contravene the Equality Act 2010.

4.5.4 The duty to make reasonable adjustments applies to the conduct of the interview itself. At the beginning of an interview the chair of the panel must check with all candidates that their access needs have been met.

- 4.5.5 All interviews should be held in accessible venues. Appropriate car parking may need to be arranged in advance.
- 4.5.6 Under the Equality Act it is unlawful for a prospective employer to ask a job applicant about their health before offering work. This means that job applicants cannot be asked questions about their health and sickness record (e.g. how many days sickness absence they have taken) at any stage of the recruitment process before a job offer has been made.
- 4.5.7 It is acceptable to engage in a discussion about access requirements (such as wheelchair access to the premises where they will be working), before any offer is made, but only where this is raised by the applicant.
- 4.5.8 Once a job offer has been made, managers must be proactive about exploring any disability or health issues, such as instigating job-related reasonable adjustments.

4.6 **Occupational Health**

All staff are required to complete a health screening form in relation to the demands of the job and may then have to complete a health questionnaire or health examination. People with a disability will be required to disclose this information to the Occupational Health service. Their medical information will be kept confidential to Occupational health at all times and they will use the information supplied to advise managers how the applicant can be supported in the workplace. The information supplied or obtained will be processed only in accordance with medical ethical rules and the provisions of the General Data Protection Regulations (GDPR).

5. **Support for staff with a disability**

5.1. **Access to Work**

Access to Work (ATW) is a government scheme which offers advice, support and financial assistance to employers and employees with a disability (the scheme also organises supported employment opportunities) such as:

- Specialist equipment for employees with a disability.
- Adaptations to premises.
- Employing a reader or support worker.
- Employing interpreters for workers with a hearing impairment.
- Travel costs to and from work if public transport / personal transport is inaccessible to an employee with a disability.

Managers should encourage applicants to contact ATW as soon as they have made a firm job offer and not wait until they start in employment.

5.2 Reasonable Adjustments

Under the Equality Act 2010 an employer has a duty to make reasonable changes for applicants with a disability and for employees whose condition is covered under the Act.

The adjustment could be a physical change or a change in the way something is done. This could include assessing working hours, alternative duties and responsibilities, looking at alternative roles within the service or adjacent services. Further advice and guidance is available from Human Resources.

5.3 Accessible Parking

If required, a designated space should be made available as close to the building as possible for employees with a disability who require this. The Council will reimburse parking fees if necessary.

5.4 Health and Safety

It is important that risk assessments are undertaken for lone workers, and a Personal Emergency Evacuation Plan (PEEP) should be planned, if required, involving the employee with a disability. This should include arrangements if they are attending meetings or training in other buildings. Advice can be sought from the Corporate Health and Safety Team.

5.5 Retention

The Council has a legal responsibility to attempt to redeploy employees who as a result of their impairment become unable to fulfil the duties of their substantive post. Making reasonable adjustments to the substantive post should usually be considered first. Ill health retirement or dismissal on medical grounds will only be considered when all other options have been explored fully.

5.6 Developmental Support

If an employee with a disability wishes to discuss career development then support is available from their line manager, Organisational Development and Learning, Human Resources and the Council's union learning representatives.

5.6 Sickness Absence

Please see the Council's [Managing Sickness Absence Policy](#)

5.7 Employees with mental and emotional distress and/or stress related impairments

5.7.1 Employees experiencing mental and emotional distress must not be treated differently to other employees unless they ask for help or demonstrate clear signs through their performance or behaviour that it is needed.

5.7.2 Creative solutions need to be adopted for staff experiencing mental and emotional distress, such as being allowed to take time out in a quiet place if they are feeling anxious or distressed.

- 5.7.3 Flexible working can reduce potential periods of sickness absence e.g. starting work at a later time if they find it hard to leave the house in the mornings because of their impairment or medication.
- 5.7.4 One-to-one supervision sessions and informal discussions can be used as stigma-free opportunities to find out about any problems. Employees may be reluctant to talk openly if they feel that their disclosures will not be dealt with positively and sympathetically.
- 5.7.5 Managers need to discuss with an employee who has a disability how to explain the sickness absences to the employee's co-workers. Colleagues are often unsure how to respond to a colleague who is absent due to a mental health related illness.
- 5.7.6 Occasionally an employee may behave in a way that is unusual and affects colleagues or clients. Managers should try and take the individual to a quiet place and speak to them calmly. Suggest that the employee contacts a relative or friend or that they go home and contact their GP or Occupational Health.

5.8 Support for people with dyslexia, dyspraxia etc

Assessments and emotional support can be obtained from the Adult Dyslexia Centre, online at www.adc.org.uk. The centre is based at The Field Centre, Braywick Heath Nurseries, 41 Braywick Rd, Maidenhead SL6 1DX. The helpline number is 07921 022589, or email help@adc.org.uk.

A range of physical aids are available to assist employees with these conditions.

5.9 Allowing employees with a disability to attend medical appointments during working hours

Paid time off will be given for specialist or hospital appointments, meetings with a Disability Employment Advisor, rehabilitation or assessment. Please see the Council's [Managing Sickness Absence Policy](#) which includes guide on time off for treatment.

5.10 Modifying policies and procedures

If current policies and procedures appear too rigid to enable an employee with a disability to benefit, contact HR to discuss adjustments. The Equality Act 2010 code of practice specifically refers to modifying disciplinary or grievance procedures and redundancy selection criteria where required. HR will also seek views from trade unions.

5.11 Complaints

Any current employee who considers that they have been treated unfairly or discriminated against on the grounds of an impairment or mental and emotional distress may raise a complaint through the Council's [Grievance](#)

Policy. Support can also be sought from a trade union representative if the employee is a member. External job applicants with a complaint about the recruitment process should seek redress through contacting Human Resources.

Whistleblowing Policy

August 2020



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Reading
Borough Council
Working better with you

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Table of Contents

Who does it apply to?	3
Our Commitment.....	3
What types of concern are covered?	3
Safeguards	4
Confidentiality	4
Support for Whistleblowers	4
Trade Unions	4
Human Resources (HR) Department.....	5
Employee Assistance Programme (EAP)	5
Anonymous Allegations	5
Untrue Allegations	5
How will the Council respond.....	7
Acknowledgement.....	7
Action under the Whistleblowing Policy	7
Contact	7
Attending Meetings	7
Outcome.....	8

What is Whistleblowing?

Whistleblowing encourages and enables you to raise serious concerns within the Council rather than overlooking a problem or blowing the whistle outside.

As someone who works for the Council, you are often the first to realise that there may be something seriously wrong. However, you may not express your concerns because you feel that speaking up would be disloyal to your colleagues or to the Council. You may also be concerned that by speaking up you may risk losing your job or damaging your career.

This policy makes it clear that you can raise a matter of concern without fear of victimisation, subsequent discrimination or disadvantage.

It is in the interest of all concerned that disclosure of wrongdoing or irregularity is dealt with properly, quickly and discreetly. This includes the interests of the Council, its employees, any persons who are the subject of any disclosure, as well as the person making the disclosure.

Who does it apply to?

- All employees of the Council
- Contractors working for the Council on Council premises, for example, agency workers, builders or drivers.
- Any suppliers and those providing services under a contract with the Council in their own premises.
- Self-employed workers

Our Commitment

The Council is committed to the highest possible standards of openness, honesty and accountability. In line with that commitment, you are encouraged, if you have serious concerns about any aspect of the Council's work, to come forward and voice those concerns. It is recognised that certain cases will have to proceed on a confidential basis.

The policy has the support of the Council's recognised trade unions.

What types of concern are covered?

Types of concern may be about, for example:

- Conduct which is a criminal offence or a breach of law.
- Suspected fraud or corruption
- Disclosures related to miscarriages of justice.
- Dangerous procedures or activities risking Health and Safety, including risks to the public as well as other employees.
- Discrimination or abuse on grounds of race, gender or disability or other protected characteristic.
- Damage to the environment.

- Breaches of established standards of good practice or agreed procedures
- The inappropriate use or breaches of the Council's Standing Orders and financial procedures.
- Action which is contrary to the Code of Conduct for employees or for Members.
- Suspected sexual or physical or other abuse of clients, or
- Other unethical conduct.

Safeguards

The Council recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. If you believe what you are saying to be true, you should have nothing to fear because in reporting your concern you will be doing your duty to your employer and those for whom you are providing a service.

The Council will not tolerate any harassment or victimisation (including informal pressures) and will take appropriate action to protect you when you raise a concern. If appropriate, the Council's harassment procedure will apply to those who carry out this unacceptable behaviour.

Any investigation into allegations of potential malpractice will not influence or be influenced by any disciplinary, grievance, capability or other procedures that already affect you.

Confidentiality

The Council will do its best to protect your identity when you raise a concern and do not want your name to be disclosed. It must be appreciated that the investigation process may reveal the source of the information and a statement by you may be required as part of the evidence. You will be given prior notice of this and a chance to discuss the consequences if these circumstances arise.

The confidentiality of service users will not be compromised as employees have a duty in law and with their professional codes of conduct to maintain this.

Support for Whistleblowers

Trade Unions

If you are a trade union member, you are encouraged to raise and discuss matters with your union representatives before seeking to invoke the Whistleblowing Policy. Trade unions can advise you whether or not to proceed and the best way to present your disclosure.

A trade union representative may also accompany or represent you at any meetings in connection with a disclosure under this Policy.

Human Resources (HR) Department

The Council's HR Department can be a place where you can discuss how to make a disclosure and lodge a matter of concern (see below). Staff and non-employees will often discuss the issues that worry them with the HR team in the first instance. Such discussions will be in confidence if that is what you prefer, but there may be some disclosures (for instance criminal acts) that cannot remain confidential. However, you will be given time and space to explore your options to take matters forward.

Employee Assistance Programme (EAP)

Employees of the Council can contact the EAP (provided by PPC Worldwide) to discuss any concern you may have about work or your personal life, that is having an impact on you being able to carry out your work.

Although they offer a confidential counselling service, they are not able to make this unconditional confidentiality. They are bound by professional codes of ethics.

What is guaranteed, however, is that any matter that you discuss with them, will be given as much support, sensitivity and confidentiality as is possible. If for any reason, (and this will be on a very rare occasion), that the EAP feels that the information they have heard cannot remain confidential, (e.g. because of any third party involvement), then they will discuss this with you, and try to seek agreement on how to proceed with the matter.

The EAP is contactable (free of charge) by telephone 24 hours a day, 7 days a week on 0800 243 458 (minicom 020 8987 6574), email assistance@workplaceoptions.com. Support is also available online at www.workplaceoptions.com.

Please note: the EAP service is only available to employees of the Council, their family members and Councillors.

Anonymous Allegations

This policy encourages you to put your name to your allegation. Concerns expressed anonymously are much less powerful, but they will be considered (at the discretion of the Council).

In exercising the discretion, the factors to be taken into account would include:

- the seriousness of the issues raised
- the credibility of the concern
- the likelihood of confirming the allegation from attributable sources or factual records

Untrue Allegations

If you make an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you. If, however, it is established that you have made malicious, frivolous or vexatious allegations, or for personal gain, disciplinary action may be taken against you. In such cases, the Council's [Disciplinary Policy](#) will apply.

How to raise a concern

The earlier you express concern, the easier it is for someone to take action.

Concerns may be raised verbally or in writing. You should be prepared to set out the background and history of the concern, giving names, dates and places where possible and the reason why you are particularly concerned about the situation.

If you are an employee –

As a first step, you should normally raise concerns with your immediate manager or their manager, or you may wish to bring the matter to the attention of your trade union representative and request them to act for you. This depends, however, on the seriousness and sensitivity of the issues involved and who is thought to be involved in the malpractice. For example, if you believe that management is involved, or if you feel that you have not received a satisfactory response to your concern, you should approach a higher level of management or your Executive Director / the Chief Executive. You can also report the matter to us by calling 0800 043 0699 (free phone), emailing Whistleblowing@reading.gov.uk or by writing to the Council's Chief Auditor, Civic Offices, Reading RG1 2LU.

If you are not an employee –

(e.g. agency staff, contractors etc) you can discuss your concerns with a relevant colleague or manager within the service that you are working in. You can also seek advice from the Council's HR Department, your own employer or the Council's Internal Audit Service (see above). **Even though you may not be an employee, you are entitled to raise your concerns with any of the contacts shown below or any senior manager in the Council.** The same safeguards and regards for your protection will still apply under this policy.

Further **confidential** advice and guidance on how matters of concern may be pursued can be obtained from:

- Assistant Director of Legal and Democratic Services (The Monitoring Officer) X 72602
- Chief Auditor X 72695
- Assistant Director of HR & Organisational Development X 74697
- Executive Director of Resources (S151 Officer) X 74710

Because of the difficulty of raising a concern, you may ask your trade union or other representative to raise a matter on your behalf or ask them to accompany you to meet with your manager or other officer. You may also wish to consider speaking to a colleague who may have experienced the same concern.

How will the Council respond

Acknowledgement

Receipt of your concern will be acknowledged immediately and, within five working days of the concern being received, the Council will write to you:

- indicating how the matter will be dealt with;
- giving an estimate of how long it will take to provide a final response;
- telling you whether any initial enquiries have been made;
- supplying you with information on sources of support, and
- telling you whether further investigations will take place, and if not, why not.

Action under the Whistleblowing Policy

The action taken by the Council will depend on the nature of the concern. The matters raised may be followed up in one of the following ways:

- be investigated internally by management (it must be emphasised that no-one who is the subject of a complaint or concern will be involved in the handling of it), internal audit or through disciplinary procedures;
- be referred to the police;
- be referred to the external auditor;
- be the subject of an independent enquiry.

In order to protect individuals and the Council, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take. Concerns or allegations which fall within the scope of specific procedures, (for example, child protection or discrimination issues), will normally be referred for consideration under those procedures.

Some concerns may be resolved by agreed action between the manager, individual and those whose actions had caused concern. If urgent action is required, this will be taken before any investigation is conducted.

Contact

The amount of contact between the people considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be sought from you as part of the investigation process.

Attending Meetings

When any meeting is arranged, you have the right, if you so wish, to be accompanied by a trade union representative or a person of your choice who is not involved in the area of work to which the concern relates. This can be someone to provide you with support or act on your behalf during the meeting but this person cannot be a legal adviser.

The Council will take steps to minimise any difficulties which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings, the Council will advise you about the procedure.

Outcome

The Council accepts that you need to be assured that the matter has been properly addressed. Subject to legal constraints, you will receive information about the outcomes of any investigations, and the action that is to be taken. Also, if appropriate, changes which are to be made to monitor procedures to ensure that a similar concern is not raised in the future.

How the matter can be taken further

The Council hopes you will be satisfied that any matter you raise has been considered properly. If you are not satisfied, and if you feel it is right to take the matter outside the Council, the following are possible contact points:

- the Local Government Ombudsman;
- the external auditor;
- relevant professional bodies or regulatory organisations (Government guidance, *Blowing the Whistle to a prescribed person: list of prescribed people and bodies*, is available on the GOV.UK website);
- the police.

If you do take the matter outside the Council, you need to ensure that you do not disclose prohibited confidential information.

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Transgender Policy

August 2020



www.reading.gov.uk



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Table of Contents

1. Objectives and scope	4
2. Definitions	4
3. The law	5
3.1 Equality Act 2010	5
3.2. Gender Recognition Act 2004	5
4. How the Council supports transgender employees.....	6
4.1. Recruitment.....	6
4.2. Monitoring	7
4.3. Employment	7
4.4. Names and pronouns	8
4.5. Changing employee records	8
4.6. Confidentiality.....	8
4.7. Communication	9
4.8. Bullying and harassment.....	10
4.9. Single-sex toilets and facilities	10
4.10. Dress codes.....	11
4.11 Training on transgender issues.....	11
4.12 Supporting an employee who is transitioning.....	11
5 Further guidance and support.....	13
5.10 Internal support.....	13
5.11 External support.....	13
5.12 Getting Support.....	14
APPENDIX 1	15
Glossary	15

1. Objectives and scope

- 1.1. This policy outlines the Council's commitment to ensuring that transgender employees are treated with dignity and respect and are not disadvantaged in the workplace. It also sets out the steps the Council takes to welcome and support transgender employees and prevent discrimination, including discrimination against employees who may be related to or friends with a transgender person.
- 1.2. The policy covers all employees, contractors, temporary workers and job applicants and applies to all stages of the employment relationship.
- 1.3. The policy accompanies the Council's [Equal Opportunity in Employment Policy](#).
- 1.4. The Council will ensure that transphobic abuse, harassment or bullying (e.g. name calling/derogatory jokes, unacceptable or unwarranted behaviour and intrusive questions) through any medium will be dealt with under the appropriate procedures and may result in disciplinary actions. Further information can be found in the Council's [Bullying and Harassment Policy](#).
- 1.5. The Council believes that diversity and inclusion bring benefits to the business and that people work better when they can be themselves.
- 1.6. The Council is committed to welcoming and supporting transgender employees and removing barriers to their recruitment, promotion and retention. Providing a working environment that is free from discrimination, harassment or victimisation because of [gender identity](#) is an important step in ensuring that transgender employees are respected and valued.

2. Definitions

- 2.1. Definitions and terminology regarding transgender people are evolving. The appendix to this policy provides guidance on some of the most commonly used terms. Individuals will self-identify and how they choose to describe themselves should be respected by their managers and colleagues. Rather than assume, it is best to ask someone how they wish to be addressed.
- 2.2. Using inappropriate language and terminology can cause offence and distress and undermines the Council's efforts to create an inclusive workplace for transgender people.
- 2.3. The Council recognises that [gender identity](#) and sexual orientation are not interchangeable terms. Transgender people can be bisexual, gay, heterosexual, lesbian, pan-sexual, asexual etc., and so employees should not assume that a transgender colleague has a particular sexual orientation.

- 2.4. The Council will seek to ensure that employees refer to customers and colleagues using their preferred title and pronoun. An e-learning module is available to help raise awareness of transgender issues which can be accessed here: <https://reading.learningpool.com/enrol/index.php?id=349>

3. The law

3.1 Equality Act 2010

- 3.1.1. [Gender reassignment](#) is one of the protected characteristics covered by the Equality Act 2010. The Act protects a person from discrimination, harassment and victimisation if they are "proposing to undergo, are undergoing, or have undergone a process (or part of a process) of gender reassignment". There is no requirement for the person to be under medical supervision as gender reassignment is considered to be a personal rather than a medical process. Under the Act, a person who takes time off work for gender reassignment must not be treated less favourably in respect of employment decisions, for example by being denied access to training or promotion opportunities.
- 3.1.2. The Act also protects anyone who is perceived to have the characteristic of gender reassignment or is associated with someone who has the protected characteristic of gender reassignment, such as an individual's partner or a friend.
- 3.1.3. An employee who treats a colleague less favourably because of gender reassignment, for example by refusing to work for them, may be held personally liable for discrimination and could face disciplinary action or legal action.

3.2. Gender Recognition Act 2004

- 3.2.1. The Gender Recognition Act 2004 allows [transsexual](#) people to apply for a [gender recognition certificate](#) (GRC), which will give them legal recognition in their [acquired gender](#) and enables them to obtain a new birth certificate. The Act safeguards the privacy of an individual with a GRC by defining information relating to the gender recognition process as "protected information" and, except in certain specific circumstances (for example, for the purpose of preventing or investigating crime), it is a criminal offence to disclose such information without the individual's consent.
- 3.2.2. An application for a GRC will be made to the Gender Recognition Panel. Individuals are required to provide a medical diagnosis of [gender dysphoria](#) and evidence that they have lived in their [acquired gender](#) for two or more years and intend to do so permanently.
- 3.2.3. Transgender people are not required to apply for a GRC and many choose not to for various reasons. For example, the GRC is not required for passports, driving licences etc. The gender marker on many official documents can be

updated to reflect the gender as identified by the transgender person. A confirmation of [gender dysphoria](#) diagnosis may be required for the passport but not a GRC. An individual should never be asked if they have a GRC and to do so could be considered harassment.

- 3.2.4. The Gender Reform Act is currently the subject of a consultation seeking views as to how best government might make the existing process under the Act a better service for those trans and [non-binary](#) people who wish to use it.

4. How the Council supports transgender employees

The Council recognises that transgender job applicants and employees are not required to inform the Council of their gender status or gender history. The gender in which an individual chooses to present will always be acknowledged and respected. This extends to individuals who identify as [non-binary](#), i.e. they do not regard their [gender identity](#) as exclusively male or female or [gender fluid](#) where they may appear male one day and female the next.

To promote a workplace that is inclusive of transgender people, the Council adopts the following approach.

4.1. Recruitment

- 4.1.1. The Council wishes to attract applicants from as wide a talent pool as possible and the recruitment process is designed to be inclusive of transgender applicants. Except in exceptional defined circumstances, a job applicant's gender identity is irrelevant. In an exceptional circumstance where the nature of a specific role might lawfully prevent someone who is transitioning from applying, legal advice must always be sought in advance of advertising.
- 4.1.2. Job advertisements should make clear that opportunities are open to all suitably qualified applicants. If this statement makes explicit reference to not discriminating on particular grounds, those grounds should include [gender reassignment](#). Where an application form is used, this should not include a question about previous names.
- 4.1.3. Managers should not ask questions about an applicant's gender identity or gender history. If an individual chooses to mention this during the interview, they should be informed that the Council supports transgender employees and assured that the disclosure will have no bearing on the outcome of the interview and will not be revealed outside the interview room.
- 4.1.4. The requirement to provide proof of identity to confirm the right to work in the UK can be particularly sensitive for a transgender applicant whose identification documentation may be in their previous names. The Council will always ensure that an applicant is made aware of the full range of permissible

identification documents and that the process of checking is handled sensitively and with respect for privacy of the individual.

- 4.1.5. Where an individual's documentation reveals their previous name and thereby their gender history, this information will be kept confidential and stored securely with the permission of the individual and in accordance with the Council's data protection policy. The same approach will apply where an applicant is required to present qualification certificates before a job offer is confirmed and the certificates are in the applicant's previous name.

4.2. Monitoring

- 4.2.1. In line with its policy on equal opportunities in employment, the Council will monitor the [gender identity](#) and trans gender status of the existing workforce and of applicants for jobs (including promotion) and will review its equal opportunities policy in accordance with the results shown by the monitoring. If changes are required, the Council will implement them.
- 4.2.2. The disclosure of information by employees/job applicants is voluntary and any information disclosed will be treated in confidence, stored securely and used only to provide statistics for monitoring purposes. When communicating monitoring data, the Council will ensure that it is anonymised to avoid identifying individuals.

4.3. Employment

- 4.3.1. An employee who is transitioning may wish to be redeployed on a temporary or permanent basis or have temporary adjustments made to their duties. This may be because the individual is in a public-facing role and wishes to avoid having to answer questions from the public about gender status; or the role involves particular tasks, for example heavy lifting, that will be difficult to undertake if undergoing a particular type of treatment. Requests to be redeployed will be discussed with the employee and, where possible, the Council will seek to accommodate the employee's wishes. Managers must always seek advice from HR in such situations.
- 4.3.2. A manager should not put pressure on an individual to change jobs or make assumptions about their capability or wishes.
- 4.3.3. An employee's gender history or status will not have a bearing on any employment decisions or access to benefits, except where permitted by law. For example, an individual who has transitioned but does not have a GRC may be required to disclose their gender history for insurance and pension purposes. In such circumstances, the Council will handle such information in line with its data protection policy. Where pension and insurance providers request disclosure of an individual's gender status, the Council will ensure that this requirement has been checked with the underwriter and the requirement is made clear in any scheme information provided to employees. In such

circumstances, the employee's written consent will be obtained before disclosing their gender history and status.

4.3.4. The Equality Act 2010 contains an exception from unlawful discrimination in recruitment; opportunities for promotion, transfer or training; or dismissal where a requirement not to be a **transsexual** person applies. An occupational requirement will apply where, having regard to the nature or context of the work, the employer applying the requirement shows that:

- not being a transsexual person is an occupational requirement. For example, a female client may require a female carer, however, the Council will seek to ensure that the 'client' is not exercising prejudice based purely on gender;
- the application of the requirement is a proportionate means of achieving a legitimate aim; and
- either the person to whom the requirement is applied is a transsexual person or the employer has reasonable grounds for not being satisfied that the person is not a transsexual person.

4.4. Names and pronouns

4.4.1. The Council will take all necessary steps to ensure that an individual's change of name is respected. The Council is aware that a failure to change pronouns and names on records in respect of a transgender employee could constitute direct discrimination.

4.4.2. A GRC is not required to enable a transgender person to change their name and the Council will never ask an individual if they have a GRC to verify a name change, as to ask such a question would be inappropriate.

4.4.3. The Council will always respect an individual's chosen pronoun. Consistently addressing a transgender employee by their previous name and/or an inappropriate pronoun may be regarded as harassment and will be dealt with accordingly.

4.5. Changing employee records

4.5.1. Any records that hold personal details should be changed by the time the individual presents at work with their new identity. Records will include all of the systems that may contain names, titles, email addresses and other personal identifiers such as photographs on the Council's website and intranet. The Council will work with the employee to ensure that nothing is omitted.

4.6. Confidentiality

4.6.1. All records that include details of an employee's gender history will be destroyed in a secure manner, unless there is a specific reason for retaining them. Where other people in the Council need to be aware of the employee's

transition to make a change to a particular record, the Council will obtain the employee's consent, and restrict the information to those who need to know.

- 4.6.2. Where there is a need to retain documentation that shows someone's gender history, this information will be stored confidentially in line with the requirements of data protection legislation. The information will be held electronically in a secure environment (for example, password protected) that can be accessed only with the consent of the individual concerned. Only named individuals will be allowed to access this information and those individuals will be made aware that breaches of confidentiality could be unlawful and result in disciplinary action.
- 4.6.3. Care will be taken to ensure that any search of the Council's records by others will not inadvertently reveal an employee's gender history. However, if the employee has published documents which are in the public domain e.g. articles under their old name and the employee wishes to be credited with earlier works then inevitably the original name could be revealed.
- 4.6.4. It is an individual's decision whether or not to reveal their gender status and history and the Council will respect their right to privacy. For example, if someone is recruited into a team managed by a transgender employee, they must not be informed about the manager's gender history. The right to privacy will apply regardless of whether or not the individual has a GRC.
- 4.6.5. Where an employee discloses information about their gender history or status (verbally or in writing), this will be treated as confidential. This includes any information provided to the line manager or HR. Such information will not be shared with others, unless there is a specific reason and then not without the written consent of the individual concerned. Disclosure of the gender history of someone with a GRC without their specific permission would normally be a criminal offence.
- 4.6.6. Information relating to an employee's gender status or history will not be disclosed to a third party without the individual's consent, for example when responding to a reference request.

4.7. Communication

- 4.7.1. The Council will work with the employee to agree what information needs to be conveyed to work colleagues and when the information should be conveyed. While the whole workforce may not need to know about the employee's transition, people who work closely with the individual will normally need to know to ensure that a good working relationship is maintained.
- 4.7.2. The employee may wish to tell colleagues about their transition or may prefer if this is done by someone else on their behalf. The Council will encourage the individual to do what is best for them and, if the employee is not ready to tell anyone at the early stages, the Council will respect the employee's wishes.

The employee is entitled to privacy and the Council will seek to protect them from intrusive enquiries.

4.7.3. Where an employee has a public or client-facing role, the Council will discuss with the individual what third parties need to know and how this should be handled.

4.7.4. The Council will be mindful of possible media interest and establish a protocol for handling media interest to ensure that:

- a transgender employee is not left to deal with this; and
- their colleagues understand the importance of not compromising the individual's right to privacy.

4.8. Bullying and harassment

4.8.1. The Council adopts a zero-tolerance approach to harassment, bullying or victimisation and such behaviour may result in action being taken under the Council's Disciplinary Policy.

4.8.2. Examples of harassment against transgender people include, but are not limited to:

- verbal abuse such as name-calling, threats, derogatory remarks or belittling comments about transgender people;
- asking an individual if they have a GRC;
- jokes and banter about someone's [gender identity](#) or transgender people generally;
- refusing to use the pronoun appropriate to someone's [acquired gender](#) (for example, calling a trans woman "he") or calling the person by the name they had before they transitioned;
- threatening behaviour or physical abuse;
- intrusive questioning about someone's [gender identity](#) or transition;
- excluding a transgender colleague from conversations or from social events;
- refusing to work with someone because they have transitioned; and
- displaying or circulating transphobic images and literature.

4.8.3. All employees are made aware of the Council's [Bullying and Harassment Procedure](#). The Council will also publicise its position on bullying and harassment to any third parties with which it engages.

4.8.4. Any complaints of bullying and harassment are taken seriously and dealt with promptly.

4.9. Single-sex toilets and facilities

- 4.9.1. The Council will support a transgender employee's right to use the toilets and facilities appropriate to their gender. In some cases, the individual may wish to use a single-occupancy toilet during their transition, but they must not be pressurised to do so and this should not be seen as a long-term solution. A transgender person should not be expected to use an accessible toilet unless they have additional circumstances which means this is appropriate.
- 4.9.2. The Council will agree with the employee when they wish to start using the facilities appropriate to their **acquired gender** and how this should be communicated to colleagues. This will apply only if the colleagues already know of the transgender employee's status. If they do not know then raising awareness by a communication about use of the facilities will expose their gender history. Any concerns raised by others will be dealt with promptly and sensitively and harassment of the individual will not be tolerated.
- 4.9.3. Where possible, the Council will move from providing gender-specific toilets to gender-neutral toilets.

4.10. Dress codes

- 4.10.1 The Council will agree with the employee what flexibility in the Council's dress code (where applicable) may be permitted to accommodate the process of transition or where a gender-specific mode of dress would be uncomfortable for the individual.
- 4.10.2 If a transgender employee is required to wear a uniform, the Council will ensure that arrangements have been made to provide them with an appropriate uniform.

4.11 Training on transgender issues

- 4.11.1 Information on transgender issues is an integral part of the Council's equality-awareness training for its employees. The aim is to help our employees to understand what is and is not acceptable behaviour and to differentiate myth from reality, thereby minimising the potential for conflict arising from misunderstandings.
- 4.11.2 Discrimination because of **gender reassignment** is included in other training as appropriate, for example, induction, recruitment and selection, performance management and customer-care training.

4.12 Supporting an employee who is transitioning

- 4.12.1 The Council will be supportive of an employee who has made the decision to transition.
- 4.12.2 The Council acknowledges that the transition process and the time it takes will be unique to each individual and that it is not always a linear process.

4.12.3 Transitioning is a major decision and the individual may have taken years to come to this point. They may fear rejection or ridicule by their work colleagues. It is therefore vital that the Council supports the individual so that they can continue to work without fear of discrimination and harassment and those colleagues are helped to understand the process.

4.12.4 It is also important to realise that 'transition' does not always end up with GRS (Genital Reassignment Surgery). Every transgender person's journey is unique to the individual, goes at the pace they are comfortable with, and they do not all finish at the same destination.

4.12.5 Once the Council has been made aware by an employee that they will be starting, or have started, the process of transitioning, an appropriate point of contact will be agreed with the employee. That person will work with the employee to develop a confidential action plan to support the individual's transition at work.

4.12.6 The plan will consider what steps to take before, during and after the employee's transition. No action will be taken without the employee's consent.

4.12.7 It is important to develop a plan that is bespoke to the individual employee. Some of the key issues to address are likely to include:

- when and how an individual will present at work in their new gender status;
- handling a request by the employee to change their job temporarily during the transition process or to move to a new role permanently;
- the point at which colleagues, especially any direct reports, will be informed and how this will be done;
- if and how third parties, such as clients, should be informed;
- how absence from work for reasons associated with transitioning (for example, for medical appointments and/or medical treatment) will be handled;
- arrangements for changing the individual's name on their personnel records, email, security badges etc;
- confidentiality; and
- dress codes and/or uniforms.

4.12.8 Transitioning is a process that takes time, and, to help both parties, regular review meetings will be arranged to manage the process. This will ensure that the right support is in place and enable the plan to be amended as things change. Effective support for someone who is transitioning requires dialogue, agreed action and respect.

5 Further guidance and support

5.10 Internal support

Employee Assistance Programme (EAP)

The Council's Employee Assistance Programme (EAP) provides free, confidential telephone counselling and support and is available 24/7. They can be contacted on 0800 243 458 (you will be asked where you work and you should say 'Reading Borough Council'). Further information about the EAP is available [on the intranet](#).

Human Resources

Email: hrenquiries@reading.gov.uk

Occupational Health

Email: occupational.health@reading.gov.uk

5.11 External support

The Beaumont Society

Support network that promotes better understanding of the conditions of transgender, transvestism and [gender dysphoria](#).

Chrysalis

Chrysalis is a charity with meeting centres for transitioning and transgender adults. They provide counselling, support and life skills workshops. Meetings are held in the Portsmouth, Southampton and Bournemouth area.

Depend

Offers free, confidential and non-judgmental advice, information and support to family members, partners, spouses and friends of trans people.

GIRES

Gender Identity Research and Education Society is a UK wide organisation whose purpose is to improve the lives of trans and gender non-conforming people of all ages, including those who are non-binary and non-gender.

Mermaids

A national charity offering support to gender questioning and transgender children, young people and their families in the UK.

Mind

LGBTQ mental health gives information about mental health support for people who are lesbian, gay, bisexual, trans, queer or questioning (LGBTQ). It is important to note that being Transgender, or anywhere on the LGBTQ+ scale is NOT a mental health issue in itself. However many who are LGBTQ+ may suffer from other mental health issues such as stress and anxiety often due to the pressures and concerns they may have.

Support U

Providing specialist support and resources to LGBT+ people and those affected by LGBT+ issues.

5.12 Getting Support

Trade Union – members of a trade union can speak to their local representative if they have any concerns. You can find the contact details for trade union representatives on the Council's intranet or by following this [link](#).

HR and managers - You can also speak to your line manager or to a member of the HR team. You can find the contact details for HR on the Council's intranet or by following this [link](#).

ACAS (Advisory, Conciliation and Arbitration Service). You can contact the ACAS Helpline for free and impartial advice, whether you are an employer, employee or representative. The telephone number is 0300 123 1100. It is available Monday to Friday 8am to 6pm. You can also use the [ACAS Helpline Online](#) tool.

Samaritans - A charity who can provide emotional support for employees who are struggling to cope and need somebody to listen to them. They can be found at www.samaritans.org.

The Council has a **LGBT+ network** group which meets regularly for networking and social events and provides support for staff by providing a safe space for the discussion of LGBT+ issues

APPENDIX 1

Glossary

- **Acquired gender:** Used in the Gender Recognition Act 2004 to describe a person's gender after transitioning. As this is a legal term, many people now prefer to use the term "affirmed" gender.
- **Assigned gender:** The gender assigned to someone at birth, based on their physical characteristics.
- **Cross dresser:** Someone who chooses to wear clothes not conventionally associated with their assigned gender. "Cross dresser" is now used in preference to the term "transvestite", which is considered to be outdated and can cause offence. Cross dressers are generally comfortable with their assigned gender and do not intend to transition.
- **Gender:** The socially constructed roles, behaviours, activities, and attributes that a given society considers appropriate for men and women.
- **Gender dysphoria:** A recognised medical condition where the individual experiences severe discomfort and anxiety because their gender identity does not align with their biological sex.
- **Gender expression:** How someone manifests their gender identity in society, for example through their appearance and behaviour.
- **Gender fluid:** denoting or relating to a person who does not identify themselves as having a fixed gender.
- **Gender identity:** A person's internal perception of their gender, their sense of self. For transgender people, their gender identity does not match the gender they were assigned at birth.
- **Gender reassignment (or transitioning):** The process where an individual changes their expressed gender to live fully in the gender with which they identify. For example, a person who was born female decides to take steps to live the rest of their life as a man. Gender reassignment does not require medical treatment and is a protected characteristic under the Equality Act 2010.
- **Gender Recognition Panel:** The Gender Recognition Panel was set up by the Gender Recognition Act 2004 and consists of lawyers and doctors who assess whether an individual is able to satisfy the Act's evidence requirements for the issuing of a Gender Recognition Certificate (GRC). The holder of a full GRC is legally recognised in their [acquired gender](#) for all purposes.
- **Gender Recognition Act (2004):** Enables trans people to apply for legal recognition of their self-identified gender and receive a Gender Recognition Certificate (GRC) if they are successful with their application.
- **Gender Recognition Certificate (GRC):** A birth certificate which indicates the new legal sex and name of the trans individual. Granted by the Gender Recognition Panel once criteria are met. The majority of trans people who

transition do not apply for a GRC. Most see it as irrelevant to their lives or they do not agree with the process.

- **Intersex:** An intersex person is born with ambiguous genitalia and/or sex chromosomal variations, making it difficult to classify their biological sex. There are many different intersex conditions. An intersex person may self identify as a man or a woman or neither.
- **Non-binary:** An inclusive term to describe people whose gender identity is "fluid" and not exclusively male or female. A non-binary person may identify as neither male nor female or may feel that they embody elements of both genders, or that they are something different. The terms intersex and non-binary are not interchangeable.
- **Sex:** The biological and physiological differences that define men and women.
- **Transgender (or trans):** An umbrella term describing the diverse range of people whose gender identity or gender expression differs from the gender they were assigned at birth. The term can encompass individuals who are transsexual, cross dressers or non-binary.
- **Transitioning:** The steps taken by individuals to live in the gender with which they identify. These steps will vary but may include choice of dress, changing names, medical procedures and telling other people.
- **Transsexual:** A transsexual person has the protected characteristic of gender reassignment and is defined in the Equality Act 2010 as someone who is "proposing to undergo, is undergoing or has undergone gender reassignment". Gender reassignment is a protected characteristic under the Act. It is not necessary for a transsexual person to have to be under medical supervision to be protected in law from discrimination.
- **Transphobia:** A fear of or a dislike of transgender people. It is based on prejudice and misunderstanding and can involve verbal abuse, physical violence and other forms of harassment.

Alcohol and Substance Abuse Policy

October 2020



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Page 95



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Document History	
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Table of Contents

1. Introduction.....	3
2. Scope	3
3. Responsibilities	3
4. Procedure	4
5. Further information and advice	6

1. Introduction

Reading Borough Council is committed to:

- ensuring the health, safety and welfare of its staff and those affected by its activities. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to individuals suffering from the effects of alcohol or substance abuse.
- creating a climate that encourages employees who may be misusing drugs or alcohol to come forward and seek help
- enabling instances of substance misuse by employees to be handled in an appropriate, fair and consistent manner
- achieving a balance between supporting employees who come forward with a problem and the overriding need to preserve the health, safety and welfare of employees and others with whom they come into contact

2. Scope

- This policy covers the use and misuse of intoxicating substances, which include alcohol, solvents, legal and illegal drugs, prescription and over-the-counter medicines, and other substances that could adversely affect work performance and/or health and safety.
- This policy applies to all employees, including all agency and casual workers, contractors, volunteers and others working on the employer's behalf.
- The policy is not intended to apply to 'one-off' incidents or offences where there is no evidence of an ongoing problem, which are more appropriately dealt with under the disciplinary procedure, when applicable.

3. Responsibilities

- 3.1 The employer is responsible for maintaining fair, consistent and objective procedures for matters relating to the inappropriate use of alcohol or drugs.
- 3.2 Within the limits of what is practicable and within the law, strict confidentiality will be maintained when dealing with alcohol- and drug-related problems among employees.

Managers are required to:

- be aware of the signs of alcohol and substance misuse and the effects on performance, attendance and health of employees, and take reasonable and appropriate steps
- ensure the health, safety and welfare of employees and others with whom they come into contact
- ensure that staff are aware of the policy and the rules and consequences regarding the use of alcohol, drugs and other intoxicating substances
- treat such matters confidentially as far as is legitimately and legally possible

- monitor the performance, behaviour and attendance of employees as part of the normal supervisory relationship
- intervene at an early stage, where changes in performance, behaviour, sickness levels or attendance patterns are identified, to establish whether alcohol or drug misuse is an underlying cause. Such investigation should be supportive and non-judgemental
- provide support and assistance where appropriate and for a reasonable period, and ensure that staff are aware of the support that is available to them
- seek advice from Human Resources where the manager has concerns or is aware that an employee is adversely impacted due to drugs and/or alcohol.

Employees are required to:

- familiarise themselves with this policy and comply with its provisions
- present a professional, courteous and efficient image to those with whom they come into contact at work. They therefore have a personal responsibility to adopt a responsible attitude towards drinking and taking prescribed and non-prescribed drugs
- not to possess, store, trade or sell controlled drugs on Council premises or bring the Council into disrepute by engaging in such activities outside of work
- seek help if they have concerns regarding their alcohol or drug consumption.
- co-operate with any support and assistance provided
- not, even with the best of motives, to 'cover up' for, or collude with, a colleague with an alcohol or drug-related problem but instead should encourage the individual to seek help
- where the individual concerned does not wish to come forward to seek help, and their colleague(s) genuinely suspects that the individual may be misusing drugs or alcohol, colleagues have a responsibility to raise their concerns with the employee's line manager.

4. Procedure

- 4.1 The Council will undertake and regularly review risk assessments to identify and assess the risks associated with alcohol and substance abuse. The risk assessments will consider the scope of all work activities undertaken by the Council (in particular any safety critical operations) to determine the appropriate policies and arrangements for managing the risks associated with alcohol and substance abuse by employees and, where relevant, contractors, customers and the public.
- 4.2 The Council prohibits the drinking of alcohol by employees and contractors in the workplace or on Council business other than reasonable drinking of alcohol in connection with approved social functions. The Council regards drinking to an 'unreasonable level' as any of the following situations:
- The individual is over the legal limit stipulated for driving (i.e. 35mcg/100ml of breath alcohol concentration).
 - If management has reason to believe the individual's performance is impaired. This may be at less than the legal limit stipulated for driving.

- If management has reason to believe the individual's behaviour may cause embarrassment, distress or offence to others or could potentially bring the Council into disrepute.
 - The individual continues to drink when instructed to stop by a manager.
- 4.3 The Council will take all reasonable steps to prevent employees and contractors carrying out work-related activities if they are considered to be unfit/unsafe to undertake the work as a result of alcohol consumption or substance abuse. The Council reserves the right to refuse entry to, or to send home, any employee who is considered to be in an intoxicated condition. Any breaches of this nature will be handled under the Disciplinary Policy.
- 4.4 The Council expressly prohibits the use of any illegal drugs or any prescription drugs that have not been prescribed for the user. It is a criminal offence to be in possession of, use or distribute an illicit substance. If any such incidents take place on Council premises, in Council vehicles or at a Council function, they will be regarded as serious. They will be investigated in accordance with the [Disciplinary Policy](#) and may lead to disciplinary action and possible reporting to the police.
- 4.5 No member of staff or other person working on behalf of the Council's shall, in connection with any work-related activity:
- report, or endeavour to report, for duty (including being on call) having consumed drugs or alcohol likely to render him/her unfit and/or unsafe for work. Intoxicating substances, such as alcohol, may remain in the system for some time and even small amounts can impair performance and jeopardise safety;
 - consume or be under the influence of drugs or alcohol while on duty unless, in the case of alcohol, with the agreement of line management for the purposes of official entertaining;
 - store drugs or alcohol in personal areas such as lockers and desk drawers (with the exception of non-prescribed drugs such as Paracetamol etc. or drugs which been prescribed to the employee – see 3.6 below); or
 - attempt to sell or give drugs or alcohol to any other employee or other person whilst working for or on behalf of the Council.
- 4.6 Staff must inform their line manager regarding any prescribed and/or non-prescribed medication that may have an effect on their ability to carry out their work safely and must follow any instructions subsequently given. Advice can be sought from the Occupational Health Adviser, through the Human Resources team, about whether any prescribed medication may impact on an employee's ability to carry out their work safely. Employees are not obliged to disclose the actual medical condition being treated nor the medication – simply the impact/side effects.
- 4.7 Any employee suffering from drug or alcohol dependency should declare this to their line manager, or to Human Resources, and the Council will subsequently provide reasonable assistance, treating absences for treatment

and/or rehabilitation as any other sickness absence. Early identification is more likely to lead to successful treatment. Failure to accept help or continue with treatment may render the employee liable to action under the [Disciplinary Policy](#).

- 4.8 Counselling support and support from Occupational Health can be accessed via the Human Resources team. All consultations will be strictly confidential between the employee and Occupational Health/the Counsellor.

5. Further information and advice

- 5.1 Further information, advice and guidance for employees and managers is available through the following web links:

Advice on Alcohol Abuse:

- NHS Choices: <http://www.nhs.uk/conditions/Alcohol-misuse>
- Alcoholics Anonymous: www.alcoholics-anonymous.org.uk/
- Alcohol Concern: www.alcoholconcern.org.uk
- Health and Safety Executive (HSE):
<http://www.hse.gov.uk/alcoholdrugs/alcohol.htm>

Advice on Substance and Drug Misuse:

- NHS Choices: <http://www.nhs.uk/conditions/Drug-misuse>
- Narcotics Anonymous: www.ukna.org
- FRANK: www.talktofrank.com
- Health and Safety Executive (HSE):
<http://www.hse.gov.uk/alcoholdrugs/drugs.htm> In addition, the Sickness Absence Policy contains advice on managing stress which can sometimes be a contributory factor in alcohol and substance misuse.

In addition, the [Managing Sickness Absence Policy](#) contains advice on managing stress which can sometimes be a contributory factor in alcohol and substance misuse.

Long Service Award Policy

October 2020



Document History	
Version	1.2 (see below)
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Author	HR Employment Services Team

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Version 1.2	Agreed by Trade Unions

Table of Contents

1. Objectives and scope.....	3
2. Awards.....	3
3. Continuous service	4
4. Procedure	5

1. Objectives and scope

- 1.1 Reading Borough Council appreciates the invaluable contribution made by all employees and wishes to encourage and reward loyalty, motivation and experience.
- 1.2 The purpose of this policy is to set out how the Council recognises service and commitment to the objectives and values of the Council, and to the residents of the Borough. It applies irrespective of role, grade and full- or part-time status.
- 1.3 The terms of this policy may be varied from time to time at the organisation's discretion.
- 1.4 The policy does not form part of employees' contracts of employment.
- 1.5 The policy applies to all employees of Reading Borough Council. It excludes agency staff, casual workers and staff employed in voluntary-aided schools and academies.

2. Awards

- 2.1 The Council grants long service awards in the following circumstances.
- 2.2 A one-off money award at 20 years continuous service with either Reading Borough Council (RBC) or a combination of Berkshire County Council (BCC)/RBC service will be given. This award will be for £1,000.
- 2.3 There will be a provision for employees to "trade in" all or part of the long service award for additional days leave in the 20th year of service. This will be up to a maximum of 10 days leave, at the current rate of £100 per day (for example, an employee may choose to have an extra 5 days leave, which will thus take the cash award down to £500). (NB This provision for extra leave may not be possible for school-based or term time only staff).
- 2.4 Former RBC employees appointed before 1 April 1998 will be offered the option of protecting the previous RBC long service and retirement award provisions, which include a financial element (uprated annually by inflation) and double leave (see 2.5) entitlements. If this option is taken, only continuous Reading Borough Council service will count towards the 20 years' service.
- 2.5 Double leave means – double annual leave entitlement for the year in which the twentieth anniversary takes place. This does not include the four extra statutory days that are added to the basic leave entitlement. For most people this will mean that in the twentieth anniversary year, they will receive an extra 28 days annual leave bringing the total number of days to 60 (32 days + 28 days).

- 2.6 Former RBC employees who take the option of protection can have this protection for as long as they work for the Council, irrespective of any job that they move into.
- 2.7 These former RBC staff appointed before 1 April 1998 may alternatively choose to take advantage of the new long service provisions. In this case, they may count any continuous service with the former Berkshire County Council towards their 20 years' service (where this is also continuous with their RBC service).
- 2.8 Where former RBC staff have this option to choose protection or the new provisions, they need to exercise this choice by, at the latest, two years before their 20-year service anniversary.
- 2.9 Retirement awards will no longer be paid (except for former RBC employees appointed before 1 April 1998 who take the protection option).
- 2.10 In these circumstances, the total extra leave which may be accrued in year 20 (either by trading in the long service cash or by banking leave, or a combination of the two) cannot exceed 10 days. The number of, or combination of, banked or traded days is up to the employee (and by agreement of the manager) as long as they do not exceed 10 days.
- 2.11 Former RBC employees who choose to protect their previous long service provisions, including double annual leave, will not be able to bank any extra leave to take in year 20.
- 2.12 Any additional leave as a result of "trading in" should be taken within the 20th anniversary year, as is the case for former RBC employees who protect their previous provisions.

3. Continuous service

- 3.1 The Council will calculate employees' number of years' service from the date of commencement of employment, including any previous service that is regarded as continuous service.
- 3.2 When calculating an employee's number of years' service, the Council will include periods which the employee has spent on maternity, paternity, adoption, ordinary parental leave and shared parental leave, and sabbatical leave. If an employee was dismissed following a disciplinary procedure, appealed the decision to dismiss them and was reinstated, their continuity of service will be preserved for the purpose of this policy.
- 3.3 If an employee left their employment for whatever reason and was re-employed by the Council at a later date, continuity of service is not preserved for the purpose of this policy, unless the break in service is less than one week. The Council will calculate the employee's number of years' service from the date on which their new employment commenced.

- 3.4 Where reference is made to “continuous RBC / BCC service”, this means unbroken service with Reading Borough Council and/or the former Berkshire County Council regardless of when and how the move from one authority to the other was made. For example, joining Reading Borough Council by applying for a job in the normal way, or by transferring to the new Reading Borough Council at or before local government reorganisation by Statutory Transfer Order (STO), Transfer of Undertakings (TUPE) or Prior Consideration.

4. Procedure

- 4.1 Where an employee is eligible to receive a long-service award, HR will contact the employee's line manager to confirm the award is due. Then HR will send the employee a letter informing them that they are entitled to receive an award and containing the details of the award.

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Family Leave Policy

October 2020



Document History	
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Table of Contents

1. Objectives and scope	4
2. Definitions	4
3. Data Protection	5
4. Adoption Leave	7
5. Foster Carer Support.....	12
6. Maternity Leave.....	14
7. Maternity Support Leave	21
8. Parental Leave.....	22
9. Paternity Leave Scheme	26
10. Shared parental leave introduction.....	Error! Bookmark not defined.
11. Shared parental Leave - Adoption	29
12. Shared Parental Leave - Birth	44
13. Childcare for Staff	56
ADOPTION LEAVE REQUEST FORM	57
FOSTER CARER LEAVE REQUEST FORM	58
FORMAL NOTIFICATION/REQUEST FOR MATERNITY LEAVE AND PAY	59
MATERNITY SUPPORT LEAVE REQUEST FORM	60
PARENTAL LEAVE REQUEST FORM.....	61
PATERNITY LEAVE REQUEST FORM	62
SHARED PARENTAL LEAVE NOTICE REQUEST (SPL1 form).....	74

1. Objectives and scope

1.1. The Family Leave Policy covers the following family related leave:

- Adoption Leave
- Foster Carer Support
- Maternity Leave
- Maternity Support Leave
- Parental Leave
- Paternity Leave
- Shared Parental Leave

2. Definitions

2.1 The following definitions are used in this policy:

- **"Adopter"** means the person with whom the child is, or is expected to be, placed for adoption, or, in a case where two people have been matched jointly, whoever has elected to be the child's adopter for the purposes of adoption leave.
- **"Matched for adoption"** means an adoption agency deciding that a person would be a suitable adoptive parent for a child either individually or jointly with another person. A person is notified of having been "matched for adoption" with a child on the date on which the person receives notification of the adoption agency's decision.
- **"Placed for adoption"** means placed for adoption under UK adoption laws, including placement with a local authority foster parent who is also a prospective adopter ("foster to adopt").
- **"Official notification"** means written notification, issued by or on behalf of the relevant central authority, that it is prepared to issue a certificate to the overseas authority concerned with the adoption of a child from overseas, or that it has issued a certificate and sent it to that authority, confirming, in either case, that the adopter is eligible to adopt, and has been assessed and approved as being a suitable adoptive parent.
- **"Mother"** means the mother or expectant mother of the child.
- **"Partner"** means the father of the child, or the person who, at the date of the child's birth, is married to, the civil partner of, or the partner of the mother or of the adopter at the date on which the child is placed for adoption (for adoptions from overseas, at the date on which the child enters Great Britain). This includes someone, of either sex, who lives with the mother and the child in an enduring family relationship but who

is not the mother's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

- **"Expected week of childbirth"** means the week, starting on a Sunday, during which the mother's doctor or midwife expects her to give birth.
- **"Qualifying week"** relates to Statutory Maternity Pay and it is the 15th week before the week in which the baby is due.
- A **"Week's Pay"** for working standard hours is the amount payable by the authority under a contract of employment. Where there are no normal working hours, a week's pay is taken from the average pay in the 12 preceding weeks. The calculation for other working patterns can be provided by Payroll.
- **"Maternity Support Leave"** is an entitlement of up to five days (37 hours) paid leave granted to the child's father, the partner, or nominated carer of an expectant mother, to be taken at or around the time of the birth, paid at the employee's usual rate of pay. There is no qualifying period of service required. If paternity leave has been taken, then there is no entitlement to maternity support leave or vice versa.
- **"Paternity Leave"** is available to the mother's partner, and to parents of adopted children or those in surrogacy arrangements if they have not taken their entitlement to adoption leave. It must be taken within 56 days of the birth or placement date. Employees can choose to take one working week, or two consecutive working weeks. The maximum amount of paternity leave is 10 working days, or the pro rata equivalent for part time staff, paid at full pay. If maternity support leave has been taken, then there is no entitlement to paternity leave or vice versa. There is no qualifying service required.
- **"Ordinary Parental Leave"** is an entitlement to up to 18 weeks' unpaid leave per child, for qualifying employees, who are the birth or adoptive parent of a child under 18 years of age. Employees must have at least one year's service with Reading Borough Council to qualify.

3. Data Protection

- 3.1. When managing an employee's leave and pay under the Family Leave Policy, the Council processes personal data collected in accordance with its data protection policy. Data collected from the point at which an employee informs the Council that he/she plans to take leave under this policy is held securely and accessed by, and disclosed to, individuals only for the purposes of managing his/her leave and pay. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Council's data protection policy immediately. It may also constitute a

disciplinary offence, which will be dealt with under the Council's disciplinary procedure.

4. Adoption Leave

4.1 Introduction to adoption rights and benefits

4.1.1. This section of the Family Leave Policy sets out the rights of employees to statutory adoption leave and pay.

4.1.2. An employee who adopts a child through an approved adoption agency is entitled to take up to 26 weeks' ordinary adoption leave followed immediately by up to 26 weeks' additional adoption leave. The maximum entitlement is therefore up to 52 weeks' adoption leave.

4.1.3. All employees who take adoption leave have the right to return to work at any time during either ordinary adoption leave or additional adoption leave, subject to the correct notification procedures being followed, as set out below.

4.2. Adoption Pay Entitlement

4.2.1. Employees with less than one year's continuous local government service are entitled to:

- i. Full pay for six weeks
- ii. 33 weeks at the current rate of Statutory Adoption Pay (SAP) or 90% of average weekly earnings if this is less.

4.2.2. Employees with over one year's continuous local government service are entitled to:

- i. Full pay for six weeks
- ii. Half pay for 12 weeks, plus SAP (providing the employee returns to work at the end of adoption leave for a minimum of three months)
- iii. 21 weeks SAP

4.3. Timing of adoption leave

4.3.1. Adoption leave can start on the day the child is placed for adoption or up to 14 days earlier. The employee should discuss the timing of their adoption leave with their line manager as early as possible.

4.4. Notice requirements

4.4.1. The employee is required to give the Council written notification of their intention to take adoption leave no later than seven days after the date on which notification of the match with the child was provided by the adoption agency. Notice, which must be in writing if the Council requests it, must specify the date the child is expected to be placed with the employee for adoption and the date the employee intends their adoption leave to start. A parent in a surrogacy arrangement will need to inform their manager at least 15 weeks before the due

date. The employee should complete the Adoption Leave Request Form and pass it to their manager. The line manager should immediately update iTrent Managers Self Service with the adoption details (under the Absence section, select the employee's name and click on Adoption).

- 4.4.2. The employee is permitted to bring forward their adoption leave start date, provided that they advise the Council in writing at least 28 days before the new start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone their adoption leave start date, provided that they advise the Council in writing at least 28 days before the original proposed start date or, if that is not possible, as soon as reasonably practicable. The employee must also, if the Council requests it, provide evidence of entitlement to adoption leave and pay by producing a "matching certificate" from the adoption agency.
- 4.4.3. Within 28 days of receiving the employee's notice of intention to take adoption leave, the Council will write to the employee confirming the latest date on which the employee must return to work after adoption leave.

4.5. Time off to attend adoption appointments

- 4.5.1. An employee adopting a child alone is entitled to take paid time off to attend up to five adoption appointments. Where an employee is part of a couple jointly adopting a child, the couple can elect for one of them to take paid time off to attend up to five adoption appointments. The other can elect to take unpaid time off to attend up to two adoption appointments.
- 4.5.2. The purpose of the appointment is to enable the employee (and his/her partner) to have contact with the child (for example, to bond with him/her before the placement) and for any other purpose connected with the adoption (for example, to meet with the professionals involved in the care of the child).
- 4.5.3. The appointment must have been arranged by or at the request of the adoption agency. The time off must be taken before the date of the child's placement for adoption with the employee.
- 4.5.4. The Council will ask the employee for proof of the date and time of the appointment and that the appointment has been arranged by or at the request of the adoption agency (for example, a letter or email from the adoption agency).
- 4.5.5. In addition, if the employee is adopting jointly, the Council will ask the individual to sign a declaration, to be submitted alongside the documentary evidence, confirming that they have elected to exercise their right to take time off to attend an adoption appointment. The Council will ask for the declaration on the first occasion on which the individual asks for time off to attend an adoption appointment.

4.6. Rights during adoption leave

- 4.6.1. During ordinary adoption leave and additional adoption leave, all terms and conditions of the employee's contract except normal pay will continue. Salary will be replaced by SAP if the employee is eligible for it. This means that, while sums payable by way of salary will cease, all other benefits will remain in place. For example, annual leave and Bank Holidays will continue to accrue.
- 4.6.2. Employees are entitled to take accrued annual leave during a period other than adoption leave. In many cases, employees will still be able to take annual leave in the leave year in which it has been accrued and carry forward up to five days leave as normal. However, if adoption leave is taken for the majority or all of a leave year (which runs from April to March), the employee and their manager will need to discuss when this accrued annual leave is taken. This means that more than five days annual leave may be carried into the next leave year.
- 4.6.3. Bank Holidays are also accrued and can be taken outside adoption leave and do not have to be taken by a certain date. Employees are entitled to a paid day's leave for each of the Bank Holidays as they occur.
- 4.6.4. The paid adoption leave period is treated as pensionable service and the Council will continue to make contributions on behalf of the employee into the Local Government Pension Scheme (if appropriate). Deductions will be made from adoption pay and will be based on the adoption pay received rather than the employee's usual salary.
- 4.6.5. During unpaid adoption leave, as employee contributions will have ceased, it is not counted as pensionable service. Employees can choose to pay contributions whilst absent or elect to make up the deductions on their return to work. The Payroll team will contact the employee to discuss their options for pension contributions while on unpaid adoption leave. Adoption leave counts as continuous service in the calculation of extra leave, redundancy and sick pay entitlement. Employees will be entitled to any pay awards and annual increments which they would have received if they had been at work.

4.7. Contact during adoption leave

- 4.7.1. The Council will maintain reasonable contact with employees during adoption leave. This may be to discuss employees' plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

4.8. Keeping-in-touch days

- 4.8.1. Employees can agree to work for the Council (or to attend training) for up to 10 days during their adoption leave without that work bringing their adoption leave to an end and without loss of a week's statutory adoption pay. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a "keeping-in-touch" day. Employees will only be paid for the hours worked; this can be offset against any SAP claimed.

4.8.2. The Council has no right to require employees to carry out any work and employees have no right to undertake any work during their adoption leave.

4.9. Returning to work after adoption leave

4.9.1. The employee may return to work at any time during ordinary adoption leave or additional adoption leave, provided that they give the appropriate notification. Alternatively, the employee may take their full period of adoption leave entitlement and return to work at the end of this period. If the employee wishes to return before the full period of adoption leave has elapsed, they must give at least eight weeks' notice in writing to the Council of the date on which they intend to return. No notification is required if the employee intends to return to work at the end of their adoption leave.

4.9.2. The employee has the right to resume working in the same job if returning to work from ordinary adoption leave. If the employee returns to work after a period of additional adoption leave, they are entitled to return either to the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable. The employee's line manager should immediately update iTrent Managers Self Service with the return to work details (under the Absence section, select the employee's name and click on Adoption).

4.9.3. Failure to return to work by the end of adoption leave will be treated as an unauthorised absence unless the employee is sick and produces a medical certificate/self-certificate before the end of the adoption leave period. If an employee fails to return to work against expectations, the last day of service for payroll purposes is the last day of paid additional adoption leave to ensure that the employee receives all benefits they are entitled to receive.

4.9.4. If the employee decides during adoption leave that they do not wish to return to work, they should give written notice of resignation to the Council as soon as possible and in accordance with the terms of their contract of employment.

4.10. Transfer of adoption leave - Shared parental leave

4.10.1 Shared parental leave enables adopters to commit to ending their adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from adoption leave and opt in to shared parental leave and pay at a later date.

4.10.2 Employees can refer to the section on shared parental leave (section 10), where they will find full details of the eligibility requirements, as well as instructions as to how the adopter's adoption leave can be curtailed.

4.11 Parental Leave

4.11.1 All employees with parental responsibility for children are entitled to take up to 18 weeks' unpaid parental leave for each individual child before that child reaches the age of 18. For more information on parental leave please refer section 8.

4.12 Paternity Leave

4.12.1 An employee's partner (regardless of sex) can take paternity leave if they are not responsible for immediate care and do not take adoption leave. Please see the Paternity Leave section (section 9) for more information.

5. Foster Carer Support

5.1. Introduction

- 5.1.1. This section of the Family Leave Policy sets out the Council's support for employees who are undertaking the care of a child/children under a foster-care arrangement with a local authority.
- 5.1.2. It is recognised that employees will have specific obligations towards the child/children in accordance with their arrangement with the local authority and that, in some cases, the child/children may require a high level of care.
- 5.1.3. This policy is intended to form part of the Council's overall family-friendly approach, and it attempts to strike a balance between the business needs of the Council and the needs of the employee to meet their care obligations.

5.2. Notification requirements

- 5.2.1. Employees who are intending to foster a child/children should give their line manager not less than four weeks' notice of their intention to train as a foster carer. This is to ensure that their line manager and colleagues can provide them with support and encouragement. This also ensures that, should they wish to request any special leave to care for the child/children, their line manager has sufficient notice to make any necessary arrangements for cover. Requests made with less than four weeks' notice will not be unreasonably refused. Employees should complete the Foster Carer Leave Request Form.

5.3. Time off to care for new foster children

- 5.3.1. Foster carers may need to take time off work to help the child/children to settle into the new environment. They may also need time off to attend training courses, meetings with professionals or appointments with the child/children.
- 5.3.2. Employees who require time off to attend training or meetings, or to care for the child/children at the start of the foster-care arrangement may request special leave to do so. The request must be in writing and the employee must specify the period of time off that they require. Employees will be allowed up to five days paid leave for each placement (this may be one or more child at a time). Paid leave will be allowed for up to two placements (i.e. up to ten days) each year. The leave is an individual entitlement.

5.4. Time off for dependants

- 5.4.1. Foster carers are entitled to take reasonable time off during working hours under the Council's compassionate leave policy if caring for sick dependants (e.g. including where the child has been injured or assaulted) or following the breakdown of regular care arrangements (e.g. the regular childminder becomes

ill or to deal with an incident in a period during which an educational establishment would have been responsible for the child).

5.4.2. The employee may be required to provide their line manager with medical evidence from the regular carer's GP or a letter signed by the childminder or regular carer.

5.4.3. Further information can be found in the [Compassionate and Parental Bereavement Leave Policy](#) on the Council's intranet.

5.5. Parental leave

5.5.1. All employees with parental responsibility for children are entitled to take up to 18 weeks' unpaid parental leave for each individual child before that child reaches the age of 18. For more information on parental leave please refer to section 8.

5.6. Flexible working

5.6.1. Employees who have parental responsibility for a child under the age of 17 (under the age of 18 for a child with a disability) have a statutory right to apply to work flexibly. Further information on flexible working can be found in [Flexible Working Policy](#) on the Council's intranet.

6. Maternity Leave

6.1. Introduction to maternity rights and benefits

6.1.1. This section of the Family Leave Policy sets out the rights of employees to statutory maternity leave and pay.

6.1.2. The Council recognises that employees may have questions or concerns relating to their maternity rights. The Council's encourages open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the maternity provisions are complex, if an employee becomes pregnant, she should clarify the relevant procedures with her manager to ensure they are followed correctly.

6.2 Maternity Leave Entitlement

6.2.1 Pregnant employees are entitled to take up to 52 weeks maternity leave. This applies to all employees regardless of their length of service. This period of leave comprises of 26 weeks Ordinary Maternity Leave (OML) and 26 weeks Additional Maternity Leave (AML). AML must be taken immediately after OML; there cannot be any gap between the two types of maternity leave.

6.2.2 Compulsory Maternity Leave - Employees may not work for the Council immediately after giving birth. Compulsory maternity leave lasts for two weeks following childbirth.

6.3 Notice of intention to take Maternity Leave

6.3.1 Maternity leave can start anytime from the 11th week before the baby is due. It is the responsibility of the employee to notify their line manager at least 28 days before they intend to take maternity leave. The line manager should immediately update iTrent Managers Self Service with the maternity details (under the Absence section, select the employee's name and click on Maternity).

6.3.2 Should the employee wish to bring her maternity leave start date forward for any reason, she is required to give at least 28 days' notice of the revised start date or, if that is not possible, as soon as reasonably practicable. The employee may also postpone her maternity leave start date, provided that she gives at least 28 days' notice before the original proposed start date or, if that is not possible, as soon as reasonably practicable.

6.3.3 In the event that the employee gives birth before the start date of their maternity leave, or before they have notified the council of a start date, their maternity leave period starts automatically on the date of birth. The employee must notify the Council as soon as is reasonably practicable of the date of birth.

6.4 Maternity Pay Entitlement

- 6.4.1 Statutory Maternity Pay – Employees who have been continuously employed by Reading Borough Council for 26 weeks or more by the end of the qualifying week are entitled to receive 39 weeks Statutory Maternity Pay (SMP). The first six weeks are payable at 90% of the employee’s average weekly earnings and the next 33 weeks are paid at SMP rate, which is revised in April each year.
- 6.4.2 Maternity Allowance - Employees with less than 26 weeks service by the end of the qualifying week are not entitled to receive SMP from the Council. Women who are not entitled to receive SMP may be entitled to claim up to 39 weeks Maternity Allowance (MA), which is available from the Jobcentre Plus office. Qualification for the Maternity Allowance is based on the individual’s recent employment and national insurance records.
- 6.4.3 Occupational Maternity Pay - Employees who have more than one year’s continuous local government service on the 11th week before the expected week of childbirth (EWC) will receive maternity pay of six weeks at 90% of the normal average weekly earnings followed by 33 weeks at the statutory rate (Statutory rate applicable if the employee has been continuously employed by Reading Borough Council for 26 weeks or more by the end of the qualifying week), plus 12 weeks half pay of the normal average weekly earnings. If the employee has not been continuously employed by Reading Borough Council for 26 weeks or more by the end of the qualifying week but has more than one year’s continuous local government service on the 11th week before the expected week of childbirth (EWC), they will receive maternity pay of six weeks at 90% of the normal average weekly earnings, plus 12 weeks half pay of the normal average weekly earnings only, statutory payments will need to be claimed from the Job Centre using an SMP1 claim form completed by a member of the HR team. The 12 weeks half pay is due following the expiry of the first six weeks at 90% pay and is subject to the employee returning to work for three months at the end of the maternity leave period.

6.5 Maternity Pay Period (MPP)

- 6.5.1 Employees are entitled to receive SMP for 39 whole weeks. SMP is calculated, due and payable for whole weeks; it cannot be broken down into individual days. Employees may start claiming SMP on any day of the week. Therefore, if the employee starts receiving her SMP on a Tuesday, “weeks” within the Maternity Pay Period (MPP) will run from Tuesday through to the following Monday, and so on through the MPP.

6.6 Time off for antenatal care

- 6.6.1 Once an employee has advised the Council that she is pregnant, she will be entitled not to be unreasonably refused paid time off work to attend antenatal appointments as advised by her doctor, registered midwife or registered health visitor.

- 6.6.2 To be entitled to take time off for antenatal care, the employee is required to produce a certificate from her doctor, registered midwife or registered health visitor, stating that she is pregnant. Except in the case of the first appointment, the employee should also produce evidence of the appointment, such as a medical certificate or appointment card, if requested to do so.
- 6.6.3 Antenatal care may include relaxation and parent craft classes that the employee's doctor, midwife or health visitor has advised her to attend, in addition to medical examinations.
- 6.6.4 The employee should endeavour to give her 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 as possible.
- 6.6.5 An individual who has a qualifying relationship with the employee, which includes the employee's husband or civil partner and the father of the expected child, is eligible to take unpaid time off to accompany the employee at up to two antenatal appointments. The individual with the qualifying relationship should ask their employer for more details of the right.

6.7 Health and safety

- 6.7.1 Once an employee has notified their manager of their pregnancy, the manager should carry out a risk assessment to ensure that any risks or hazards have been identified. There is a specific risk assessment for pregnant workers. More information can be obtained from the HR Team or the Corporate Health and Safety Team.
- 6.7.2 Employees will continue to be employed in their existing jobs, unless the risk assessment identifies that the job is potentially unsuitable for them because it involves one or more risks either to the employee or the unborn child.
- 6.7.3 If risks are identified, then the following options apply:
- i. The manager needs to decide if the job can be altered to eliminate the risk
 - ii. If this is not possible then alternative employment may need to be considered. This would need to be a suitable alternative post at an equivalent grade and rate of pay.
 - iii. If these options are not possible, paid leave needs to be considered until the risks are eliminated or maternity leave starts, whichever happens first.
 - iv. If a suitable offer of alternative employment is refused, then the employee will be granted unpaid leave.
- 6.7.4 Consideration must be given to any health and safety implications for pregnant women, new mothers or breast-feeding mothers as identified in the Workplace Risk Assessment.

6.8 Occupational Health – Pregnancy Assessments

6.8.1 The Occupational Health Service is available to provide pregnancy assessments if required. The assessment, following a referral from management, would normally be when the pregnancy reaches 18 weeks, although this can be earlier if there are concerns. Whenever possible, the employee should take with them the pregnancy risk assessment, which should have been completed by their manager. Managers should make appointments through Occupational Health. This does not replace any appointments with a GP or midwife.

6.9 Sickness absence

6.9.1 If an employee is absent from work during pregnancy owing to sickness, she will receive normal statutory or contractual sick pay in the same manner as she would during any other sickness absence provided that she has not yet begun Ordinary Maternity Leave. If, however, the employee is absent from work due to a pregnancy-related illness after the beginning of the fourth week before her EWC, her maternity leave will start automatically. This will begin on the day following notification of the sickness. If sickness is not pregnancy related this will be classed as sick leave and the period of maternity leave will start when it was intended.

6.9.2 If the employee is absent from work wholly or partly because of pregnancy during the four weeks before the EWC, she must notify the Council in writing of this as soon as reasonably practicable.

6.9.3 A decision may be made not to trigger the start of maternity leave if an employee is only absent for a short period of time and wishes to continue working.

6.10 Rights during maternity leave

6.10.1 During Ordinary Maternity Leave and Additional Maternity Leave, the terms and conditions of the employee's contract except normal pay will continue. Salary will be replaced by maternity pay if the employee is eligible for it. This means that, while sums payable by way of salary will cease, other benefits such as holiday entitlement will remain in place.

6.10.2 Paid maternity leave and authorised unpaid maternity leave are regarded as continuous service and annual leave is accrued during that period.

6.10.3 Employees are entitled to take this annual leave during a period other than maternity leave. In many cases, the employee will still be able to take annual leave in the leave year in which it has been accrued and carry forward up to five days leave as normal. However, if maternity leave is taken for the majority or all of a leave year, e.g. April to March, the employee and their manager will need to discuss when this accrued annual leave is taken. This means that more than five days annual leave may be carried into the next leave year.

6.10.4 Bank Holidays are also accrued and can be taken outside maternity leave and do not have to be taken by a certain date. Employees are entitled to a paid day's leave for each of the Bank Holidays as they occur.

6.10.5 The maternity leave period is treated as pensionable service and the Council will therefore continue to make contributions on behalf of the employee into the Local Government Pension Scheme (if appropriate). Deductions will be made from maternity pay and will be based on the maternity pay received rather than the usual salary.

6.10.6 During unpaid maternity leave, as employee contributions have ceased, it is not counted as pensionable service. Employees can choose to pay contributions whilst absent or elect to make up the deductions on their return to work. The Payroll team will contact the employee to discuss their options for pension contributions while on unpaid maternity leave. Maternity leave counts as continuous service in the calculation of extra leave, redundancy and sick pay entitlement. Employees will be entitled to any pay awards and annual increments (see appraisal scheme) which they would have received if they had been at work. Employees do not have to achieve another year's service before going on maternity leave for a second time.

6.11 Contact during maternity leave

6.11.1 The Council will maintain reasonable contact with employees during maternity leave. This may be to discuss employees' plans for return to work, to discuss any special arrangements to be made or training to be given to ease their return to work or to update them on developments at work during their absence.

6.12 Keeping-in-touch days

6.12.1 Employees can agree to work for the Council (or to attend training) for up to ten days during their maternity leave without that work bringing their maternity leave to an end and without loss of a week's statutory maternity pay. These are known as "keeping-in-touch" days. Any work carried out on a day shall constitute a "keeping-in-touch" day. However, employees will only be paid for the hours worked; this can be offset against any SMP claimed.

6.12.2 The Council has no right to require employees to carry out any work and employees have no right to undertake any work during their maternity leave.

6.13 Returning to work after maternity leave

6.13.1 The employee may return to work at any time during Ordinary Maternity Leave or Additional Maternity Leave, provided that she gives the appropriate notification. Alternatively, the employee may take her full period of maternity leave entitlement and return to work at the end of this period. No notification is required if the employee intends to return to work at the end of her maternity leave. If the employee wishes to return before the full period of maternity leave

has elapsed, she must give 21 days' notice to return early, or if the original early return date is altered. Where the notice given is less than 21 days, the employee's manager may postpone the return to ensure 21 days' notice, but not beyond the end of maternity leave.

6.13.2 The employee's line manager should immediately update iTrent Managers Self Service with the return to work details (under the Absence section, select the employee's name and click on Maternity).

6.13.3 The employee has the right to resume working in the same job if returning to work from Ordinary Maternity Leave. If the employee returns to work after a period of Additional Maternity Leave, she is entitled to return either to the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable.

6.13.4 Failure to return to work by the end of maternity leave will be treated as an unauthorised absence unless the employee is sick and produces a current medical certificate before the end of the maternity leave period. If an employee fails to return to work against expectations, the last day of service for payroll purposes is the last day of her paid maternity leave, to ensure she receive all benefits she is entitled to receive.

6.13.5 If the employee decides during maternity leave that she does not wish to return to work, she should give written notice of resignation to the Council as soon as possible and in accordance with the terms of her contract of employment.

6.13.6 If the employee is a temporary or fixed term employee and their contract of employment expires during their maternity leave, this will end their employment as well as their maternity leave. They will continue to receive any Statutory Maternity Pay. The reason for the termination of the contract must not be related to the fact that the employee is pregnant or on maternity leave.

6.14 Parental Leave

6.14.1 All employees with parental responsibility for children are entitled to take up to 18 weeks' unpaid parental leave for each individual child before that child reaches the age of 18. For more information on parental leave please refer section 8.

6.15 Flexible Working Arrangements

6.15.1 Employees who have parental responsibility for a child under the age of 17 (under the age of 18 for a child with a disability) have a statutory right to apply to work flexibly. Further information on flexible working can be found in [Flexible Working Policy](#) on the Council's intranet.

6.16 Transfer of maternity leave - Shared Parental Leave

6.16.1 Shared parental leave enables mothers to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date.

6.16.2 To be able to take shared parental leave, an employee and their partner must meet various eligibility requirements and have complied with the relevant curtailment, notice and evidence requirements. This includes the mother curtailing her maternity leave.

6.16.3 Please refer to section 11 on shared parental leave for full details of the eligibility requirements, as well as instructions on how the mother's maternity leave can be curtailed.

6.17 Maternity Countdown

As soon as the employee advises the line manager that she is pregnant	the line manager should carry out a risk assessment to ensure that any risks or hazards have been identified
18 weeks	Occupational Health pregnancy assessment should be done, if required, unless this has been undertaken earlier due to concerns.
15 weeks before baby is due	Qualifying week for statutory maternity pay. The employee must give at least 3 weeks' notice of intention to be absent. If the employee intends to start maternity leave 11 weeks before the baby is due, the manager should be told by now. <u>Formal notification/Request for maternity leave and pay</u> form should be completed and returned to the employee's manager. The line manager must advise HR through iTrent Manager Self Service.
14 weeks before baby is due	A copy of the MAT B1 (confirming the certificate of expected childbirth) should be given to the employee's manager. The MAT B1 must not be dated earlier than 14 weeks before the baby is due. The line manager must update iTrent Manager Self Service if needed.
11 weeks before baby is due	Maternity leave can start at any time from this week right up until the week before the baby is due (the employee should not go on maternity leave if she wishes to exercise her rights to maternity leave and pay). Statutory Maternity Pay may be payable from the beginning of this week, provided that the employee is not working.
4 weeks before baby is due	If the employee is ill for a reason related to pregnancy at any time after the start of the 4 th week before the baby is due, this will automatically trigger maternity leave. If the sickness is not pregnancy related this will be classed as sick leave and maternity leave will begin when it was intended to.

7. Maternity Support Leave

7.1 The purpose of granting Maternity Support Leave is to help employees cope with the birth of a new child, Maternity Support Leave will be treated separately from annual leave and is over and above Parental Leave and Emergency/Compassionate Leave.

7.2 Maternity Support Leave Entitlement

7.2.1 An entitlement of up to five days (37 hours) paid leave will be granted to the child's father, the partner, or nominated carer of an expectant mother to be taken at or around the time of the birth, paid at the employee's usual rate of pay. The equivalent proportion of paid time off will be calculated for part-time workers or those who do not work a standard five-day week work pattern.

7.2.2 There is no qualifying period of service to be eligible for Maternity Support Leave.

7.3 The nominated carer

7.3.1 A nominated carer is someone nominated by the expectant mother as her primary provider of support at or around the time of the birth. In many cases, such care and support would be provided by the father; however, the role may otherwise be fulfilled by a relative or someone who has a caring relationship with the mother and/or child.

7.4 Applying for Maternity Support Leave

7.4.1 Anyone wishing to request maternity support leave should do so through their manager using the request form attached. As much notice as possible should be given to allow for any necessary cover to be provided.

7.4.2 When making a request for leave, a copy of the expectant mother's MAT B1 form (maternity certificate) and written notification from the mother declaring that the employee is the primary carer should be attached to the authorised request form.

7.4.3 If the employee is not the primary carer or another employee has applied for paternity leave for the same expectant mother, then a request for this leave will be refused.

7.4.4 A maximum of up to ten days maternity support leave will be granted in any 12-month period. This would cover the support required by two expectant mothers.

7.4.5 It is for each employee to decide how much leave they take and when, but this must be agreed with their manager. No payment will be made for any untaken maternity support leave.

8. Parental Leave

8.1. Introduction to "ordinary" parental leave

8.1.1. Employees are entitled to up to 18 weeks' unpaid parental leave per child if they are the birth or adoptive parent of a child who is under 18 years of age. To qualify for ordinary parental leave, employees must have completed at least one year's continuous service with Reading Borough Council.

8.1.2. "Ordinary parental leave" should not be confused with shared parental leave. Shared parental leave enables employees to commit to ending their maternity or adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date. Please refer to section 10 and 11 of this policy for information regarding shared parental leave.

8.2. Rights during ordinary parental leave

8.2.1. During ordinary parental leave, the employee will remain employed, although pay and most contractual benefits will be suspended. The right to accrue annual leave and Bank Holidays will remain in place. Certain other terms of employment will also remain in force.

8.2.2. The parental leave period is unpaid and, as such, an employee's contributions have ceased into the pension scheme. An employee should contact the Payroll team if they wish to make up the contributions.

8.2.3. Employees who fall sick during a period of parental leave and who give the Council the relevant notification shall be entitled to pay under the sickness scheme for the period covered by a doctor's certificate. This period shall not count towards their parental leave entitlement.

8.2.4. During parental leave employees will be entitled to the implied obligation of trust and confidence, and any terms and conditions of employment relating to:

- notice of termination;
- redundancy compensation; and
- disciplinary or grievance procedures.

8.2.5. Employees taking ordinary parental leave will be bound by the implied obligation of good faith, and any terms and conditions of employment relating to:

- notice of termination;
- disclosure of confidential information;
- the acceptance of gifts or other benefits; and
- participation in any other business.

8.3. Conditions of ordinary parental leave

8.3.1. An employee may not exercise any entitlement to ordinary parental leave unless they have complied with any request made by the Council to produce evidence of parenthood or parental responsibility. This could be in the form of a birth certificate or adoption papers.

8.3.2 The employee must give proper notice of the period of leave that they propose to take. This notice must be given to the Council at least 21 days before the date on which leave is to start and must specify the dates on which the period of leave is to begin and end. An employee wishing to request parental leave should do so to their manager using the request form.

8.3.3 Parental leave may be taken:

- As a single block of up to 18 weeks
- As a minimum of 1 week's leave period unless the employee's child is disabled in which case it can be taken in days
- In patterns which provide a part-time or reduced hours working arrangement for a period of time equivalent to taking 18 weeks leave as a single block

8.3.4 Parental leave may be granted to employees who have not given the required notice in special circumstances at the discretion of their Assistant Director. This discretion will not be unreasonably withheld.

8.3.5 Where the employee is the father of the child in respect of whom the leave is to be taken and he requests ordinary parental leave to begin when his child is born, his notice must specify the expected week of childbirth and the duration of the period of leave. The employee must give this notice at least 21 days before the expected week of childbirth.

8.3.6 Where the ordinary parental leave is in respect of an adopted child and is to begin on the date of the placement, the employee's notice must be given to the Council at least 21 days before the beginning of the week in which the child is to be placed for adoption, or as soon as is reasonably practicable thereafter. It must specify the week in which the placement is expected to occur and the duration of the period of ordinary parental leave requested.

8.4 Postponement

8.4.1 If it is considered that an employee's absence would unduly disrupt the service delivery or operation of the employee's work area, then the leave can be postponed for up to three months, or more than three months in exceptional circumstances.

8.4.2 Every attempt should be made to avoid postponement of parental leave. The postponement must be discussed with the employee with a view to coming to agreement over alternatives. These might include:

- A different pattern of leave – part-time rather than full-time.
- Alternative dates within the three month period.

8.4.3 Following this consultation, and not more than 7 days after the employee's notice period was given to take leave, the employee will be given notice of the postponement, which states the reasons for it and specifies the date on which the agreed period of leave will begin and end.

8.4.4 Postponement cannot be used where employees have requested that parental leave is taken:

- Following Maternity Support Leave – the unpredictability of childbirth timing may have implications for notice. It is recommended that employees expecting to take maternity support leave should discuss likely requirements for parental leave at the same time
- Following Maternity Leave – where a mother takes a period of parental leave following on from maternity leave, they will need to be informed that, where parental leave is taken as a block of leave, an employee does not have to refund the half-pay element of occupational maternity pay, unless she does not return to local authority employment for a period of at least three months after the end of the parental leave period.
- At the time of adoption – at times prior to adoption where the parent is required to be at home by the adoption process, or following adoption leave.

8.5 Return from ordinary parental leave

8.5.1 If an employees takes an isolated period of ordinary parental leave of four weeks or less, they are entitled to return to the same job they were doing before their absence.

8.5.2 They can also return to their previous job if they take a period of ordinary parental leave of four weeks or less following on immediately from a period (or consecutive periods) of maternity, adoption, paternity and/or shared parental leave (taken in relation to the same child) that did not last more than 26 weeks.

8.5.3 An employee is entitled to return to their previous job or, if that is not practical for the Council, to another job that is both suitable and appropriate in the circumstances, if they:

- take a period of ordinary parental leave of more than four weeks; or
- take a period of ordinary parental leave of four weeks or less following on immediately from a period (or consecutive periods) of maternity,

adoption, paternity and/or shared parental leave (taken in relation to the same child) that lasted more than 26 weeks.

9 Paternity Leave

9.1 The Council's Paternity Scheme enables the mother's partner (including those in same sex relationships) to assist at crucial times during pregnancy and childbirth. There is no qualifying service for this leave.

9.2 Paternity leave is available to parents (regardless of sex) of adopted children if they have not taken their entitlement to adoption leave (see section 4 of the Family Leave Policy).

9.3 Paternity leave is available to employees (regardless of sex) in surrogate arrangements if they have not taken their entitlement to adoption leave.

9.4 This leave differs from maternity support leave and is not in addition to it. If maternity support leave has been taken, then there is no entitlement to paternity leave or vice versa.

9.5 Ordinary paternity leave entitlement

9.5.1 Employees can choose to take one working week, or two consecutive working weeks paid ordinary paternity leave. Therefore, the maximum amount of paid paternity leave is ten working days; this is for those who work full-time on a standard five-day week work pattern. For part time staff, the working week will be the contracted hours e.g. if the employee works Monday to Wednesday this equates to their working week.

9.5.2 Ordinary paternity leave is paid at employee's full pay.

9.6 Timing of paternity leave

9.6.1 The leave is to be taken by the employee after the birth of the baby or placement of child and can commence on either:

- The actual date of birth, date of placement or date child arrives in the UK (overseas adoptions)
- An agreed number of days after the birth or after the date of placement
- An agreed number of days after the expected week of childbirth

9.6.2 Leave must finish within 56 days of the birth (or due date if the baby is early) or placement date.

9.6.3 The employee can choose how much leave they wish to take, and when, but this must be agreed with the manager. While the requirements of the section must always be considered, a measure of flexibility should be applied, to ensure that the needs of both parties are met wherever possible.

9.6.4 No payment will be made for any untaken paternity leave.

9.6.5 If an employee subsequently wishes to change the timing of the ordinary paternity leave, they must give 28 days' notice (unless this is not reasonably practicable).

9.6.6 If the baby is stillborn after 24 weeks of pregnancy or born alive at any time but then dies, the right to take paternity leave still exists.

9.7 Taking paternity leave

9.7.1 Only one period of leave is available per pregnancy or adoption, irrespective of whether more than one child is born or adopted at a time.

9.7.2 Paternity leave must be taken in blocks of at least one working week.

9.7.3 Where the employee is taking two working weeks of paternity leave there can be no break between the two weeks.

9.7.4 Leave can start on any day of the week.

9.7.5 Paternity leave must be taken before any period of shared parental leave can commence.

9.8 Applying for statutory paternity leave

9.8.1 An employee who wishes to take paternity leave will be required to give at least 15 weeks' notice to their line manager to allow cover arrangements to be put in place. The employee should complete the Paternity Leave Request Form and give it to their manager. The paternity leave has not been agreed until the request has been authorised by the manager. Leave dates can be amended after the initial request – see 9.6.5 above.

9.8.2 An employee should request paternity leave by using the application form provided within this policy as soon as the mother receives her MATB1. A copy of the mother's form MATB1 or a copy of the matching certificate which confirms the expected placement date should be attached to the application. The line manager should immediately update iTrent Managers Self Service with the paternity leave details (under the Absence section, select the employee's name and click on Paternity).

9.8.3 In the case of a surrogacy arrangement, a parental statutory agreement which confirms that the employee has applied or intends to apply for a parental order in the 6 months after the baby's birth should be attached to the form.

9.9 Time off for Antenatal Appointments

9.9.3 Employees will receive paid time off to accompany a pregnant woman attending up to two antenatal clinics if they are:

- the baby's father
- the expectant mother's spouse or civil partner
- in a long term relationship with the expectant mother
- the intended parent (if they're having a baby through a surrogacy arrangement)

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9.10 Time off for Adoption Appointments

9.10.3 Employees will receive paid time off to attend up to two adoption appointments after they have been matched with a child.

9.11 Shared Parental Leave

9.11.3 The employee and their partner may be eligible to take shared parental leave. Please refer to section 10 and 11 on Shared Parental Leave for more information.

10. Shared parental Leave – Adoption

10.1 Introduction to shared parental leave

10.1.1 This section of the Family Leave Policy sets out the rights of employees adopting a child to shared parental leave and pay. Shared parental leave is a type of leave that is available to employees having a child placed for adoption with them. It enables adopters to commit to ending their adoption leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from adoption leave and opt in to shared parental leave and pay at a later date. There is a separate section of the Family Leave Policy on shared parental leave for parents in a birth situation (section 12).

10.1.2 Shared parental leave should not be confused with ordinary parental leave, which is unaffected by shared parental leave. Ordinary parental leave is the entitlement to up to 18 weeks' unpaid leave. Please see the section on Parental Leave (section 8) for further information.

10.1.3 It is the Council's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the shared parental leave provisions are complex, if an employee wishes to take shared parental leave, he/she should clarify the relevant procedures with their manager or HR to ensure they are followed correctly.

10.2 Definitions

10.2.1 The following definitions are used in this section of the Family Leave Policy

10.2.2 "Adopter" means the person with whom the child is, or is expected to be, placed for adoption, or, in a case where two people have been matched jointly, whoever has elected to be the child's adopter for the purposes of adoption leave.

10.2.3 "Partner" means the person who is married to, or the civil partner or the partner of, the adopter at the date on which the child is placed for adoption (for adoptions from overseas, at the date on which the child enters Great Britain). This includes someone, of either sex, who lives with the adopter and the child in an enduring family relationship but who is not the adopter's child, parent, grandchild, grandparent, sibling, aunt, uncle, niece or nephew.

10.2.4 "Matched for adoption" means an adoption agency deciding that a person would be a suitable adoptive parent for a child either individually or jointly with another person. A person is notified of having been "matched for adoption" with a child on the date on which the person receives notification of the adoption agency's decision.

10.2.5 "Placed for adoption" means placed for adoption under UK adoption laws, including placement with a local authority foster parent who is also a prospective adopter ("foster to adopt").

10.2.6 "Official notification" means written notification, issued by or on behalf of the relevant central authority, that it is prepared to issue a certificate to the overseas authority concerned with the adoption of a child from overseas, or that it has issued a certificate and sent it to that authority, confirming, in either case, that the adopter is eligible to adopt, and has been assessed and approved as being a suitable adoptive parent.

10.3 Scope of shared parental leave

10.3.1 This section of the Family Leave Policy applies in relation to employees of the Council, whether they are the adopter or the partner.

10.3.2 The adopter and the partner should ensure that they are each liaising with their own employer to ensure that requests for shared parental leave are handled as smoothly as possible.

10.4 Amount of shared parental leave available

10.4.1 The amount of shared parental leave entitlement will depend on when the adopter brings their leave period to an end and the amount of leave that the other adoptive parent takes in respect of the child. Shared parental leave must be taken in blocks of at least one week. The employee can request to take shared parental leave in one continuous block (in which case the Council is required to accept the request as long as the employee meets the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case the employee needs the Council's agreement). A maximum of three requests for leave per adoption placement (regardless of the number of children who are placed as part of that placement) can normally be made by each adoptive parent.

10.4.2 The employee can begin a period of shared parental leave at any time from the date on which the child is placed for adoption (for adoptions from overseas, at any time from the date on which the child enters Great Britain) or, where more than one child is placed for adoption through a single placement, the date of placement of the first child (for adoptions from overseas, at any time from the date on which the first child enters Great Britain). However, employees should bear in mind that the adopter's partner will lose their entitlement to take up to two weeks' paternity leave following the adoption of the child if shared parental leave is taken first. The employee must take any shared parental leave within 52 weeks of the date on which the child is placed for adoption (for adoptions from overseas, within 52 weeks of the date on which the child enters Great Britain).

10.5 Eligibility for shared parental leave

10.5.1 For employees to be eligible to take shared parental leave, both adoptive parents must meet certain eligibility requirements.

10.6 Adopter's eligibility for shared parental leave

10.6.1 The adopter is eligible for shared parental leave if they:

- have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which he/she receives official notification in relation to an adoption from overseas) and remains in continuous employment with the Council until the week before any period of shared parental leave that he/she takes;
- has, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the partner, for the care of the child;
- is entitled to statutory adoption leave in respect of the child; and
- complies with the relevant adoption leave curtailment requirements (or has returned to work before the end of statutory adoption leave), and shared parental leave notice and evidence requirements.

10.6.2 In addition, for the adopter to be eligible for shared parental leave, the partner must:

- have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the week in which the adopter is notified of having been matched for adoption with the child (or the week in which the child enters Great Britain in relation to an adoption from overseas);
- have average weekly earnings of at least the [maternity allowance](#) threshold for any 13 of those 66 weeks; and
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the adopter, for the care of the child.

10.7 Partner's eligibility for shared parental leave

10.7.1 The partner is eligible for shared parental leave if they:

- have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which he/she receives official notification in relation to an adoption from overseas) and remains in continuous employment with the Council until the week before any period of shared parental leave that he/she takes;
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the adopter, for the care of the child; and

- complies with the relevant shared parental leave notice and evidence requirements.

10.7.2 In addition, for the partner to be eligible for shared parental leave, the adopter must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the week in which the adopter is notified of having been matched for adoption with the child (or the week in which the child enters Great Britain in relation to an adoption from overseas);
- have average weekly earnings of at least the [Maternity Allowance](#) threshold for any 13 of those 66 weeks;
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the partner, for the care of the child;
- be entitled to statutory adoption leave or statutory adoption pay in respect of the child; and
- comply with the relevant adoption leave or pay curtailment requirements or have returned to work before the end of statutory adoption leave.

10.8 Notice requirements for shared parental leave

10.8.1 The notices that the adoptive parents must give to the relevant employer to be able to take shared parental leave are made up of three elements. They are:

- an "adoption leave curtailment notice" from the adopter setting out when they propose to end their adoption leave (unless the adopter has already returned to work from adoption leave);
- a "notice of entitlement and intention" from the employee giving an initial, non-binding indication of each period of shared parental leave that they are requesting; and
- a "period of leave notice" from the employee setting out the start and end dates of each period of shared parental leave that they are requesting.

10.8.2 The notice periods set out below (see Adopter's notice curtailing adoption leave, Employee's notice of entitlement and intention and Employee's period of leave notice) are the minimum required by law. However, the earlier the employee informs the Council of his/her intentions, the more likely it is that the Council will be able to accommodate the employee's wishes, particularly if he/she wants to take periods of discontinuous leave.

10.8.3 Employees are advised that, if they have already decided the pattern of shared parental leave that they would like to take, they can provide more than one type of notice at the same time. For example, the adopter could provide an adoption leave curtailment notice, notice of entitlement and intention and

period of leave notice at the same time. Similarly, the partner could provide his/her notice of entitlement and intention and period of leave notice at the same time.

10.9 Adopter's notice curtailing adoption leave

10.9.1 Before the adopter or partner can take shared parental leave, the adopter must either return to work before the end of his/her adoption leave (by giving the required eight weeks' notice of his/her planned return) or provide their employer with an adoption leave curtailment notice. The adoption leave curtailment notice must be in writing and state the date on which adoption leave is to end. That date must be at least:

- two weeks after the first day of the adopter's ordinary adoption leave period;
- eight weeks after the date on which the adopter gave the adoption leave curtailment notice to their employer; and
- one week before what would be the end of the additional adoption leave period.

10.9.2 The adopter must provide their adoption leave curtailment notice at the same time they provide either his/her notice of entitlement and intention or a declaration of consent and entitlement signed by the adopter confirming that their partner has given their employer a notice of entitlement and intention (see Employee's notice of entitlement and intention below).

10.10 Revocation of adoption leave curtailment notice

10.10.1 The adopter can withdraw their notice curtailing their adoption leave in limited circumstances. The withdrawal of an adoption leave curtailment notice must be in writing and can be given only if the adopter has not returned to work. The adopter can withdraw their adoption leave curtailment notice if:

- it is discovered that neither the adopter nor the partner are entitled to shared parental leave or statutory shared parental pay and the adopter withdraws their adoption leave curtailment notice within eight weeks of the date on which the notice was given; or
- the partner has died.

10.11 Employee's notice of entitlement and intention

10.11.1 The employee, whether the adopter or the partner, must provide the Council with a non-binding notice of entitlement and intention. The employee's notice of entitlement and intention, which must be in writing and provided at least eight weeks before the start date of the first period of shared parental leave to be taken by the employee, must set out the following information.

10.11.2 If the employee is the adopter, the notice of entitlement and intention must set out:

- the adopter's name;
- the partner's name;
- the start and end dates of any statutory adoption leave taken or to be taken by the adopter;
- the total amount of shared parental leave available;
- the date on which the adopter was notified of having been matched for adoption with the child (or receives official notification in relation to an adoption from overseas);
- the date on which the child is expected to be placed for adoption with the adopter and the date of the placement, or the date on which the child is expected to enter Great Britain in relation to an adoption from overseas (although, if the child has not yet been placed for adoption or entered Great Britain, the date of placement for adoption or entry into Great Britain must be provided as soon as reasonably practicable after the placement or entry, and before the first period of shared parental leave to be taken by the adopter);
- how much shared parental leave the adopter and partner each intend to take; and
- a non-binding indication as to when the employee intends to take shared parental leave (including the start and end dates for each period of leave).

10.11.3 The adopter's notice of entitlement and intention must include a declaration signed by them that:

- they satisfy, or will satisfy, the eligibility requirements to take shared parental leave;
- the information they give in the notice of entitlement and intention is accurate; and
- they will immediately inform the Council if they cease to care for the child.

10.11.4 In addition, the adopter's notice of entitlement and intention must include a declaration signed by their partner:

- specifying the partner's name, address, and national insurance number (or declaring that the partner does not have a national insurance number);
- declaring that the partner satisfies, or will satisfy, the conditions set out above (see Adopter's eligibility for shared parental leave);
- declaring that the partner is married to, the civil partner of, or the partner of, the adopter;
- declaring that the partner consents to the amount of leave that the adopter intends to take; and
- declaring that the partner consents to the adopter's employer processing the information in the partner's declaration.

10.11.5 If the employee is the partner, the partner's notice of entitlement and intention must set out:

- the partner's name;
- the adopter's name;
- the start and end dates of any periods of statutory adoption leave or statutory adoption pay taken or to be taken by the adopter;
- the total amount of shared parental leave available;
- the date on which the adopter was notified of having been matched for adoption with the child (or receives official notification in relation to an adoption from overseas);
- where statutory adoption leave was not taken, or is not to be taken, the start and end dates of any period in which statutory adoption pay is paid or payable;
- the date on which the child is expected to be placed for adoption with the adopter and the date of the placement, or the date on which the child is expected to enter Great Britain in relation to an adoption from overseas (although, if the child has not yet been placed for adoption or entered Great Britain, the date of placement for adoption or entry into Great Britain must be provided as soon as reasonably practicable after the placement or entry, and before the first period of shared parental leave to be taken by the adopter);
- how much shared parental leave the partner and adopter each intend to take; and
- a non-binding indication as to when the partner intends to take shared parental leave (including the start and end dates for each period of leave).

10.11.6 The partner's notice of entitlement and intention must include a declaration signed by them that:

- they satisfy, or will satisfy, the eligibility requirements to take shared parental leave;
- the information given by the partner in the notice of entitlement and intention is accurate;

- they are married to, or the civil partner or the partner of the adopter; and
- they will immediately inform the Council if they cease to care for the child or if the adopter informs them that they no longer meet the requirement to have curtailed their adoption leave or pay period.

10.11.7 In addition, the partner's notice of entitlement and intention must include a declaration signed by the adopter:

- specifying the adopter's name, address, and national insurance number (or declaring that the adopter does not have a national insurance number);
- declaring that the adopter satisfies, or will satisfy, the conditions set out above (see Partner's eligibility for shared parental leave);
- declaring that the adopter consents to the amount of leave that the partner intends to take;
- declaring that they will immediately inform the employee if he/she no longer meets the requirement to have curtailed his/her adoption leave or pay period; and
- declaring that the adopter consents to the partner's employer processing the information in the adopter's declaration.

10.11.8 Within 14 days of receiving a notice of entitlement and intention from the employee, whether the adopter or partner, the Council can request from the employee:

- in relation to adoptions within the UK, documentary evidence from the adoption agency of:
 - the name and address of the adoption agency;
 - the date on which the adopter was notified of having been matched for adoption with the child; and
 - the date on which the adoption agency expects the child to be placed for adoption with the adopter; and
- in relation to adoptions from overseas, a copy of the official notification; and
- whether a UK or overseas adoption, the name and address of the other adoptive parent's employer (or a declaration that the other adoptive parent has no employer).

10.11.9 The employee has 14 days from the date of the request to send the Council the required information.

10.12 Variation or cancellation of notice of entitlement and intention

10.12.1 The employee can vary or cancel their proposed shared parental leave dates following the submission of a notice of entitlement and intention, provided that they provide the Council with a written notice. The written notice must contain:

- an indication as to when the employee intends to take shared parental leave (including the start and end dates for each period of leave);
- details of any periods of shared parental leave that have been notified through a period of leave notice;
- details of any periods of statutory shared parental pay that have been notified in relation to periods where shared parental leave was not to be taken; and
- a declaration signed by the adopter and the partner that they agree the variation.

10.12.2 Any indication of leave intended to be taken that the employee provides in a variation of notice of entitlement and intention is non-binding until they provide a period of leave notice in relation to that period of leave. There is no limit on the number of variations of notice of entitlement and intention that the employee can make.

10.13 Employee's period of leave notice

10.13.1 To take a period of shared parental leave, the employee must provide the Council with a written notice setting out the start and end dates of each period of shared parental leave requested in that notice.

10.13.2 A period of leave notice must be given not less than eight weeks before the start date of the first period of shared parental leave requested in the notice. The notice may be given at the same time as a notice of entitlement and intention and can be a request for a continuous period of leave or discontinuous periods of leave.

10.14 Variation or cancellation of period of leave notice

10.14.1 The employee can vary or cancel their proposed shared parental leave dates following the submission of a period of leave notice, provided that they provide their employer with a written notice not less than eight weeks before any period of leave varied by the notice is due to commence. The written notice can:

- vary the start date or the end date of any period of shared parental leave or cancel a request for leave;
- request that a continuous period of leave become discontinuous periods of leave; or
- request that discontinuous periods of leave become a continuous period of leave.

10.15 Limit on number of requests for leave

10.15.1 The employee can provide a combined total of up to three “period of leave notices” or variations of period of leave notices per adoption, although the Council may waive this limit in some circumstances.

10.16 Continuous period of shared parental leave

10.16.1 If the employee submits a period of leave notice requesting one continuous period of leave, they will be entitled to take that period of leave.

10.17 Discontinuous periods of shared parental leave

10.17.1 The employee may submit a period of leave notice requesting discontinuous periods of leave. For example, the adopter and partner could request a pattern of leave from their respective employers that allows them to alternate childcare responsibilities.

10.17.2 If the employee submits a period of leave notice requesting discontinuous periods of leave, the Council, in the two weeks beginning with the date the period of leave notice was given, can:

- consent to the pattern of leave requested;
- propose an alternative pattern of leave; or
- refuse the pattern of leave requested.

10.17.3 If agreement is reached within those two weeks, the employee is entitled to take the leave on the dates agreed.

10.17.4 If no agreement has been reached within that two-week discussion period, the employee is entitled to take the leave as one continuous period of leave. In that event, the employee must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. The employee must notify the Council of that date within five days of the end of the two-week discussion period. If the employee does not choose a start date within five days of the end of the two-week discussion period, the period of continuous leave will start on the date of the first period of leave requested in the period of leave notice.

10.17.5 Alternatively, if the Council has refused the request or no agreement has been reached during the two-week discussion period, the employee may withdraw a period of leave notice requesting discontinuous periods of leave. The employee can withdraw a period of leave notice at any time on or before the 15th day after the period of leave notice was given. A notice for discontinuous leave that has been withdrawn before it is agreed does not count towards the total number of requests for leave that an employee can make.

10.18 Amount of shared parental pay available

10.18.1 Eligible employees will be entitled to receive occupational shared parental pay. The calculation of shared parental pay entitlement is based on the rest of maternity pay entitlement when maternity pay is curtailed. Whether occupational shared parental pay is payable will depend on the time maternity pay is curtailed.

10.18.2 Statutory Shared Parental Leave Pay (ShPP) is applicable to employees as follows:

10.18.3 Employees with less than one year's service:

For an employee who has worked continuously for the Council for 26 weeks, by the beginning of 15th week before the EWC, there is an entitlement to 37 weeks ShPP and their average weekly earnings will need to be not less than the lower earnings threshold as applicable.

For employees who qualify for ShPP, they will receive:

- i. Full pay for four weeks
- ii. Followed by 33 weeks at ShPP.

10.18.4 Employees with at least one year's continuous service:

Employees with over one year's Local Government service are entitled to 37 weeks ShPP as follows:

- i. Full pay for four weeks
- ii. Followed by 12 weeks at the lower rate of ShPP. If the employee has also declared their intention to return to work, he /she will also receive 50% of their pay in addition to the ShPP for the 12 week period.
- iii. For the remaining 21 weeks, ShPP will be paid.

Any payment made to an employee under (ii) is made on the understanding that the employee will return to work for a period of at least three months. This period will start from when the SPL period comes to an end (i.e. on the day before the child's first birthday / first anniversary of the placement for adoption) regardless of whether the employee returns sooner and subsequently takes another block of SPL at a later date.

If the employee changes their mind and does not return to work for three months, then the monies paid out under (ii) will have to be refunded by the employee minus the ShPP.

10.18.5 Statutory Shared Parental Leave Pay is available for a maximum of 37 weeks and is payable at the same lower rate of Statutory Maternity Pay (SMP), or 90% of the employee's average earnings, whichever is lower. ShPP can start on any day of the week.

10.18.6 Please note that in the event that both eligible partners are employees of the Council, the entitlement to occupational shared parental leave pay will be shared by the partners taking the leave depending on the timing of the weeks' leave taken by each partner.

10.19 Eligibility for statutory shared parental pay

10.19.1 For employees to be eligible for statutory shared parental pay, both adoptive parents must meet certain eligibility requirements.

10.20 Adopter's eligibility for statutory shared parental pay

10.20.1 The adopter is eligible for statutory shared parental pay if they:

- have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption with the child (or by the end of the week in which he/she receives official notification in relation to an adoption from overseas) and remains in continuous employment with their employer until the week before any period of shared parental leave that they take;
- have normal weekly earnings for a period of eight weeks ending with the week in which the adopter is notified of having been matched for adoption with the child (or by the week in which he/she receives official notification in relation to an adoption from overseas) of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the partner, for the care of the child;
- are absent from work and intends to care for the child during each week in which they receive statutory shared parental pay; and
- are entitled to statutory adoption pay in respect of the child, but the adoption pay period has been reduced.

10.20.2 In addition, for the adopter to be eligible for statutory shared parental pay, the partner must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the week in which the adopter is notified of having been matched for adoption with the child (or the week in which they receive official notification in relation to an adoption from overseas);
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks; and
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the adopter, for the care of the child.

10.21 Partner's eligibility for statutory shared parental pay

10.21.1 The partner is eligible for statutory shared parental pay if they:

- have at least 26 weeks' continuous employment by the end of the week in which the adopter is notified of having been matched for adoption

with the child (or by the end of the week in which he/she receives official notification in relation to an adoption from overseas) and remains in continuous employment with his/her employer until the week before any period of shared parental leave that they take;

- have normal weekly earnings for a period of eight weeks ending with the week in which the adopter is notified of having been matched for adoption with the child (or by the week in which he/she receives official notification in relation to an adoption from overseas) of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the adopter, for the care of the child; and
- are absent from work and intends to care for the child during each week in which they receive statutory shared parental pay.

10.21.2 In addition, for the partner to be eligible, the adopter must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the week in which the adopter is notified of having been matched for adoption with the child (or the week in which they receive official notification in relation to an adoption from overseas);
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks;
- have, at the date on which the child is placed for adoption (or enters Great Britain if the child is being adopted from overseas), the main responsibility, apart from the partner, for the care of the child; and
- be entitled to statutory adoption pay in respect of the child, but the adoption pay period has been reduced.

10.22 Rights during shared parental leave

10.22.1 During shared parental leave, all terms and conditions of the employee's contract except normal pay will continue. Salary will be replaced by pay under the Council's enhanced shared parental pay scheme if the employee is eligible for it.

10.22.2 This means that, while sums payable by way of salary will cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue. Pension contributions will continue to be paid during periods of paid shared parental leave.

10.23 Contact during shared parental leave

10.23.1 The Council reserves the right to maintain reasonable contact with employees during shared parental leave. This may be to discuss employees' plans for their return to work, to discuss any special arrangements to be made or

training to be given to ease their return to work or to update them on developments at work during their absence.

10.23.2 An employee can agree to work for the Council (or to attend training) for up to 20 days during shared parental leave without that work bringing the period of their shared parental leave and pay to an end. These are known as "shared-parental-leave-in-touch" (SPLIT) days.

10.23.3 The Council has no right to require employees to carry out any work and employees have no right to undertake any work during their shared parental leave. Any work undertaken, and the amount of salary paid for any work done on SPLIT days, is entirely a matter for agreement between employees and the Council.

10.23.4 The employee will continue to receive pay under the Council's enhanced shared parental pay scheme for any week during which they attend work for SPLIT days. The Council will also pay the employee an additional payment for each hour that they work during a SPLIT day.

10.24 Returning to work following shared parental leave

10.24.1 The employee has the right to resume working in the same job when returning to work from SPL where reasonably practicable (for instance due to organisational change it may not be) or to another job which is both suitable and appropriate and on terms and conditions no less favourable.

10.25 Returning to work early following shared parental leave

10.25.1 If the employee wishes to return to work earlier than the expected return date, they may provide a written notice to vary the leave and must give at least eight weeks' notice of their date of early return.

10.25.2 The Council does not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so. Such requests will not be unreasonably refused.

11. Shared Parental Leave – Birth

11.1 Introduction to shared parental leave

11.1.1 This section of the Family Leave Policy sets out the rights of employees to shared parental leave and pay. Shared parental leave enables mothers to commit to ending their maternity leave and pay at a future date, and to share the untaken balance of leave and pay as shared parental leave and pay with their partner, or to return to work early from maternity leave and opt in to shared parental leave and pay at a later date. There is a separate section of this policy on shared parental leave for employees who are adopting children (see section 10).

11.1.2 Shared parental leave should not be confused with ordinary parental leave, which is unaffected by shared parental leave. Ordinary parental leave is the entitlement to up to 18 weeks' unpaid leave. The Council provides a separate policy on ordinary parental leave.

11.1.3 It is the Council's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. As the shared parental leave provisions are complex, if an employee wishes to take shared parental leave, they should clarify the relevant procedures with the HR team to ensure that they are followed correctly.

11.2 Scope of shared parental leave

11.2.1 This section of the Family Leave Policy applies in relation to employees of the Council, whether they are the mother or the partner.

11.2.2 The mother and the partner should ensure that they are each liaising with their own employer to ensure that requests for shared parental leave are handled as smoothly as possible.

11.3 Amount of shared parental leave available

11.3.1 The amount of shared parental leave entitlement will depend on when the mother brings her maternity leave period to an end and the amount of leave that the other parent takes in respect of the child. Shared parental leave must be taken in blocks of at least one week. The employee can request to take shared parental leave in one continuous block (in which case the Council is required to accept the request as long as the employee meets the eligibility and notice requirements), or as a number of discontinuous blocks of leave (in which case the employee needs the Council's agreement). A maximum of three requests for leave per pregnancy can normally be made by each parent.

11.3.2 The first two weeks following birth are the compulsory maternity leave period and are reserved for the mother. This means that the mother cannot curtail her maternity leave to take shared parental leave until two weeks after the

birth and the maximum period that the parents could take as shared parental leave is 50 weeks between them (although it will normally be less than this because of the maternity leave that mothers usually take before the birth).

11.3.3 The mother's partner can begin a period of shared parental leave at any time from the date of the child's birth (but the partner should bear in mind that they are entitled to take up to two weeks' paternity leave OR one week's maternity support leave following the birth of the child, which they will lose if shared parental leave is taken first). The mother and partner must take any shared parental leave within 52 weeks of birth.

11.4 Eligibility for shared parental leave

11.4.1 For employees to be eligible to take shared parental leave, both parents must meet certain eligibility requirements.

11.5 Mother's eligibility for shared parental leave

11.5.1 The mother is eligible for shared parental leave if she:

- has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with the Council until the week before any period of shared parental leave that she takes;
- has, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- is entitled to statutory maternity leave in respect of the child; and
- complies with the relevant maternity leave curtailment requirements (or has returned to work before the end of statutory maternity leave), and shared parental leave notice and evidence requirements.

11.5.2 In addition, for the mother to be eligible for shared parental leave, the partner must:

- have been employed or been a self-employed earner in at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks; and
- have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child.

11.6 Partner's eligibility for shared parental leave

11.6.1 The partner is eligible for shared parental leave if they:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous

employment with the Council until the week before any period of shared parental leave that he/she takes;

- have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and
- comply with the relevant shared parental leave notice and evidence requirements.

11.6.2 In addition, for the partner to be eligible for shared parental leave, the mother must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the [Maternity Allowance](#) threshold for any 13 of those 66 weeks;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- be entitled to statutory maternity leave, statutory maternity pay or maternity allowance in respect of the child; and
- comply with the relevant maternity leave or pay curtailment requirements (or have returned to work before the end of statutory maternity leave).

11.7 Notice requirements for shared parental leave

11.7.1 The notices that the parents must give to the relevant employer to be able to take shared parental leave are made up of three elements. They are:

- a "maternity leave curtailment notice" from the mother setting out when she proposes to end her maternity leave (unless the mother has already returned to work from maternity leave);
- a "notice of entitlement and intention" from the employee giving an initial, non-binding indication of each period of shared parental leave that they are requesting; and
- a "period of leave notice" from the employee setting out the start and end dates of each period of shared parental leave that they are requesting.

11.7.2 The notice periods set out below (see Mother's notice curtailing maternity leave, Employee's notice of entitlement and intention and Employee's period of leave notice) are the minimum required by law. However, the earlier the employee informs the Council of their intentions, the more likely it is that the Council will be able to accommodate the employee's wishes, particularly if they want to take periods of discontinuous leave.

11.7.3 Employees are advised that, if they have already decided the pattern of shared parental leave that they would like to take, they can provide more than one type of notice at the same time. For example, the mother could provide a maternity leave curtailment notice, notice of entitlement and intention and

period of leave notice at the same time. Similarly, the partner could provide their notice of entitlement and intention and period of leave notice at the same time.

11.8 Mother's notice curtailing maternity leave

11.8.1 Before the mother or partner can take shared parental leave, the mother must either return to work before the end of her maternity leave (by giving the required eight weeks' notice of her planned return) or provide her employer with a maternity leave curtailment notice. The maternity leave curtailment notice must be in writing and state the date on which maternity leave is to end. That date must be:

- after the compulsory maternity leave period, which is the two weeks (or four weeks for factory workers) after birth;
- at least eight weeks after the date on which the mother gave the maternity leave curtailment notice to her employer; and
- at least one week before what would be the end of the additional maternity leave period.

11.8.2 The mother must provide her maternity leave curtailment notice at the same time she provides either her notice of entitlement and intention or a declaration of consent and entitlement signed by the mother confirming that her partner has given his/her employer a notice of entitlement and intention (see Employee's notice of entitlement and intention below).

11.9 Revocation of maternity leave curtailment notice

11.9.1 The mother can withdraw her notice curtailing her maternity leave in limited circumstances. The withdrawal of a maternity leave curtailment notice must be in writing and can be given only if the mother has not returned to work. The mother can withdraw her maternity leave curtailment notice if:

- it is discovered that neither the mother nor the partner are entitled to shared parental leave or statutory shared parental pay and the mother withdraws her maternity leave curtailment notice within eight weeks of the date on which the notice was given;
- the maternity leave curtailment notice was given before the birth of the child and the mother withdraws her maternity leave curtailment notice within six weeks of the child's birth; or
- the partner has died.

11.10 Employee's notice of entitlement and intention

11.10.1 The employee, whether the mother or the partner, must provide the Council with a non-binding notice of entitlement and intention. This must be in writing and provided at least eight weeks before the start date of the first period of

shared parental leave to be taken by the employee. It must set out the following information.

11.10.2 If the employee is the mother, the notice of entitlement and intention must set out:

- the mother's name;
- the partner's name;
- the start and end dates of any statutory maternity leave taken or to be taken by the mother;
- the total amount of shared parental leave available;
- the child's expected week of birth and the child's date of birth (although, if the child has not yet been born, the date of birth can be provided as soon as reasonably practicable after birth, and before the first period of shared parental leave to be taken by the mother);
- how much shared parental leave the mother and partner each intend to take; and
- a non-binding indication as to when the employee intends to take shared parental leave (including the start and end dates for each period of leave).

11.10.3 The mother's notice of entitlement and intention must include a declaration signed by her that:

- she satisfies, or will satisfy, the eligibility requirements to take shared parental leave;
- the information she gives in the notice of entitlement and intention is accurate; and
- she will immediately inform the Council if she ceases to care for the child.

11.10.4 In addition, the mother's notice of entitlement and intention must include a declaration signed by her partner:

- specifying the partner's name, address, and national insurance number (or declaring that the partner does not have a national insurance number);
- declaring that the partner satisfies, or will satisfy, the conditions set out above (see Mother's eligibility for shared parental leave);
- declaring that the partner is the father of the child, or is married to, the civil partner of, or the partner of, the mother;
- declaring that the partner consents to the amount of leave that the mother intends to take; and
- declaring that the partner consents to the mother's employer processing the information in the partner's declaration.

11.10.5 If the employee is the partner, the partner's notice of entitlement and intention must set out:

- the partner's name;
- the mother's name;
- the start and end dates of any periods of statutory maternity leave, statutory maternity pay or maternity allowance taken or to be taken by the mother;
- the total amount of shared parental leave available;
- the child's expected week of birth and the child's date of birth (although, if the child has not yet been born, the date of birth can be provided as soon as reasonably practicable after birth, and before the first period of shared parental leave to be taken by the partner);
- how much shared parental leave the partner and mother each intend to take; and
- a non-binding indication as to when the partner intends to take shared parental leave (including the start and end dates for each period of leave).

11.10.6 The partner's notice of entitlement and intention must include a declaration signed by the partner that:

- they satisfy, or will satisfy, the eligibility requirements to take shared parental leave;
- the information given by the partner in the notice of entitlement and intention is accurate; and
- they will immediately inform the Council if they cease to care for the child or if the mother informs them that she no longer meets the requirement to have curtailed her maternity leave or pay period.

11.10.7 In addition, the partner's notice of entitlement and intention must include a declaration signed by the mother:

- specifying the mother's name, address, and national insurance number (or declaring that the mother does not have a national insurance number);
- declaring that the mother satisfies, or will satisfy, the conditions set out above (see Partner's eligibility for shared parental leave) and she will notify the partner if she no longer qualifies for maternity leave, statutory maternity pay or maternity allowance;
- declaring that the mother consents to the amount of leave that the partner intends to take;
- declaring that she will immediately inform the employee if she no longer meets the requirement to have curtailed her maternity leave or pay period; and
- declaring that the mother consents to the partner's employer processing the information in the mother's declaration.

11.10.8 Within 14 days of receiving a notice of entitlement and intention from the employee, whether the mother or partner, the Council can request from the employee:

- a copy of the child's birth certificate (or, if the child has not been born, a copy of the birth certificate within 14 days of the birth - if the birth certificate has yet to be issued after this period, a signed declaration stating the date and location of the child's birth will suffice); and
- the name and address of the other parent's employer (or a declaration that the other parent has no employer).

11.10.9 The employee has 14 days from the date of the request to send the Council the required information.

11.11 Variation or cancellation of notice of entitlement and intention

11.11.1 The employee can vary or cancel their proposed shared parental leave dates following the submission of a notice of entitlement and intention, provided that they provide the Council with a written notice. The written notice must contain:

- an indication as to when the employee intends to take shared parental leave (including the start and end dates for each period of leave);
- details of any periods of shared parental leave that have been notified through a period of leave notice;
- details of any periods of statutory shared parental pay that have been notified in relation to periods where shared parental leave was not to be taken; and
- a declaration signed by the mother and the partner that they agree to the variation.

11.11.2 Any indication of leave intended to be taken that the employee provides in a variation of notice of entitlement and intention is non-binding until he/she provides a period of leave notice in relation to that period of leave. There is no limit on the number of variations of notice of entitlement and intention that the employee can make.

11.12 Employee's period of leave notice

11.12.1 To take a period of shared parental leave, the employee must provide the Council with a written notice setting out the start and end dates of each period of shared parental leave requested in that notice.

11.12.2 A period of leave notice must be given not less than eight weeks before the start date of the first period of shared parental leave requested in the notice. The notice may be given at the same time as a notice of entitlement and intention and can be a request for a continuous period of leave or discontinuous periods of leave.

11.13 Variation or cancellation of period of leave notice

11.13.1 The employee can vary or cancel their proposed shared parental leave dates following the submission of a period of leave notice, provided that they provide

their employer with a written notice not less than eight weeks before any period of leave varied or cancelled by the notice is due to commence. The written notice can:

- vary the start date or the end date of any period of shared parental leave or cancel a request for leave;
- request that a continuous period of leave become discontinuous periods of leave; or
- request that discontinuous periods of leave become a continuous period of leave.

11.14 Limit on number of requests for leave

11.14.1 The employee can provide a combined total of up to three period of leave notices or variations of period of leave notices per pregnancy, although the Council may waive this limit in some circumstances.

11.15 Continuous period of shared parental leave

11.15.1 If the employee submits a period of leave notice requesting one continuous period of leave, he/she will be entitled to take that period of leave.

11.16 Discontinuous periods of shared parental leave

11.16.1 The employee may submit a period of leave notice requesting discontinuous periods of leave. For example, the mother and partner could request a pattern of leave from their respective employers that allows them to alternate childcare responsibilities.

11.16.2 If the employee submits a period of leave notice requesting discontinuous periods of leave, the Council, in the two weeks beginning with the date the period of leave notice was given, can:

- consent to the pattern of leave requested;
- propose an alternative pattern of leave; or
- refuse the pattern of leave requested.

11.16.3 If agreement is reached within those two weeks, the employee is entitled to take the leave on the dates agreed.

11.16.4 If no agreement has been reached within that two-week discussion period, the employee is entitled to take the leave as one continuous period of leave. In that event, the employee must choose a start date for the leave that is at least eight weeks from the date on which the period of leave notice was originally given. The employee must notify the Council of that date within five days of the end of the two-week discussion period. If the employee does not choose a start date within five days of the end of the two-week discussion period, the

period of continuous leave will start on the date of the first period of leave requested in the period of leave notice.

11.16.5 Alternatively, if the Council has refused the request or no agreement has been reached during the two-week discussion period, the employee may withdraw a period of leave notice requesting discontinuous periods of leave. The employee can withdraw a period of leave notice at any time on or before the 15th day after the period of leave notice was given. A notice for discontinuous leave that has been withdrawn before it is agreed does not count towards the total number of requests for leave that an employee can make.

11.17 Amount of shared parental pay available

11.17.1 Eligible employees will be entitled to receive occupational shared parental pay. The calculation of shared parental pay entitlement is based on the rest of maternity pay entitlement when maternity pay is curtailed. Whether occupational shared parental pay is payable will depend on the time maternity pay is curtailed.

11.17.2 Statutory Shared Parental Leave Pay (ShPP) is applicable to employees as follows:

11.17.3 Employees with less than one year's service:

For an employee who has worked continuously for the Council for 26 weeks, by the beginning of 15th week before the EWC, there is an entitlement to 37 weeks ShPP and their average weekly earnings will need to be not less than the lower earnings threshold as applicable.

For employees who qualify for ShPP, they will receive:

- i. Full pay for four weeks
- ii. Followed by 33 weeks at ShPP.

11.17.4 Employees with at least one year's continuous service:

Employees with over one year's Local Government service are entitled to 37 weeks ShPP as follows:

- i. Full pay for four weeks
- ii. Followed by 12 weeks at the lower rate of ShPP. If the employee has also declared their intention to return to work, he /she will also receive 50% of their pay in addition to the ShPP for the 12 week period.
- iii. For the remaining 21 weeks, ShPP will be paid.

11.17.5 Any payment made to an employee under (ii) is made on the understanding that the employee will return to work for a period of at least three months. This period will start from when the SPL period comes to an end (i.e. on the day before the child's first birthday / first anniversary of the placement for adoption)

regardless of whether the employee returns sooner and subsequently takes another block of SPL at a later date.

11.17.6 If the employee changes their mind and does not return to work for three months, then the monies paid out under (ii) will have to be refunded by the employee minus the ShPP.

11.17.7 Statutory Shared Parental Leave Pay is available for a maximum of 37 weeks and is payable at the same lower rate of Statutory Maternity Pay (SMP), or 90% of the employee's average earnings, whichever is lower. ShPP can start on any day of the week.

11.17.8 Please note that in the event that both eligible partners are employees of the Council, the entitlement to occupational shared parental leave pay will be shared by the partners taking the leave depending on the timing of the weeks' leave taken by each partner.

11.18 Eligibility for statutory shared parental pay

11.18.1 For employees to be eligible for statutory shared parental pay, both parents must meet certain eligibility requirements.

11.18.2 Mother's eligibility for statutory shared parental pay

11.18.3 The mother is eligible for statutory shared parental pay if she:

- has at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with her employer until the week before any period of shared parental pay that she gets;
- has normal weekly earnings for a period of eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- has, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child;
- is absent from work and intends to care for the child during each week in which she receives statutory shared parental pay; and
- is entitled to statutory maternity pay in respect of the child, but the maternity pay period has been reduced.

11.18.4 In addition, for the mother to be eligible for statutory shared parental pay, the partner must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and

- have average weekly earnings of at least the [maternity allowance](#) threshold for any 13 of those 66 weeks.

11.19 Partner's eligibility for statutory shared parental pay

11.19.1 The partner is eligible for statutory shared parental pay if they:

- have at least 26 weeks' continuous employment ending with the 15th week before the expected week of childbirth and remains in continuous employment with their employer until the week before any period of shared parental pay that they get;
- have normal weekly earnings for eight weeks ending with the 15th week before the expected week of childbirth of at least the lower earnings limit for national insurance contribution purposes;
- have, at the date of the child's birth, the main responsibility, apart from the mother, for the care of the child; and
- are absent from work and intends to care for the child during each week in which they receive statutory shared parental pay.

11.19.2 In addition, for the partner to be eligible, the mother must:

- have been employed or been a self-employed earner during at least 26 of the 66 weeks immediately preceding the expected week of childbirth;
- have average weekly earnings of at least the maternity allowance threshold for any 13 of those 66 weeks;
- have, at the date of the child's birth, the main responsibility, apart from the partner, for the care of the child; and
- be entitled to statutory maternity pay or maternity allowance in respect of the child, but the maternity pay period or maternity allowance period has been reduced.

11.20 Rights during shared parental leave

11.20.1 During shared parental leave, all terms and conditions of the employee's contract except normal pay will continue. Salary will be replaced pay under the Council's enhanced shared parental pay scheme if the employee is eligible for it.

11.20.2 This means that, while sums payable by way of salary will cease, all other benefits will remain in place. For example, holiday entitlement will continue to accrue. Pension contributions will continue to be paid.

11.21 Contact during shared parental leave

11.21.1 The Council reserves the right to maintain reasonable contact with employees during shared parental leave. This may be to discuss employees' plans for their return to work, to discuss any special arrangements to be made or

training to be given to ease their return to work or to update them on developments at work during their absence.

11.21.2 An employee can agree to work for the Council (or to attend training) for up to 20 days during shared parental leave without that work bringing the period of his/her shared parental leave and pay to an end. These are known as "shared-parental-leave-in-touch" (SPLIT) days.

11.21.3 The Council has no right to require employees to carry out any work and employees have no right to undertake any work during their shared parental leave. Any work undertaken, and the amount of salary paid for any work done on SPLIT days, is entirely a matter for agreement between employees and the Council.

11.21.4 The employee will continue to receive pay under the Council's enhanced shared parental pay scheme for any week during which they attend work for SPLIT days. The Council will also pay the employee an additional payment for each hour that they work during a SPLIT day.

11.22 Returning to work following shared parental leave

11.22.1 The employee has the right to resume working in the same job when returning to work from SPL where reasonably practicable (for instance due to organisational change it may not be) or to another job which is both suitable and appropriate and on terms and conditions no less favourable.

11.23 Returning to work early following shared parental leave

11.23.1 If the employee wishes to return to work earlier than the expected return date, they may provide a written notice to vary the leave and must give at least eight weeks' notice of their date of early return.

11.23.2 The Council does not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so. Such requests will not be unreasonably refused.

12 Childcare for Staff

12.1 Kennet Day Nursery

The Kennet Day Nursery is a day nursery situated in the Civic Offices of Reading Borough Council. The nursery is also open to other public sector workers.

The nursery is open from 8am through until 6pm. There are also half day sessions available from 8am until 1pm and 1pm until 6pm.

The nursery offers breakfast, a mid morning snack, hot lunch and a hot or cold tea. They provide all formula milks for babies and only ask that parents provide nappies for their child.

At the nursery the children are divided into 3 areas:

- Minnows - 3 months to 18 months,
- Dragonflies - 18 months to 30 months
- Kingfishers - 30 months to 4 years old.

The staff at the nursery are very caring and committed. They have chosen to work with children as their vocation and are very passionate in ensuring that they deliver a high quality of care. The children each have a key person who forms a close bond with them and their family and will be responsible for feeding, changing and liaising with the parents.

They offer a fantastic range of activities and experiences for the children. This can range from painting, cooking, dressing up, sand and water, looking at the letters in our name and music and movement to name but a few. They go on outings to the market, the library or even the Hexagon to watch a show.

They work closely with the child and parents to settle the child into the nursery and offer home visits and lots of visits leading up to taking up a place. They will ease the transition for both parents and the child in order that both happy and ready for their exciting time with the nursery.

They do a lot of preparation for school. Again, this will involve working with both the child and their parents to talk about this important transition to ensure it is a smooth and happy one.

12.2 Other Childcare Providers

For information about other forms of childcare in Reading, please visit the Reading Borough Council website or contact the [Family Resource Centre UK](#).



ADOPTION LEAVE REQUEST FORM

Directorate: _____

Name: _____

Payroll reference no.: _____ Job title: _____

Adoption leave dates: From _____ To _____

I wish to receive my *12 weeks SAP rate/half pay rate which will be repayable if I do not return to work for a period of 12 weeks. Yes / No
(*delete as appropriate)

I do not wish to receive my *12 weeks at SAP rate/half pay rate until I return to work (contact Payments Section at that time). Yes / No
(*delete as appropriate)

Additional comments in support of your application:

Signed: _____ Date: _____

Please forward to your manager

Managers must immediately update iTrent Managers Self Service with the adoption leave details (under the Absence section, select the employee's name and click on Adoption).



FOSTER CARER LEAVE REQUEST FORM

Name:

Directorate:

Payroll reference no:

Position:

Location:

Foster leave dates: From: To:

Additional comments in support of your application:

Signed: Date:

Authorised by:

.....

Signed:

Name:

Position:

(manager)

Dated:

.....

.....

Please forward to your manager



NOTIFICATION OF MATERNITY LEAVE AND PAY

Directorate: _____

Name: _____

Payroll reference no.: _____ Job title: _____

Adoption leave dates: From _____ To _____

Length of continuous Local Government Service: _____

Date of commencement with Reading Borough Council: _____

Expected date of birth: _____

Form MATB1* attached / to follow (**delete as appropriate*)

I wish to take advantage of my entitlement to maternity leave and pay under Reading Borough Council's provisions for maternity leave.

I expect to commence my maternity leave on: (*give the date*) _____

Please tick the appropriate box:

- I do not wish to return to work; **OR**
- I wish to reserve the right to return to work

Request for pay: (*tick box*)

- I wish to receive my entitlement to SMP.
- I wish to receive my SMP plus 12 weeks half pay which will be repayable if I do not return to work for a period of 3 months or more; **OR**
- I wish to defer my 12 weeks half pay until I return to work and have the payment made to me once I have returned to work for a period of at least 3 months.

Signed: _____ Date: _____

Please forward to your manager

Managers must immediately update iTrent Managers Self Service with the maternity leave details (under the Absence section, select the employee's name and click on Maternity).



MATERNITY SUPPORT LEAVE REQUEST FORM

Directorate:

Name:

Payroll reference no:

Position:

Location:

Maternity support leave dates: From: To:

I hereby request paid maternity support leave of days

I am the *husband/partner/nominated carer of

whose MAT B1 maternity certificate is attached (*delete as appropriate*)

If you have been nominated as a carer, please include a letter from the mother authorising you to act as carer on her behalf.

Additional comments in support of your application:

Signed: Date:

Authorised by:

Signed:

Name:

Position:

(*manager*)

Dated:

Please forward to your manager



PARENTAL LEAVE REQUEST FORM

Directorate:

Name:

Payroll reference no.:

Position:

Location:

Parental leave dates: From: To:

Additional comments in support of your application:

Signed: Date:

Authorised by:

Signed:

Name:

Position:
(*manager*)

Dated:

Please forward to your manager



PATERNITY LEAVE REQUEST FORM

Directorate: _____

Name: _____

Payroll reference no.: _____ Job title: _____

Paternity leave dates: From _____ To _____

I request paid paternity of _____ working weeks.

I am the *husband / partner (delete as appropriate) of _____
whose MATB1 maternity certificate is attached.

Additional comments in support of your application:

Signed: _____ Date: _____

Please forward to your manager

Managers must immediately update iTrent Managers Self Service with the paternity leave details (under the Absence section, select the employee's name and click on Paternity).



SHARED PARENTAL LEAVE NOTICE REQUEST (SPL1 FORM)

Section A: To be completed by RBC employee, wishing to take Shared Parental Leave (SPL)

Full Name _____

Employee no (on pay slip) _____

Directorate _____

Service / School _____

EWC date _____ Or baby's birth date _____

Matching date _____ Placement date _____

Start date of maternity / adoption leave _____

End date of maternity / adoption leave _____

Start date of maternity pay / maternity allowance / adoption pay _____

End date of maternity / maternity allowance / adoption pay _____

Number of weeks SPL available (50 max) _____

Number of weeks Shared Parental Leave Pay (ShPP) available (37 max) _____

My SPL will start on _____ and end on _____

I intend to take _____ weeks SPL and _____ weeks ShPP.

My partners SPL will start on _____ and end on _____

My partner intends to take _____ weeks SPL and _____ weeks ShPP.

Further information (if you are requesting discontinuous leave please specify the dates you wish to request below)

This is my first / second / third SPL notice request (delete as appropriate)

You have a right to submit three notifications specifying leave periods during the one year after the birth / placement of the child.

The start date of the first period of shared parental leave that you wish to take must be at least eight weeks after you have provided this notice. Shared parental leave must be taken in blocks of at least one week

Section B: Declaration to be completed by the employee

I confirm that I am sharing the childcare responsibility with the above mentioned qualifying partner during the SPL period and that the information given above is accurate;

I wish to curtail my maternity / adoption leave and pay or I have returned to work before the end of my statutory maternity / adoption leave period (if the RBC employee is the mother or adopter);

I will immediately inform the organisation if I cease to care for the child or if the child's mother informs me that she has revoked the curtailment of her maternity leave or pay period.

I understand that a false declaration will be treated as a disciplinary matter.

Signed (employee) _____ **Date** _____

Section C: Declaration to be completed by the qualifying partner of the RBC employee

Qualifying Partner's Full Name _____

NI Number _____

Address _____

Employer's Name & Business Address _____

I confirm that all the information given in the above sections is accurate and that:

I satisfy the qualifying requirements for taking Shared Parental Leave and Statutory Shared Parental Leave Pay;

I am the father/mother/adopter of the child or married to/the civil partner or partner of the above named RBC employee;

I agree to share with the above named RBC employee Shared Parental Leave and Statutory Shared Parental Leave Pay;

I have curtailed my maternity / adoption leave and pay or returned to work before the end of my statutory maternity / adoption leave period (if the qualifying partner is the mother or adopter);

If required by RBC I will supply a copy of the birth certificate / documentary evidence of the name and address of the adoption agency within 14 days of the request;

If required, RBC can contact my employer to check eligibility.

I agree to RBC processing my information in relation to the administration of Shared Parental Leave and Statutory Shared Parental Leave Pay;

I will immediately inform my partner if I no longer meet the requirements to curtail my maternity / adoption leave and pay, if applicable, (if the qualifying partner is the mother or adopter);

Signed (partner) _____ Date _____

Section D: To be completed by the Line Manager within 14 days of receiving this request

Please tick as appropriate:

I accept the SPL notice request (all continuous leave notifications must be accepted)

I refuse the SPL notice request (discontinuous leave only). Please complete table below:

I am unable to accommodate your discontinuous leave request for the following business ground(s):

Please refer to section 5.6 in the SPL policy in the event that discontinuous leave has been refused.

I confirm an agreed modification to the original discontinuous leave arrangement requested.

The modified SPL dates are as follows:

SPL will commence on _____ and end on _____

I intend to take _____ weeks SPL and _____ weeks ShPP

Further information (if required) _____

Manager name _____ **Position** _____

Manager signature _____ **Date** _____

If the discontinuous shared parental leave request has been modified, the employee must sign below:

I agree to the modified SPL leave arrangement

Employee signature _____ Date _____

Please return this form to your HR contact to process and provide a copy of this form to the employee for their records.

Overpayment Recovery Policy

September 2020



www.reading.gov.uk



Reading
Borough Council
Working better with you

Document History	
Version	1.1 (see below)
Status	Draft for discussion
Date	September 2020
Target audience	All employees of Reading Borough Council with the exception of Schools-based staff for whom alternative procedures apply
Ratification	None
Author	HR Employment Services Team

Version control	Reviewers
Version 1.1	Initial draft – September 2020

Table of Content

1. Objectives and scope.....	3
2. Definitions.....	3
3. Responsibilities.....	3
4. Overpayment and recovery of pay and allowances (existing employees)	4
5. Overpayment and recovery of pay and allowances (ex-employees)	5

1. Objectives and scope

- 1.1. The Council has measures in place to avoid overpayments occurring, however on occasions overpayments can unfortunately happen.
- 1.2. This policy aims to provide guidance and a consistent approach on the course of action the Council will normally consider when an overpayment or underpayment occurs. The Council is required to recover public money which has been paid out incorrectly, regardless of the reason.
- 1.3. The aim of this policy is to ensure that where a discrepancy occurs through overpayment i.e. salaries, allowances, incorrect expenses etc. the relevant stakeholders are made aware as soon as possible with the objective that the Council recovers the overpayment within acceptable time limits.
- 1.4. If an overpayment is considered fraudulent then it will be investigated in accordance with the Anti-Fraud & Corruption procedures.
- 1.5. Whilst this policy sets out how recovery will operate, it allows for some flexibility in terms of the length of the recovery depending on the individual circumstances of the overpayment.

2. Definitions

- 2.1 For the purpose of this policy, overpayments can be defined as a payment of salary, reimbursement or allowance which is paid to an individual in excess of their contractual entitlement.

3. Responsibilities

- 3.1. HR is responsible for ensuring that all staff that are subject to payroll discrepancies are dealt with in a fair and equitable manner and in accordance with current employment law and best practice.
- 3.2. Payroll are responsible for ensuring that overpayments are communicated to the employee or ex-employee concerned, their line manager (for current employees) and to the HR Services Manager, in a timely manner.
- 3.3. Employees are expected to check their payslips on receipt for accuracy where possible. The Council will ensure as much clarity in the data as possible in order to aid employees.
- 3.4. Employees are expected to report promptly to their line managers any unexpected/incorrect payment received, or any payment received to which the individual is not entitled to.

- 3.5. Employees and their line managers must complete and submit accurate information in a timely manner, i.e. before payroll deadline, which could otherwise result in an overpayment.
- 3.6. The following are examples of notification of changes that will affect pay and must be submitted for approval and/or to process in a timely manner:
- Contract variation, e.g. change of hours
 - Leaver
 - Returning to work following sickness
 - Returning to work following maternity leave
- 3.7. The Council is required to recover public money which has been paid out incorrectly, regardless of the reason. In very exceptional circumstances (e.g. a case of severe hardship), the Assistant Director of Finance is required to authorise any write-off of overpayments of salaries.

4. Overpayment and recovery of pay and allowances (existing employees)

- 4.1. Where the overpayment relates to the most recent pay period, Payroll will inform the member of staff and their line manager within five working days of an overpayment being identified and that full recovery will be made in the following pay period.
- 4.2. Where the overpayment relates to a number of pay periods, Payroll will notify the HR Services Manager, who will arrange a meeting with an HR representative, the member of staff and their line manager to discuss appropriate re-payment terms.
- 4.3. If the re-payment period cannot be agreed within the above time period then HR will discuss the reason along with the possible way forward with the HR Services Manager.
- 4.4. A re-payment period will not normally exceed 12 months.
- 4.5. Prior approval from the Assistant Director of HR and Organisational Development is required for any repayment periods that are more than 12 months.
- 4.6. HR will confirm the following details in writing to the employee within five working days of first notification (where a meeting is not required) or within five working days after the date of the meeting (where the overpayment is over more than one pay period):
- The amount of overpayment
 - The cause of overpayment

- The period of overpayment
- The employee's correct net pay
- The agreed repayment

4.7. A copy of this letter will be sent to the employee's line manager and recorded on the employee's personnel file.

4.8. If the employee's contract ends or is terminated during a repayment period, any outstanding amounts will be deducted from the final salary. If the outstanding amounts cannot be recovered from the final salary, the employee will be invoiced immediately.

5. Overpayment and recovery of pay and allowances (ex-employees)

5.1. Where the individual is no longer employed by the Council and an overpayment has been identified, Payroll will inform the line manager of the ex-employee and the HR Services Manager of the amount payable, actual amounts paid and the cause of the overpayment.

5.2. Payroll will send a letter to the individual's home address, advising them of the following:

- The amount of overpayment
- The cause of overpayment
- The period of overpayment
- The ex-employee's correct net pay
- That the individual will be invoiced for the full amount of the overpayment
- HR representative contact details to discuss the terms of repayment where necessary, i.e. in cases of hardship

5.3. A copy of this letter will be sent to HR and will be recorded on the ex-employee's personnel file.

5.4. Once an invoice is issued, the Payroll team will follow the standard process of debt collection unless otherwise instructed by the Assistant Director of HR and Organisational Development.

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Gifts and Hospitality Policy

October 2020
(Agreed by Trade Unions)



Document History	
Version	1.1 (see below)
Status	Agreed by Trade Unions
Date	October 2020
Target audience	All employees of Reading Borough Council with the exception of Schools-based staff for whom alternative procedures apply
Ratification	None
Author	HR Employment Services Team

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Version 1.0	Initial draft – June 2020
Version 1.1	Agreed by Trade Unions

Table of Contents

1. Objectives and scope.....	3
2. Gifts.....	3
3. Hospitality	4
4. Negotiations	5

1. Objectives and scope

- 1.1 From time to time officers are faced with the difficulty of deciding whether or not to accept offers of gifts or hospitality which arise during the course of business activities. Whilst it is impossible to cover every set of circumstances, this policy should provide a basis for making a decision in the vast majority of cases.
- 1.2 This policy relates primarily to relationships with commercial bodies and outside individuals in the private sector. Different circumstances will usually apply where dealings are with other public authorities.
- 1.3 Officers are strongly advised to err on the side of caution when deciding whether or not to accept gifts or hospitality. If they are in any doubt in a particular case they should consult their Assistant Director in the first instance. Advice can also be obtained from the Monitoring Officer. This policy is intended primarily for senior managers who should in turn ensure that their staff are given clear instructions. Generally, hospitality should be avoided unless a manager has agreed that the circumstances are such that a member of staff can properly accept hospitality as a representative of the Council.
- 1.4 It is the responsibility of the employee to seek approval from their Assistant Director **before** accepting any offer of hospitality or a gift of more than nominal value. This must be done using the form in Appendix 1, which will be sent to the Assistant Director for a decision on whether or not it can be accepted.
- 1.5 Officers should be aware that it is an offence under the Bribery Act 2010 to accept a bribe (whether given directly or indirectly) as an inducement to improperly perform (or fail to perform) any act or function of a public nature. A bribe can be any financial or other advantage, but it is made clear in the statutory guidance that this is not intended to cover genuine promotional materials or corporate hospitality for example; there must be an intention to induce the officer in his or her official role. Following this policy will help to protect officers from inadvertently committing such an offence.

2. Gifts

- 2.1 If an employee has any about doubt whether a gift is of more than nominal value they must seek advice from their Assistant Director or the Monitoring Officer before accepting it.
- 2.2 The acceptance of gifts is a dangerous practice and the general rule should be to refuse tactfully all such offers from organisations or persons who do, or might, provide work, goods or services to the Council, or who need some decision from the Council, for example, in respect of a planning application.
- 2.3 Exceptions to this general rule would include modest gifts of a promotional character, including such things as calendars, diaries, articles for use in the

office etc, or a small gift on the conclusion of a courtesy visit to a factory or firm.

- 2.4 Such exceptions relate only to modest gifts and obviously an expensive gift would raise questions even if it is impossible to be more precise in dealing with what does and does not amount to an acceptable gift. This is very much a matter for the individual judgement of senior managers, given the particular circumstances.

3. Hospitality

- 3.1 When to accept hospitality is again very much a matter of judgement given the particular circumstances, and it would be wrong to produce an atmosphere in which officers refused all invitations for social involvement with persons or bodies who have, or may seek to have in the future, business dealings with the Council. Contacts established at a social level can often be helpful in pursuing the Council's interests. What is important is to avoid any suggestion of improper influence or giving others the opportunity to raise a concern about improper influence.

- 3.2 The following are intended as examples only:

3.2.1 Acceptable

- (i) Meals provided to allow the parties to discuss business, or following or prior to, such a discussion. A useful test will often be whether you would provide refreshments if the venue was reversed.
- (ii) Invitations to institute dinners or functions, e.g. an invitation from private architects to the Royal Institute of British Architects' dinner.
- (iii) Invitations to join other company guests in company opening events or other special occasions e.g. company hospitality at sporting events.

3.2.2 Unacceptable

- (i) Paid holidays or specials concessionary rates which are not openly and, as a matter of practice, available equally to other organisations. This would also apply to goods or services which may not be generally available to staff at that price.
- (ii) Offers of hotel and/or tickets for theatres or sporting events.
- (iii) The use of company flats or hotel suites.

4. Negotiations

- 4.1 When a particular person or body has a matter currently in issue or negotiation with the Council, then a more restrictive approach must be taken. This is even more relevant when, for example, negotiations are in train with an outside organisation. An important criterion in exercising your judgement is what interpretation others may reasonably put on your acceptance. For example, if negotiations will extend over a long period of time, it will be sensible to act as a host alternately with the other party.

APPENDIX 1

DECLARATION OF GIFTS AND HOSPITALITY

It is essential that members of the public have confidence in the trust, impartiality and integrity of Council employees. Employees must avoid putting themselves in a position where their integrity is called into question because of any financial or other obligation. As well as avoiding actual impropriety, the appearance of it should also be avoided.

It is your responsibility, and essential to your own protection, that you seek approval from your Assistant Director before accepting gifts or hospitality of more than nominal value and that the relevant information is submitted to him/her using this form. Your Assistant Director will notify you of his/her decision via email and the form will be saved on your Personal Record File.

PART 1 – TO BE COMPLETED BY EMPLOYEE

Employee's Name:	
Employee's Job Title:	
Employee's Directorate:	
Date gift received/date of hospitality event:	
Details of gift hospitality, including value (if known) or estimated value:	

PART 2 – TO BE COMPLETED BY ASSISTANT DIRECTOR (OR EXECUTIVE DIRECTOR)

Assistant Director's Name:			
Assistant Director's Decision:			
Signed:		Dated:	

PLEASE SEND A COPY OF THIS FORM TO HR FOR THE EMPLOYEE'S PERSONAL RECORD FILE

Volunteering Policy

**October 2020
(Agreed by Trade Unions)**



Document History	
Version	1.3 (see below)
Status	Agreed by Trade Unions
Date	October 2020
Target audience	All employees of Reading Borough Council with the exception of Schools-based staff for whom alternative procedures apply
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Author	HR Employment Services Team

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Table of Contents

1. Objectives and scope.....	3
2. Definitions.....	3
3. Benefits of Volunteering.....	3
4. Do I need to take leave to do voluntary work?.....	4
5. Can my manager refuse my request?	4
6. What reasons can my manager use to refuse my request?.....	5
7. What type of volunteering can I do?.....	5
8. Think about what you want to get out of volunteering.....	6
9. How do I find a volunteering opportunity?	6
10. Recording the volunteering opportunity	6
11. Criteria for volunteering	6
12. Volunteering guidance for managers.....	7
13. How will volunteering become part of Reading Borough Council norm?	7
14. Risk Assessment.....	7
15. Other.....	8
APPENDIX 1.....	9

1. Objectives and scope

- 1.1. Reading Borough Council recognises that many employees carry out volunteer work within the local community. In order to support them, the Council will give each employee two (2) paid days each year to volunteer in some capacity. The volunteering opportunity must be within Reading Borough Council boundaries.
- 1.2. Volunteering allows employees to use the skills that they have developed at work as well as to learn new skills, such as leadership. Volunteering can also help improve their morale, physical health and work-life balance. Supporting volunteers helps the Council to build relationships with the local community and improve how it is perceived within it.
- 1.3. This policy applies to all those employed by the Council, including those on permanent, temporary or part-time contracts, job sharers, and employees on non-standard terms of employment.
- 1.4. This policy does not apply to:
 - Agency workers or interim staff
 - Schools based staff who may be covered by separate procedures

2. Definitions

- 2.1. Volunteering is any unpaid activity that involves spending time carrying out an activity that benefits others.
- 2.2. A partner organisation is the organisation that needs volunteers

3. Benefits of Volunteering

3.1. For the employee

- a) Can be an opportunity to improve existing skills, personal development and productivity
- b) Can be an opportunity to develop new skills that have been identified either by the employee or as part of a performance review
- c) Can help develop existing skills in a different environment
- d) Can be a form of employee development, as an opportunity in the community may be more beneficial than formal learning
- e) Can increase awareness of the local community
- f) Gives employees a better understanding of the voluntary and community sector
- g) Can increase motivation back in the workplace
- h) Can improve morale, having taken part in a personally rewarding situation

- i) Allows each employee to choose a local charity or community group of interest
- j) Team volunteering may be undertaken as part of a challenge or as a team building event outside of individual volunteering. If that is the case, the employee may still be entitled to two days for individual volunteering.

3.2. For the Council

- a) Helps improve reputation as a socially responsible employer
- b) Raises the Council's profile in the local community
- c) Develops links with the local community than can support business priorities
- d) Supports the TEAM Reading values
- e) Can be used as a team building exercise

3.3. For the Partner Organisation

- a) Gains a better understanding of the Council and how each party can work together
- b) Can make ongoing links with the Council, which is a key employer in the local area
- c) Gains individuals with skills that are needed
- d) Has access to skills and support which may have been difficult to afford

4. Do I need to take leave to do voluntary work?

- a) No, each employee will be given the equivalent of two paid days each year totally 14.8 hours (pro rata for part-time staff) to undertake volunteering in the community
- b) This can be taken as full days or in hours (14.8 in total) over the year
- c) Volunteering will occur during normal working hours
- d) The volunteering year will run from April to March each year
- e) Before deciding to volunteer, you must discuss the opportunity with your line manager and get agreement
- f) Volunteering must not adversely affect the work of your team and will only be agreed by your line manager if deemed operationally possible
- g) The time allocated for volunteering is not intended for placements outside normal working hours.
- h) You can choose to use the volunteering time to support local charities or community groups of your choice, as long as it is within Reading Borough Council boundaries

5. Can my manager refuse my request?

- a) Yes, although the Council supports volunteering, your manager can refuse your request if it conflicts with operational needs or if it creates the potential for a conflict of interest or if it is with a charity or community group which does not fit with the ethos of the Council.

- b) The reason for refusal must be clear, fair and consistent
- c) If you feel that your request to undertake volunteering during work time has been turned down unreasonably you may contact the HR team for advice.
- d) If the volunteering was for personal/professional development, you should discuss alternatives that could assist you with this.
- e) The final decision is with your manager

6. What reasons can my manager use to refuse my request?

Examples for refusal include:

- a) There will be a detrimental impact on the needs of the service
- b) Work within the department cannot be rearranged to accommodate your leave or varied hours
- c) Your individual work performance is likely to suffer

7. What type of volunteering can I do?

7.1 The Council recognises that employees have different interests and are attracted to different types of volunteering opportunities which can either be short or long term.

- a) It can be an opportunity to do something in the community which is totally unconnected with your job, which may support your personal development
- b) It can be part of team building (e.g. all or part of the team could participate in the volunteering activity at the same time)
- c) One off or short-term opportunities:
 - i. These opportunities may work for you if you are busy or if your workload changes frequently.
 - ii. These can range from individual to team building activities
 - iii. Examples include delivering a careers talk in schools, supporting a charity event, running a skills workshop or team challenge days such as taking part in environmental activities
- d) Long term opportunities
 - i. These allow you to make a commitment to support voluntary and community sector organisations by participating over longer periods
 - ii. Examples include coaching and mentoring, working on community projects
 - iii. You may want to take on positions of responsibility which are similar to your job, such as a finance professional helping a charity with budgeting
 - iv. You may use work skills to sit on boards, for example, as a charity trustee, especially where certain skills such as finance, HR or strategy are highly sought after

8. Think about what you want to get out of volunteering

- a) Identify an area of personal development that you are unable to pursue in your current job
- b) Do you want practical experience to support your knowledge and understanding of your current job?
- c) Do you want to find out more about an existing or new policy area?
- d) Are you confident that volunteering will help you to meet your personal/professional objectives?
- e) Consider the charity or group you want to support and in which areas you want to focus your efforts that best align with our vision and values
- f) Would you or your team benefit from stronger links with the local community?

9. How do I find a volunteering opportunity?

- a) Through [Reading Voluntary Action](#)
- b) You may already know of a charity/community group in the borough which needs volunteers

10. Recording the volunteering opportunity

- a) Because volunteering can help you develop new skills for your personal development and can benefit the Council, it is important that you record the experience using the form in Appendix A
- b) Keeping a record can help with monitoring the effectiveness of volunteering
- c) Monitoring of and feedback on volunteering can provide an understanding of the impact of volunteering for you and other employees. The form in Appendix B should be used for this purpose.
- d) As part of your negotiations with your line manager, you may have agreed to feedback about your volunteering work, for example as part of a performance review or one-to-one meeting.

11. Criteria for volunteering

11.1 Employees can be released during work time to undertake volunteering as long as it meets one or more of the following criteria:

- a) It supports improving knowledge and understanding of a policy area or involvement in existing policy developments that need and use volunteers
- b) It supports a personal development need identified by you and/ or your line manager
- c) It develops stronger links with the local community

- d) Volunteering must take place within the Reading Borough Council boundaries to benefit the local community

12. Volunteering guidance for managers

- a) As a manager, you must be sure that the volunteering takes place within Reading Borough Council boundaries
- b) The volunteering opportunity must be beneficial to the employee, the team and/or the Council
- c) While being aware of the Council's competing work pressures, you are encouraged to support requests for volunteering
- d) You must be consistent and fair in allocating time for volunteering across your team and, therefore, arrangements will need to be regularly reviewed
- e) You must ensure that you adhere to the Council's equality policy to ensure there is no discrimination or unfair treatment against any employees
- f) You could discuss developing a team event which involves volunteering – this could be a community activity linked to the team's area of work.
- g) If you are considering a team event, you must ensure that it is appropriate and acceptable to everyone and does not exclude certain individuals or groups (for example, staff with a disability or from different cultural backgrounds). The participation of individuals in any team volunteering activity is voluntary and those not wishing to participate should not suffer any detriment.

13. How will volunteering become part of Reading Borough Council norm?

- a) Share stories on the intranet (blog) or with your team – this may increase 'buy-in' from colleagues and managers
- b) Publicise one off and short term activities – others are more likely to want to be involved if they can fit it round their work
- c) Publicise the range of opportunities, if you are aware of them
- d) Enlist senior manager support
- e) Consider being part of a champions network
 - i. This can encourage more take up of volunteering opportunities
 - ii. Champions act as ambassadors and help promote activities and can help gather feedback and case studies
 - iii. Being a champion is a great development opportunity in itself

14. Risk Assessment

- 14.1 The Council's liability for all employees in the workplace does not extend to the external volunteering activities of employees.

14.2 The Health and Safety at Work Act applies to voluntary organisations. They must ensure that volunteers are protected from risks arising out of their work activities. Voluntary organisations and individual volunteers have a duty of care to each other and to others who may be affected by their activities. Voluntary organisations should carry out a risk assessment to identify if activities are low or high risk and ensure the correct preventative and protective measures are in place.

14.3 Risk assessments should be undertaken by the partner organisation.

15. Other

15.1. You are not obliged to continue volunteering for an organisation which you are not happy with.

15.2. You should talk to someone at the partner organisation who is responsible for you while you are volunteering. You should also discuss any concerns with your line manager.

APPENDIX 1**CHECKLIST**

Consideration	Comments
Are you clear about what you want to get from volunteering?	
Does the organisation already use volunteers?	
Do you have your line manager's approval?	
How much time can you give?	
Which days and at what time of day?	
What skills and experience can you offer them?	
Does the organisation provide induction?	
Has the organisation completed a risk assessment which covers all the activities you will be undertaking?	
Have you informed the HR team about your placement?	
Will you need to undergo DBS or other clearance? (Check with the organisation)	
If you have a disability, is there any reasonable adjustment required to help you undertake the volunteering activity?	
Does this support the TEAM Reading values? In what way?	

Signed _____

Name _____

Manager _____

Date _____

Manager to confirm in writing the arrangements made.

PLEASE SEND THIS FORM TO HR TO ADD TO YOUR PERSONAL FILE

APPENDIX 2**EVALUATION**

Name	
Directorate	
Line Manager	
Where did you volunteer?	
Date/s of your placement	
Duration of your volunteering placement	
What were the key activities undertaken>	
What were your objectives for completing this volunteering?	
Please explain how the placement met/did not meet your objectives	
Please give any suggestions on how your volunteering experience could have been improved	
Has the volunteering placement provided you with any new skills to take back into your team? If so, how will now be taking this forward?	

PLEASE RETURN THIS FORM TO YOUR MANAGER

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Provide basic details

Policies

Directorate: Resources

Service: HR and Organisational Development

Name and job title of person doing the assessment

Name: Shella Smith

Job Title: Assistant Director of HR and Organisational Development

Date of assessment: November 2020

Scope your proposal

What is the aim of your policy or new service/what changes are you proposing?

Review/introduce new employment policies covering:

- Annual Leave Policy
- Code of Conduct
- Disruption to Normal Working Arrangements Policy
- Recruitment and Selection Policy
- Guidance on Recruitment and Retention of People with a Disability
- Whistle-blowing Policy
- Transgender Policy
- Alcohol and Substance Misuse Policy
- Long Service Awards
- Family Leave Policy
- Overpayment Recovery Policy
- Gifts and Hospitality Policy
- Volunteering Policy

Most the above are existing policies which have been reviewed and amended. The Transgender Policy, Alcohol and Substance Misuse Policy, Overpayment Recovery Policy and Volunteering Policy are new.

Who will benefit from this proposal and how?

All employees of the Council and the Council itself because employment policies will be clearly set out. They will also be based on current employment legislation and ACAS codes of practice and/or guidance where available.

What outcomes does the change aim to achieve and for whom?

Setting out clear employment policies can help in supporting a culture based on trust, fairness and inclusion. They can also speed the decision-making process by ensuring that clear guidance is readily available to cover a range of issues. Furthermore, they can assist in avoiding involvement with employment tribunal claims by providing guidance for managers and staff that reflects accurately current employment law and good practice. It is therefore important that HR policies are clear, easy to understand, up to date and reviewed regularly.

Who are the main stakeholders and what do they want?

All employees covered by the policy and the Council.

Assess whether an EqIA is Relevant

How does your proposal relate to eliminating discrimination; promoting equality of opportunity; promoting good community relations?

Do you have evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others? (Think about your monitoring information, research, national data/reports etc.)

No. The Council has a legal duty to ensure that the terms and conditions of employment for its employees are clearly set out. The policies that are the subject of this review help to achieve this. As an example, the Transgender Policy is new and sets out the Council's commitment to ensuring that transgender employees are treated with dignity and respect and not disadvantaged in the workplace. It also set out the steps the Council takes to support transgender employees and prevent discrimination, including discrimination against employees who may be related to or friends with a transgender person.

Is there already public concern about potentially discriminatory practices/impact or could there be? Think about your complaints, consultation, and feedback.

No

If the answer is **Yes** to any of the above, you need to do an Equality Impact Assessment.

If No you **MUST** complete this statement

An Equality Impact Assessment is not relevant because:

There is no evidence or reason to believe that some (racial, disability, gender, sexuality, age and religious belief) groups may be affected differently than others by the proposed policies. Nor is there already public concern about potentially discriminatory practices/impact for the issues covered in these policies.

Signed (completing officer) Shella Smith

Date 05/11/2020

Signed (Lead Officer) Shella Smith

Date 05/11/2020

Assess the Impact of the Proposal

Your assessment must include:

- **Consultation**
- **Collection and Assessment of Data**
- **Judgement about whether the impact is negative or positive**

Think about who does and doesn't use the service? Is the take up representative of the community? What do different minority groups think? (You might think your policy, project or service is accessible and addressing the needs of these groups, but asking them might give you a totally different view). Does it really meet their varied needs? Are some groups less likely to get a good service?

How do your proposals relate to other services - will your proposals have knock on effects on other services elsewhere? Are there proposals being made for other services that relate to yours and could lead to a cumulative impact?

Example: A local authority takes separate decisions to limit the eligibility criteria for community care services; increase charges for respite services; scale back its accessible housing programme; and cut concessionary travel.

Each separate decision may have a significant effect on the lives of disabled residents, and the cumulative impact of these decisions may be considerable.

This combined impact would not be apparent if decisions are considered in isolation.

Consultation

How have you consulted with or do you plan to consult with relevant groups and experts. If you haven't already completed a Consultation form do it now. The checklist helps you make sure you follow good consultation practice.

[My Home > Info Pods > Community Involvement Pod - Inside Reading Borough Council](#)

Relevant groups/experts	How were/will the views of these groups be obtained	Date when contacted
Trade unions	Through a series of email communications and meetings with trade union colleagues	26 th January 2020 4 th March 2020 24 th July 2020 8 th September 2020 23 rd September 2020 7 th October 2020
LGBT+ Network (for the Transgender Policy)	Through a series of email communications and meetings with trade union colleagues	December 2019 - March 2020

Collect and Assess your Data

Using information from Census, residents survey data, service monitoring data, satisfaction or complaints, feedback, consultation, research, your knowledge and the knowledge of people in your team, staff groups etc. describe how the proposal could impact on each group. Include both positive and negative impacts.

(Please delete relevant ticks)

Describe how this proposal could impact on Racial groups

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Gender/transgender (cover pregnancy and maternity, marriage)

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Disability

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Sexual orientation (cover civil partnership)

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Age

Is there a negative impact? Yes No ~~Not sure~~

Describe how this proposal could impact on Religious belief?

Is there a negative impact? Yes No ~~Not sure~~

Make a Decision

If the impact is negative then you must consider whether you can legally justify it. If not you must set out how you will reduce or eliminate the impact. If you are not sure what the impact will be you MUST assume that there could be a negative impact. You may have to do further consultation or test out your proposal and monitor the impact before full implementation.

Tick which applies (Please delete relevant ticks)

1. **No negative impact identified**

2. ~~**Negative impact identified but there is a justifiable reason**~~

You must give due regard or weight but this does not necessarily mean that the equality duty overrides other clearly conflicting statutory duties that you must comply with.

Reason

3. ~~**Negative impact identified or uncertain**~~

What action will you take to eliminate or reduce the impact? Set out your actions and timescale?

How will you monitor for adverse impact in the future?

An annual equality audit is carried out and reported to Personnel Committee which monitors whether there is any adverse impact on employees with protected characteristics, for example, the proportion of female, BAME and disabled employees involved in Council policies that are the subject of this review, compared to male, white and non-disabled employees. The most recent report looks at data for the last 2 financial years and does not indicate that procedures were applied and / or accessed disproportionately by any particular protected characteristic group

Signed (completing officer) Shella Smith

Date 05/11/2020

Signed (Lead Officer) Shella Smith

Date 05/11/2020

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READING BOROUGH COUNCIL

REPORT BY ASSISTANT DIRECTOR FOR HR AND ORGANISATIONAL DEVELOPMENT

TO:	PERSONNEL COMMITTEE		
DATE:	19 NOVEMBER 2020	AGENDA ITEM:	5
TITLE:	EQUALITY AUDIT 2019/20		
LEAD COUNCILLOR:	CLLR ELLIE EMBERSON	PORTFOLIO:	CORPORATE AND CONSUMER SERVICES
LEAD OFFICER:	SHELLA SMITH	TEL:	74697 / 0118 937 4697
JOB TITLE:	ASSISTANT DIRECTOR OF HR AND ORGANISATIONAL DEVELOPMENT	E-MAIL:	shella.smith@reading.gov.uk

1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To present an Equality Audit for 2019/20, which provides a summary of equalities monitoring data for the Council's current workforce and job applicants, and monitors trends over time.
- 1.2 In addition, to update Personnel Committee on progress towards meeting the requirements set out in the Tackling Employment Inequality Motion agreed by Council on 20 October 2020.
- 1.3 Appendices

Appendix 1: Equality Audit 2019/20

Appendix 2: Summary of the Business in the Community Race at Work Charter

Appendix 3: Ongoing initiatives to increase diversity and inclusion in the workforce

2. RECOMMENDED ACTION

- 2.1. The Committee notes the Equality Audit for 2019/20 at Appendix 1.
- 2.2. The Committee notes that the Council has signed the Business in the Community (BITC) Race at Work Charter (Appendix 2) and the work underway to explore working with BITC to carry out a more in-depth equality audit at the Council. The results of this will be used to develop actions to create a more inclusive culture at the Council.
- 2.3. The Committee notes that it will be presented with an Ethnicity Pay Gap Report for 2020, alongside the Gender Pay Gap Report for 2020, in February 2021.

2.4. The Committee notes that a Team Reading Diversity and Inclusion Action Plan will be created which brings together actions from the various equality strands to enable more effective monitoring and progress reporting to CMT and Personnel Committee.

3. POLICY CONTEXT

3.1 Public authorities have specific duties under the Equality Act 2010 to help them comply with the public sector equality duty. They must:

- publish equality information at least once a year to show how they have complied with the equality duty
- prepare and publish equality objectives at least every 4 years

3.2 The Equality Audit is a key component of meeting the duty, and the Council's own Equal Opportunity in Employment Policy. It covers data on the protected characteristics of the current workforce and job applicants in 2019/20 and compares it to the previous two financial years (2017/18 and 2018/19). The data is also intended to provide an equalities context and focus for ongoing discussions with internal and external stakeholders. The Equality Audit will be published on the Council's website.

3.3 All job applicants must provide data on their protected characteristics, or they can select a 'prefer not to say' option. In August 2019, the Council agreed to accept CV applications, however, candidates must complete a short application form prior to submitting a CV which includes equalities monitoring data.

3.4 The Equality Audit includes data on;

- Vacancies, applicants, starters, leavers and maternity leave
- Demographic characteristics of the workforce by gender, ethnicity, age disability, full and part time working, length of service and pay grade
- Staff engagement and procedures

3.5 The audit does not include data for sexual orientation or religion or belief. This data is available but approximately 50% of job applicants and current employees select the 'prefer not to say' option for these protected characteristics so there is concern about the validity and reliability of the data.

4. KEY FINDINGS AND ACTIONS TO ADDRESS AREAS OF CONCERN

4.1 Ethnicity

4.1.1 The percentage of the workforce who identify as being from Black, Asian and Ethnic Minority backgrounds (BAME) has remained relatively stable in the last two years and stands at 14.2% in 2019/20. The percentage of BAME people in the economically active population within the borough boundaries is 23%.

4.1.2 The percentage of BAME job applicants in 2019/20 was 30.9%. The percentage of candidates from BAME backgrounds who were appointed in the same period was 17.2%.

4.1.3 On 20 October 2020, Council approved a Motion on Tackling Employment Inequality. This included becoming a signatory to Business in the Community (BITC) Race at Work Charter. A summary of the Charter is attached as Appendix 2. The commitments are:

1. Appoint an Executive Sponsor for race

Executive Sponsors for race provide visible leadership on race and ethnicity in their organisation and can drive actions such as setting targets for ethnic minority representation, briefing recruitment agencies and supporting mentoring and sponsorship.

The Chief Executive is the Corporate Management Team sponsor for diversity, which includes race equality.

2. Capture ethnicity data and publicise progress

Capturing ethnicity data is important for establishing a baseline and measuring progress. It is a crucial step towards an organisation reporting on ethnicity pay differentials.

Appendix 1 details the latest data for the Council on protected characteristic groups and includes ethnicity data. This will be published on the Council's website and communicated to staff internally.

3. Commit at board level to zero tolerance of harassment and bullying

The Race at Work Survey revealed that 25 per cent of ethnic minority employees reported that they had witnessed or experienced racial harassment or bullying from managers. Commitment from the top is needed to achieve change.

The Council's Bullying and Harassment Policy confirms our zero tolerance approach to this behaviour. In the 2019 staff survey, 12% of respondents said they felt bullied or harassed at work. We asked staff about their protected characteristics, including what ethnic groups they belonged to, within the survey. Unfortunately a significant number of respondents declined to answer or selected the 'prefer not to say' option for ethnicity, meaning that analysis was not possible because the data was not statistically significant.

4. Make clear that supporting equality in the workplace is the responsibility of all leaders and managers

Actions can include ensuring that performance objectives for leaders and managers cover their responsibilities to support fairness for all staff.

This is already a key responsibility in every member of staff's job description and is embedded in our Team Reading values.

5. **Take action that supports ethnic minority career progression**
Actions can include embedding mentoring, reverse mentoring and sponsorship in their organisations.

We are developing a talent management and succession planning strategy and will ensure that this includes specific actions to support career progression for BAME employees. We will also explore offering additional support to job applicants from BAME backgrounds to assist them in applying for vacancies at the Council. Unconscious bias training is already part of our recruitment and selection training which is mandatory for all Council employees involved in recruitment decisions.

4.1.4 BITC provide an equality audit service, to support organisations to understand their current position in terms of diversity and inclusion and how improvements can be made across all protected characteristic groups. Contact has been made with BITC to explore the benefits of undertaking such an audit. It would focus on qualitative data (e.g. from focus groups with staff) as well as quantitative data (such as the information in this report), and how the findings could potentially be used to develop actions to create a more inclusive culture at the Council.

4.1.5 Since 2017, there has been a legal requirement for any organisation that has 250 or more employees to publish and report specific figures about their gender pay gap. There is currently no requirement to publish ethnicity pay gap data. However, Personnel Committee is asked to note that an ethnicity pay gap report will be produced and published by 31 March 2021. This will be based on data on the 'snapshot' date of 31 March 2020 (i.e. the same date as for the gender pay gap report for 2020). It will cover the same reporting requirements as the gender pay gap, as follows:

- mean ethnicity pay gap in hourly pay
- median ethnicity pay gap in hourly pay
- mean bonus ethnicity pay gap
- median bonus ethnicity pay gap
- proportion of ethnic groups receiving a bonus payment
- proportion of ethnic groups in each pay quartile

4.1.6 An initial analysis of average pay data by ethnic group has been carried out in order to inform this report. The data for the last three calendar years is included in Table 1 below. Excluding those who have not stated or chosen not to declare their ethnicity (less than 5%) the group with the highest average pay in 2020 are those who identify as Asian or Asian British followed by those who identify as White. Staff who identify as Black or Black British or Other Ethnic Group have average pay below that for all staff combined. Further analysis will be provided in the Ethnicity Pay Gap Report.

Table 1 - Average pay by ethnic group

Ethnic Group	2018	2019	2020
Asian or Asian British	£28,221	£29,211	£31,346
Black or Black British	£25,463	£26,317	£27,041
Mixed	£23,111	£25,972	£24,491
Not Stated	£23,111	£22,462	£27,041
Other Ethnic Groups	£23,932	£20,169	£21,748
White	£27,790	£28,785	£29,577
Grand Total	£27,358	£27,905	£28,729

4.2 Gender

4.2.1 The Council employs more female staff, with 59.1% females and 40.9% males although this has reduced in the past three years. The Council still attracts more applications from women than men, however these numbers are now more closely aligned than in 2018/19 with almost equal proportions of applications from men and women in 2019/20 (52.5% female and 46.1% male).

4.2.2 The Council's Gender Pay Gap (2019) is the subject of a separate report and action plan which is published on the website [HERE](#).

4.2.3 The latest report (based on data at the 'snapshot' date of 31 March 2019) shows that the Council's mean (4.99%) and median (5.05%) gender pay gap compares favourably with the national average gender pay gap figure of 17.3% for 2019 (which is down from 17.8% in 2018).

4.3 Disability

4.3.1 A slightly larger percentage of applicants state that they have a disability (3.9%) than the existing workforce (3.7%). This compares with a 6% economically active population within the borough boundaries.

4.3.2 Previously the Council has:

- a. Achieved accreditation to the Government's 'Disability Confident Employer' scheme confirming that the Council values the talent that people with a disability bring to the workplace. Our accreditation has just been renewed to October 2023; this will be promoted both internally and externally.
- b. Produced an on-line disability awareness training programme for managers to increase understanding, skills and awareness.
- c. Reviewed and updated the Recruitment and Retention of People with a Disability Guidance in partnership with Trade Unions. This will be presented to Personnel Committee for approval on 19 November 2020.
- d. Introduced a 'tailored adjustments agreement' to enable individual employees and line managers to discuss, agree and record specific workplace adjustments for employees with a disability.

4.3.3 The following actions are suggested to increase the number of disabled staff:

- a. Introduce a Steering Group comprising operational leads from across the Council - Adult Services, ICT, Procurement, Facilities Management, Communications, HR and Customer Relations. Key areas can come together to develop an organisational wide plan for meeting access and employment needs of people with a disability, promote and monitor its progress.
- b. Seek volunteers to feature in case studies to demonstrate the Council's proactive approach to employing people with a disability and to promote these internally and externally.

4.4 Team Reading Diversity and Inclusion Plan

4.4.1 The Council already undertakes a number of initiatives to support diversity and inclusion at work. These are detailed in Appendix 3. A Team Reading Diversity and Inclusion Action Plan is being created which brings together actions from the various equality strands, to enable more effective monitoring and reporting to CMT and Personnel Committee. The Action Plan will include steps being taken to address the staffing issues not already covered in this report which are contained within the Motion agreed by Council on 20 October 2020 on Tackling Employment Inequality. The Action Plan will also be informed by the findings of the more detailed equality audit to be carried out with assistance from BITC, as detailed in paragraph 4.1.4.

5. CONTRIBUTION TO STRATEGIC AIMS

5.1 Monitoring the protected characteristic of our workforce is linked specifically to the promotion of equality and ensuring that we move to a position where our workforce represents the community it serves.

6. LEGAL IMPLICATIONS

- 6.1. Under the Equality Act 2010, a public authority must, in the exercise of its functions, have due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Council has a duty to publish workforce and employment information to demonstrate compliance with this duty.

7. FINANCIAL IMPLICATIONS

7.1. None

8. BACKGROUND PAPERS

8.1. [Reading Borough Council's Gender Pay Gap Report 2019](#)



Reading Borough Council

Equality Audit

2019 - 2020

Contents

1	Overview	3
2	Vacancies, applicants, starters, leavers and maternity leave	3
2.1	Vacancies and applicants	3
2.2	Starters	4
2.3	Leavers	5
2.4	Maternity leave	6
3	Demographic characteristics of the workforce	6
3.1	Disability	6
3.2	Ethnicity	6
3.3	Age profile	7
3.4	Gender	8
3.5	Full-time and part-time	9
3.6	Full-time and part-time by gender	10
3.7	Full-time and part-time by gender and age	11
3.8	Length of service	11
3.9	Length of service by disability	12
3.10	Length of service by ethnicity	12
3.11	Length of service by age profile	13
3.12	Length of service by gender	14
3.13	Pay grade	15
3.14	Grade by disability	16
3.15	Grade by ethnicity	16
3.16	Grade by age profile	17
3.17	Grade by gender	18
4	Staff engagement and procedures	18
4.1	Quantitative and qualitative research with employees	18
4.2	Due regard to the aims of the duty in decision-making	18
4.3	Staff complaints	19
4.4	Engagement with trade unions and staff	19
4.5	Policies and programmes to address equality concerns	19
4.6	Learning and development opportunities	20
4.7	Gender pay gap information	22

1 Overview

Reading Borough Council strives to be an inclusive and fair employer. The analysis of our workforce profile in relation to equalities is central to making sure that this happens. This report provides an overview of the range of people in the council and serves as an evidence base to inform the council's equalities objectives, which form part of the Public Sector Equality Duty (Equality Act 2010). The information contained in this document is also reported to the council's Personnel Committee.

The council actively encourages individuals from all protected characteristics' groups¹ to be part of its team and highly values people's individual skills and talents. The information included in this report is also used to understand whether the council's workforce reflects the demographic of the wider community and, if not, how inroads can be made to achieve this over time. Understanding the profile of employees also means that appropriate support and solutions can be delivered.

This report will be updated on an annual basis and the information provided is based on the last complete financial year (2019/20), unless otherwise indicated.

2 Vacancies, applicants, leavers and maternity leave

2.1 Vacancies and applicants

The average number of vacancies advertised per month from April 2019 to March 2020 has increased significantly compared to levels in previous years.

Vacancies and applicants	2017/18	2018/19	2019/20
Average number of vacancies advertised per month	8.3	14	25
Number of applicants	812	2339	5433

The ethnic diversity amongst applicants has decreased slightly; in part this may be due to an increased number who have chosen not to state their ethnic origin. The number of White British applicants has remained consistent over the last two years.

Ethnic origin	2017/18	2018/19	2019/20
White: English/Welsh/Scottish/Northern Irish/British	61.2%	53.4%	53.5%
White Other	7.8%	8.7%	10.3%
Mixed/multiple	3.2%	4.0%	4.5%
Asian/Asian British	14.5%	18.0%	15.5%
Black/African/Caribbean/Black British	10.5%	12.4%	9.6%
Other ethnic group	0.6%	0.7%	1.3%
No value (Prefer not to say)	2.2%	2.7%	5.2%

¹ Equality Act 2010 – The 'protected characteristics' include: race, age, disability, religion and belief, sexual orientation, sex, gender reassignment, pregnancy and maternity and marriage and civil partnership.

The younger age structure of applicants reflects that this age group is more likely to be looking for work and that older people tend to be more settled in their working life. This increase in younger applicants is also reflected in the staff that have recently joined the council.

Age range	2017/18	2018/19	2019/20
16 to 29	34.6%	30.8%	35.0%
30 to 44	34.1%	41.3%	37.5%
45 to 59	25.6%	22.6%	19.6%
60 to 64	4.8%	4.1%	2.6%
65 to 74	0.6%	0.5%	0.6%
75 and over	0.0%	0.0%	0.0%
No value (Prefer not to say)	0.2%	0.7%	4.7%

The Council still attracts more applications from women than men, however these numbers are now more closely aligned than in 2018/19 with almost equal proportions of applications from men and women in 2019/20.

Gender	2017/18	2018/19	2019/20
Female	62.6%	62.3%	52.5%
Male	37.3%	37.2%	46.1%
No value (Prefer not to say)	0.1%	0.51	1.4%

A slightly larger percentage of applicants state that they have a disability (3.9%) than the existing workforce (3.7%). This could be due to new applicants being asked to say if they would like to be considered through the Disability Confident accessibility scheme, which guarantees an interview if they meet the minimum criteria for the job they are applying for. The percentage of applicants who declare that they have a disability has reduced in 2019/20 but this may be due to the large increase in the percentage who prefer not to say.

Do you consider yourself to be disabled?	2017/18	2018/19	2019/20
Yes	4.8%	4.8%	3.9%
No	90.8%	91.2%	84.9%
No value (Prefer not to say)	4.4%	4.0%	11.2%

2.2 Starters

Some demographic characteristics of starters vary from the existing workforce:

- 4.3% of the starters during 2019/20 reported themselves as being disabled, compared to 3.7% amongst the workforce.
- 14.5% of the starters were from non-White British ethnicities, compared to the percentage of non-White British ethnicities in the general workforce (14.2%).
- A much lower percentage of starters are aged 45 and over (31.6% compared to 54.9% amongst the workforce).
- 58.2% of starters are female compared to those in the workforce (59.1 %).

2.3 Leavers

Labour turnover over the last three years has remained reasonably stable, except in 2018/19 when it decreased.

Rate	2017/18	2018/19	2019/20
Labour turnover rate (all reasons)	16.3%	14.9%	16.7%
Labour turnover rate (voluntary resignation)	10.7%	8.5%	10.7%

Further information on the reasons for staff leaving employment at the council are shown below. Voluntary resignation is the main reason, followed by the expiration of temporary contracts and retirement.

Reason for leaving	2017/18	2018/19	2019/20
Death in Service	2	2	2
Dismissal	18	12	3
Dismissal – Ill Health	0	5	2
Efficiency of Service	1	1	0
End of Fixed Term Contract	21	16	16
End of Temporary Contract	0	1	0
Mutual Agreement	5	8	6
Redundancy	39	33	13
Resignation	227	197	146
Retirement	23	22	20
Retirement – Ill Health	4	1	3
Retirement- Redundancy	1	2	4
Early Retirement	0	0	1
Settlement Agreement	0	0	1
TUPE Transfer	7	891	1
Unsuccessful Probation	0	0	8
Total	348	1193	226

The significantly higher number of leavers in 2018/19 is due to the TUPE transfer of 876 staff from Children’s Services to Brighter Futures for Children (the wholly council-owned children’s company) on 1 December 2018.

Some demographic characteristics of leavers vary from the existing workforce:

- 4.8% of leavers during 2018/19 reported themselves as being disabled, compared to 3.8% amongst the workforce. (3.2% of leavers declared as disabled were in Children’s Services)
- 3.5% of leavers during 2019/20 reported themselves as being disabled, compared to 3.7% amongst the workforce as a whole

- More leavers (24.4%) in 2018/19 were from non-White British ethnicities than the proportion in the existing workforce (14.3%). (18.9% of BAME leavers were from Children’s Services)
- More leavers (17.7%) in 2019/20 were from non-White British ethnicities than the proportion in the existing workforce (14.2%).
- A lower percentage of leavers in 2018/19 are aged 55 and over (20.4%), compared to 23.2% amongst the workforce.
- A higher percentage of leavers in 2019/20 are aged 55 and over (31%), compared to 26.3% amongst the workforce.
- A larger proportion (81.6%) of leavers in 2018/19 were female, compared to 59.5% of the workforce. (64.1% of female leavers were in Children’s Services).
- A larger proportion (60.2%) of leavers in 2019/20 were female, compared to 59.1% of the workforce.

2.4 Maternity leave

The vast majority of staff members that go on maternity leave do return to work at the council, with 100% of those that went on maternity leave during 2019/20 returning.

3 Demographic characteristics of the workforce

3.1 Disability

To ensure that our employment opportunities are accessible to disabled people, we fully commit to being a ‘Disability Confident Employer²’. We actively promote employment opportunities to disabled applicants, providing information in Plain English and offering accessible formats where necessary to facilitate the recruitment process. As part of our standard practice for staff, we offer specialist support such as Occupational Health and counselling.

3.7% of the workforce consider themselves to have a disability. This is in line with previous years. Staff at the council can choose whether or not to classify themselves as disabled so annual fluctuations are not considered to be significant in isolation.

Disability	2017/18	2018/19	2019/20
No	86.7%	87.6%	86.9%
Yes	4.0%	3.8%	3.7%

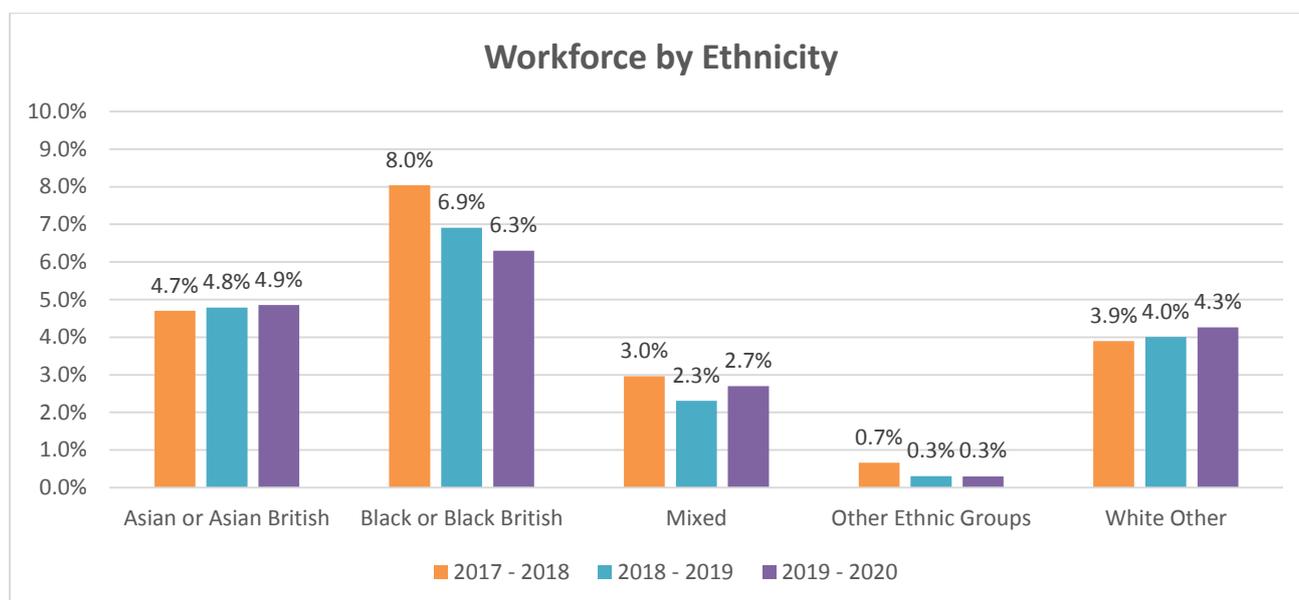
3.2 Ethnicity

76.7% of the council’s workforce describe their ethnicity as White English/Welsh/Scottish /Northern Irish/British. This percentage has remained roughly the same over the years. The percentage of the workforce who identify as being from Black, Asian and Minority Ethnic

² As a Disability Confident employer, we have made specific commitments regarding the employment of disabled people. As part of this, a disabled person is guaranteed an interview if they meet the essential criteria for the job vacancy. See www.gov.uk/government/collections/disability-confident-campaign for more information

(BAME) backgrounds has remained relatively stable in the last two years and stands at 14.2% in 2019/20. The proportion of staff who identify as Black/Black British has shown a decrease from 8% in 2017/18 to 6.3% in 2019/20. This is due in part to the high number of BAME staff who transferred from RBC to Brighter Futures for Children in December 2018.

Ethnicity	2017/18	2018/19	2019/20
White: English/Welsh/Scottish/Northern Irish/British	75.1%	77.3%	76.7%
White Other	3.9%	4.0%	4.3%
Black/Black British	8.0%	6.9%	6.3%
Asian/Asian British	4.7%	4.8%	4.9%
Mixed	3.0%	2.3%	2.7%
Other ethnic group(s)	0.7%	0.3%	0.3%
Prefer not to say	4.6%	4.4%	4.9%



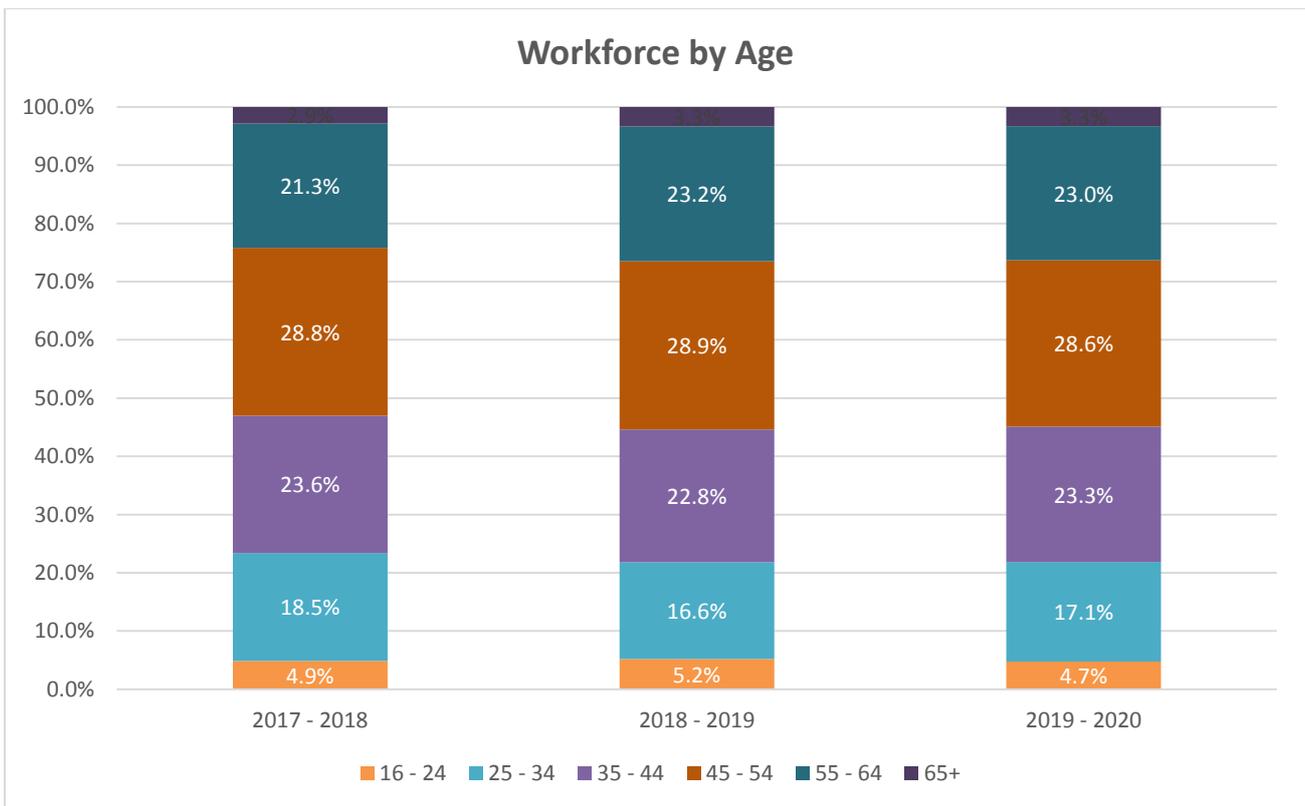
3.3 Age profile

A low percentage of the workforce is aged 16 to 24 (4.7%) compared to the percentage of staff aged 55 to 64 in employment (23%).

The council is pro-actively working with local schools and colleges to promote employment opportunities. This aims to encourage young people to take up work at the council.

The percentage of the council's workforce aged 55 and over is 23.6% which is slightly higher than the number of staff aged 35 to 44 (23.3%). As more of the workforce moves into the 55 and over age range there is an increased importance on ensuring that in addition to retention initiatives to retain older workers, a robust succession planning mechanism is embedded to deliver business continuity, top talent, and leaders and managers of the future.

Age	2017/18	2018/19	2019/20
16-24	4.9%	5.2%	4.7%
25-34	18.5%	16.6%	17.1%
35-44	23.6%	22.8%	23.3%
45-54	28.8%	28.9%	28.6%
55-64	21.3%	23.2%	23.0%
65+	2.9%	3.3%	3.3%



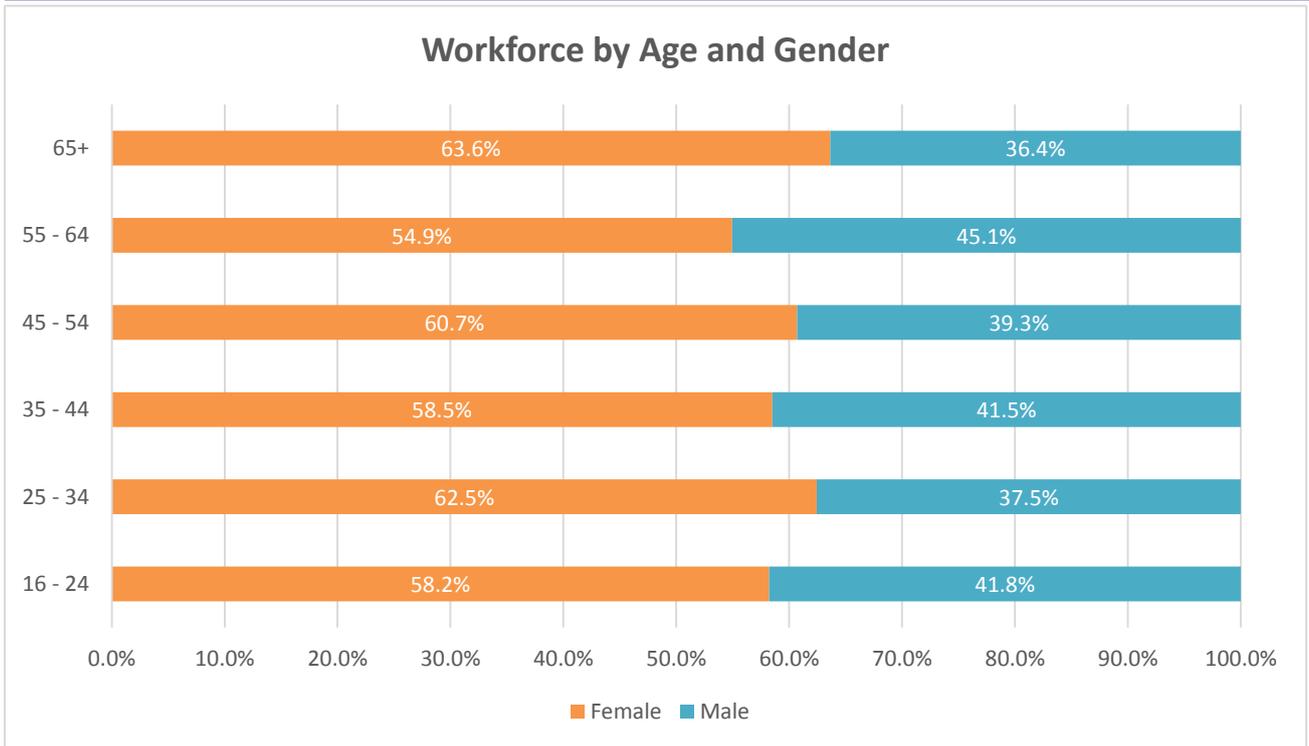
3.4 Gender

The Council employs more female staff, with 59.1% females and 40.9% males, although this has reduced in the past three years, as shown in the table below.

The gender split by age in 2019/20 shows a predominantly larger percentage of female employees in all age groups but is particularly high in the 45 to 54 range (60.7%) and the 65 and over range (63.6%).

Year	2017/18	2018/19	2019/20
Female	65.4%	59.5%	59.1%
Male	34.6%	40.5%	40.9%

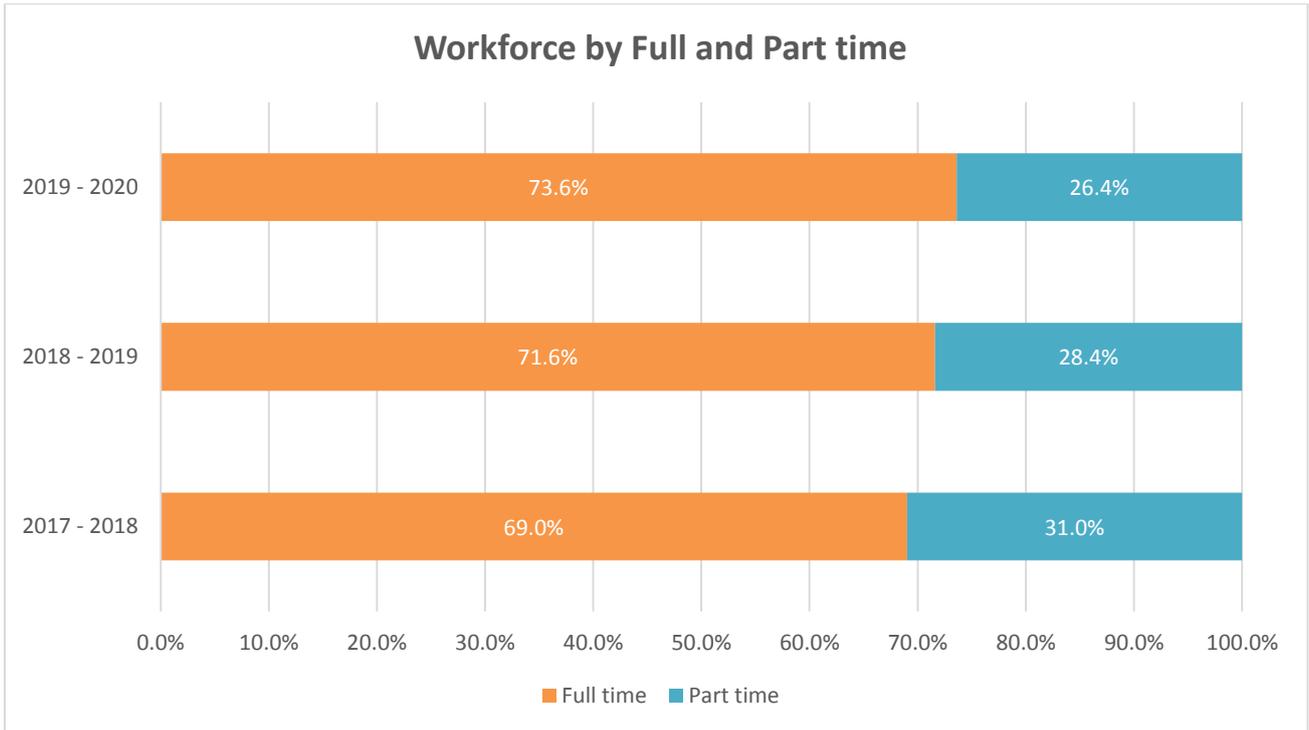
Age Group	Female	Male
16 to 24	58.3%	41.8%
25 to 34	62.5%	37.5%
35 to 44	58.5%	41.5%
45 to 54	60.7%	39.3%
55 to 64	54.9%	45.1%
65+	63.6%	36.4%



3.5 Full-time and part-time

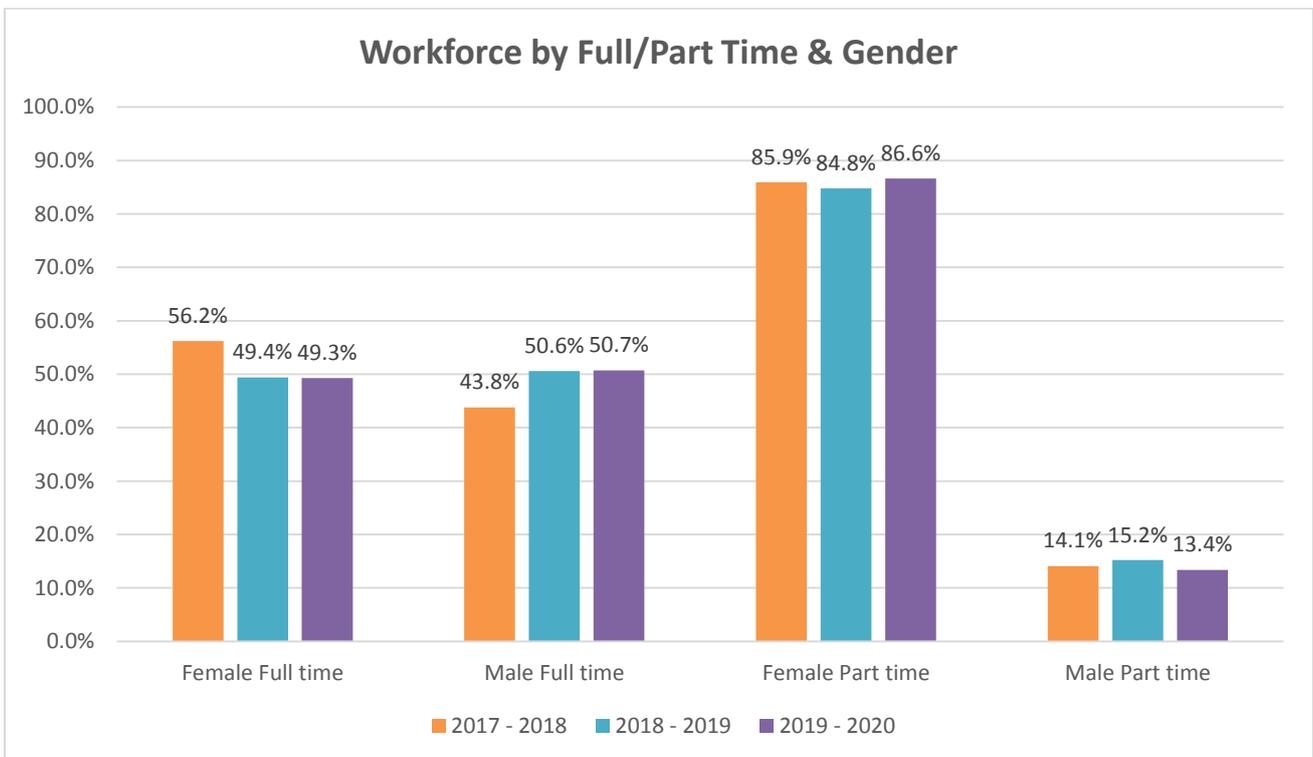
About three quarters of employees within the council work full-time, whilst 26.4% work part-time. There has been a steady increase of staff in full-time work compared to part-time. Both full-time and part-time staff are afforded the benefit of a wide range of flexible working options, such as working compressed hours or working remotely, which benefit both the individual and the organisation.

Contract type	2017/18	2018/19	2019/20
Full time	69.0%	71.6%	73.6%
Part time	31.0%	28.4%	26.4%



3.6 Full-time and part-time by gender

A much greater percentage of females work part-time than males (86.6% compared to 13.4%). The percentage of males and females working full or part-time has remained relatively stable over time

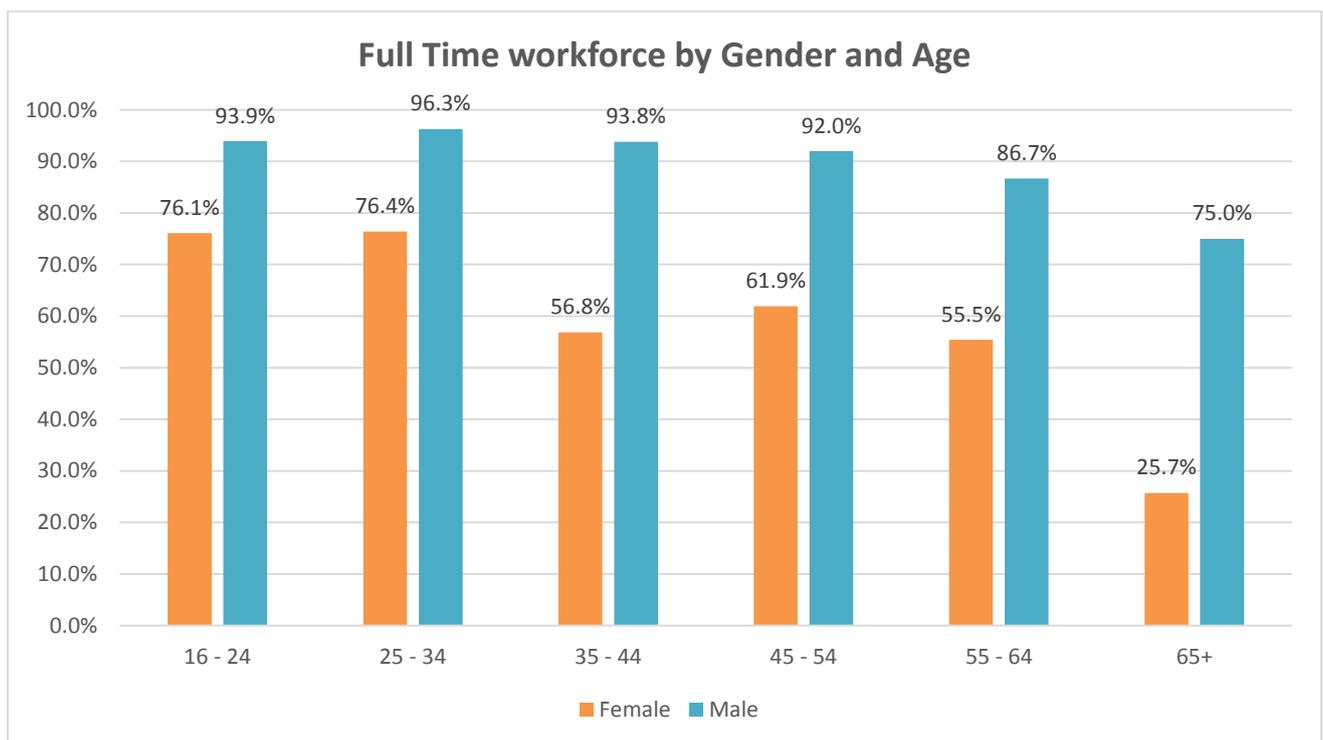


Gender	Contract type	2017/18	2018/19	2019/20
Female	Full time	56.2%	49.4%	49.3%
Male	Full time	43.8%	50.6%	50.7%
Female	Part time	85.4%	84.8%	86.6%
Male	Part time	14.1%	15.2%	13.4%

3.7 Full-time and part-time by gender and age

A high percentage of females aged 16 to 24 (76.1%) and 25 to 34 (76.4%) work full-time. This then falls for those aged 35 to 44 (56.8%) and then rises again for females aged 45 to 54 (61.9%). Fewer than half of females aged 65 and over work full-time (25.7%), which is potentially due to flexible working and/or retirement and pension options.

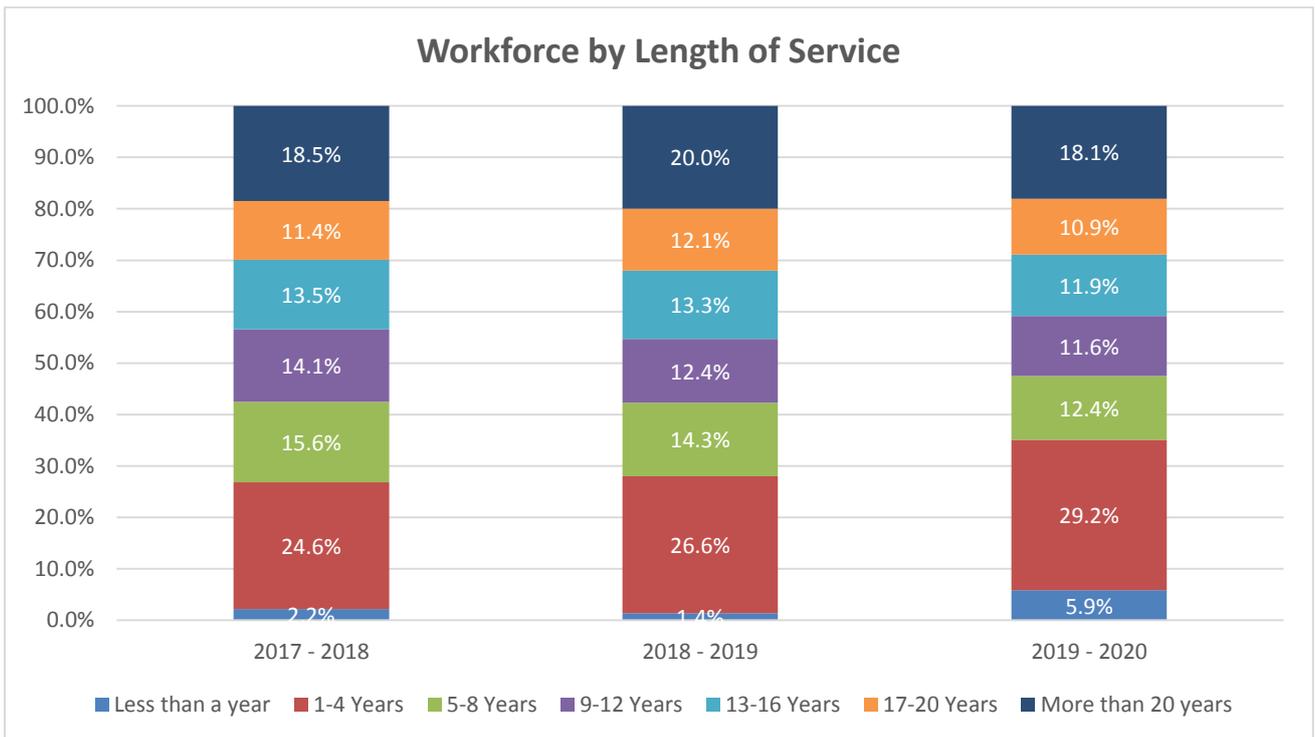
More than 94% of males work full-time up to the age of 54 and in the 55 to 64 over age group, the majority work full-time (86.7%), while in the 65+ category 75% work full time. Again this is likely to be due to flexible retirement/working arrangements which enable employees to have a gradual route into retirement if they wish.



3.8 Length of service

Almost a third of employees (29%) have worked at the council for at least 17 years. 2019/20 shows an increase in the proportion of staff that have worked at the council for less than a year or one to four years and a decline in the proportion with 17 to 20 years' service compared to previous years.

Length of service	2017/18	2018/19	2019/20
Less than a year	2.2%	1.4%	5.9%
1 to 4 years	24.6%	26.6%	29.2%
5 to 8 years	15.6%	14.3%	12.4%
9 to 12 years	14.1%	12.4%	11.6%
13 to 16 years	13.5%	13.3%	11.9%
17 to 20 years	11.4%	12.1%	10.9%
More than 20 years	18.5%	20.0%	18.1%



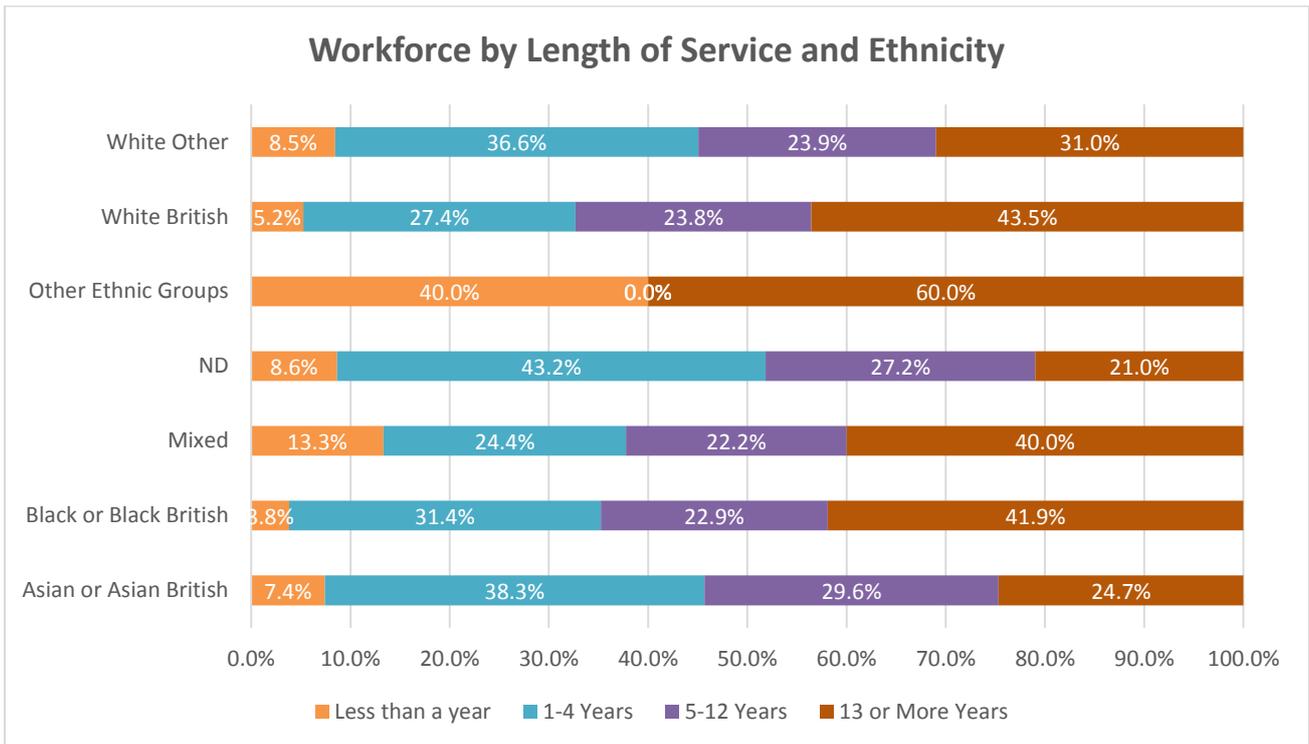
3.9 Length of service by disability

Due to the low numbers recorded for employees with a disability it is difficult to note any particular trends pertinent to their length of service. The data is potentially disclosive and so is not shown here.

3.10 Length of service by ethnicity

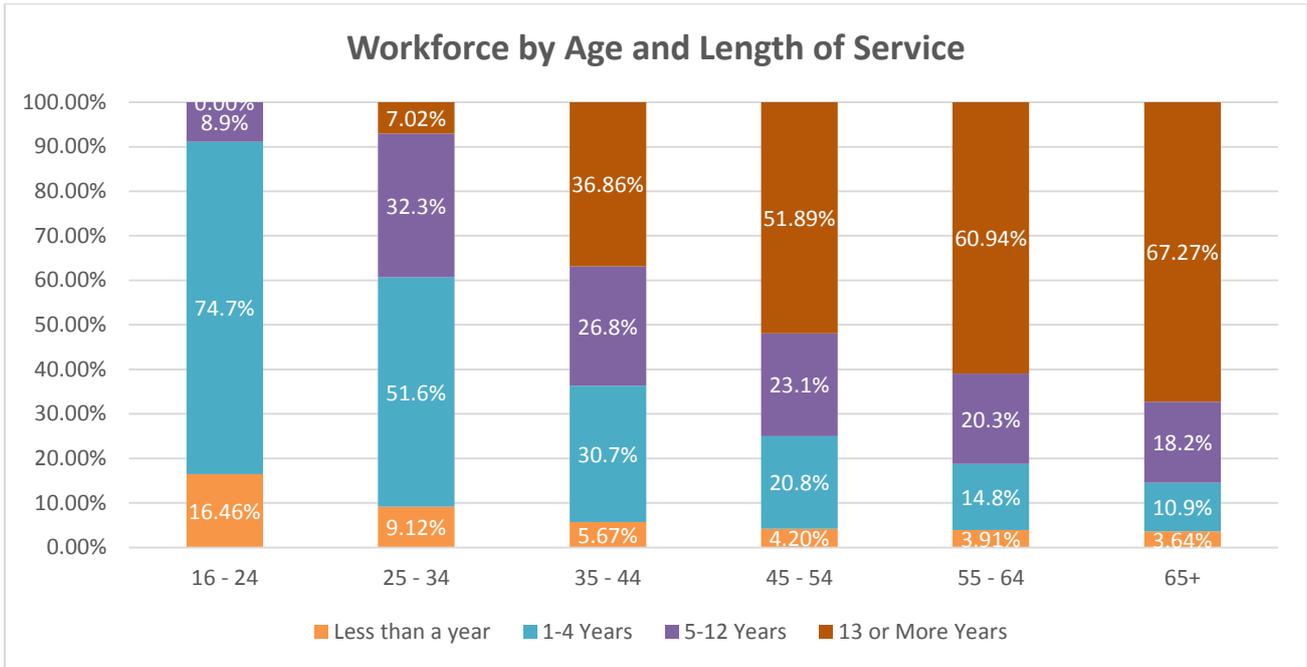
33.3% of White British members of staff have worked for Reading Borough Council for up to four years, compared to 39.4% of non-White British employees. 42.9% of White British members of staff have worked at the council for 13 or more years, compared to 36.0% of non-White British staff.

Ethnicity	Less than a year	1 to 4 years	5 to 12 years	13 +
White British	5.2%	27.4%	23.8%	43.5%
White Other	8.5%	36.6%	23.9%	31.0%
Black/Black British	3.8%	31.4%	22.9%	41.9%
Asian/Asian British	7.4%	38.3%	29.6%	24.7%
Mixed	13.3%	24.4%	22.2%	40.0%
Other ethnic group(s)	40.0%	0.0%	0.0%	60.0%
Prefer not to say	8.6%	43.2%	27.2%	21.0%



3.11 Length of service by age profile

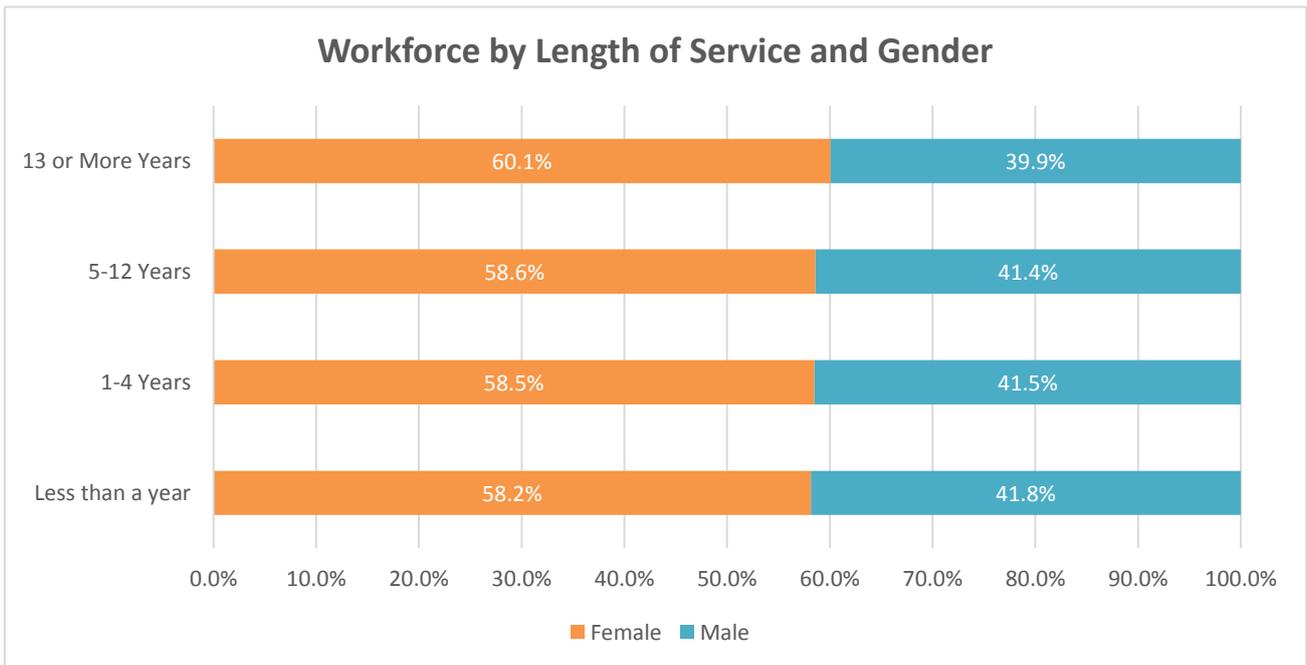
There are more people in the 35 and over category that have served for longer periods and more people aged 34 and below that have served less than a year. The majority of those aged under 35 have worked at the authority 1 to 4 years. The percentage of staff that have worked at the organisation for fewer than four years declines with age. This is because the correlation between age and length of service tends to be positive, as older employees tend to have naturally been in the organisation longer, or vice versa.



3.12 Length of service by gender

The percentage of staff by gender is similar across the different service lengths, although a lower percentage of those that have served for 13 or more years are male.

Ethnicity	Less than a year	1 to 4 years	5 to 12 years	13 +
Female	58.2%	58.5%	58.6%	60.1%
Male	41.8%	41.5%	41.4%	39.9%



3.13 Pay grade

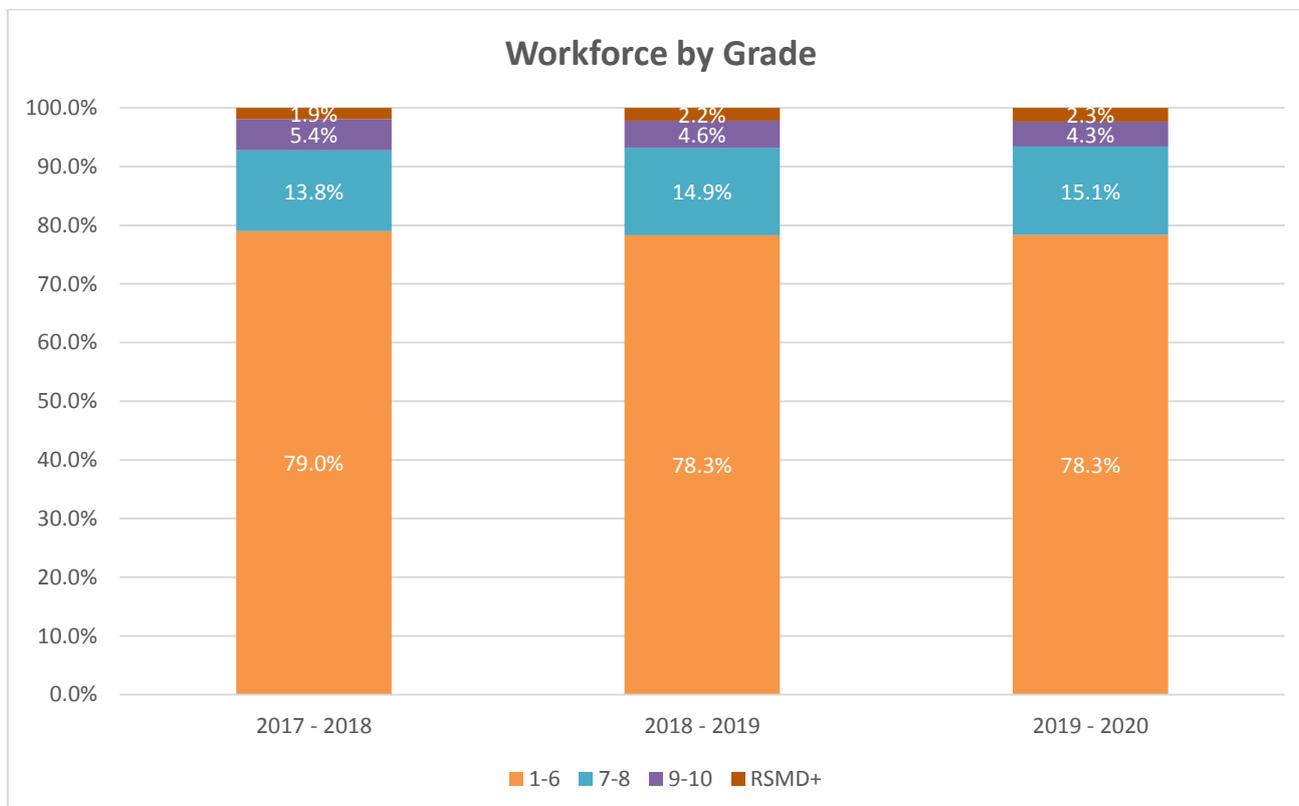
This section features information broken down by salary grades.

Grade explanation

- **RG1 to RG6** cover a wide range of administrative, technical, clerical and manual roles. For the purpose of this report these grades also include apprentices, for whom there are separate pay arrangements.
- **RG7 to RG8** cover a range of professional and first line manager / supervisory roles.
- **RG9 to RG10** cover a range of senior professional and middle manager roles.
- **RSMD and above** cover senior managers, Coroners, Assistant and Deputy Directors, Executive Directors and the Chief Executive,

The percentage of staff within each pay grade has remained relatively stable over time as shown below.

Grade	2017/18	2018/19	2019/20
Grades 1 to 6	79.0%	78.3%	78.3%
Grades 7 to 8	13.8%	14.9%	15.1%
Grades 9 to 10	5.4%	4.6%	4.3%
Grades RSMD and Above	1.9%	2.2%	2.3%



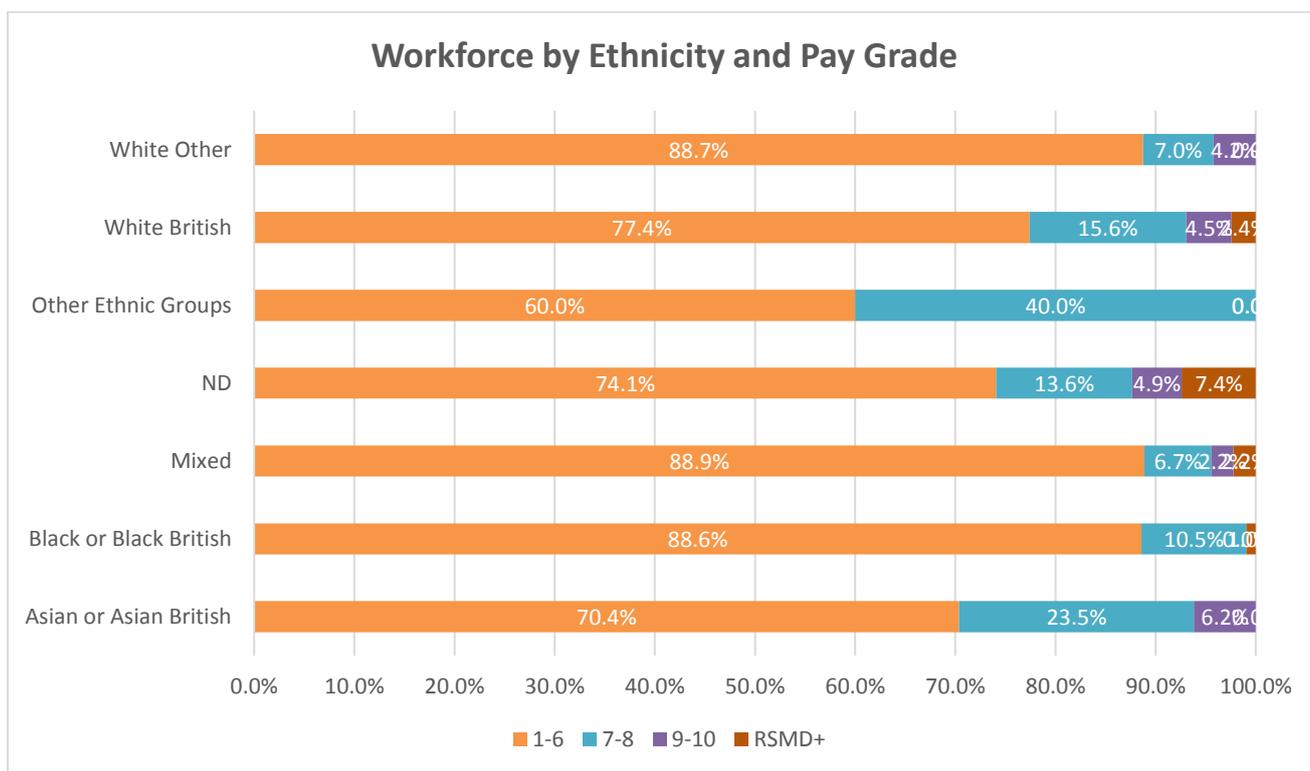
3.14 Grade by disability

Due to the small number of staff that identify themselves as having a disability in each grade group, the data is potentially disclosive and so is not presented here. The council continues its commitment to be a Disability Confident Employer to encourage applications from disabled candidates and promote development for existing disabled members of staff.

3.15 Grade by ethnicity

There is a lower percentage of White British staff in RG1 to RG6 than the percentage of staff from non-White British ethnic groups.

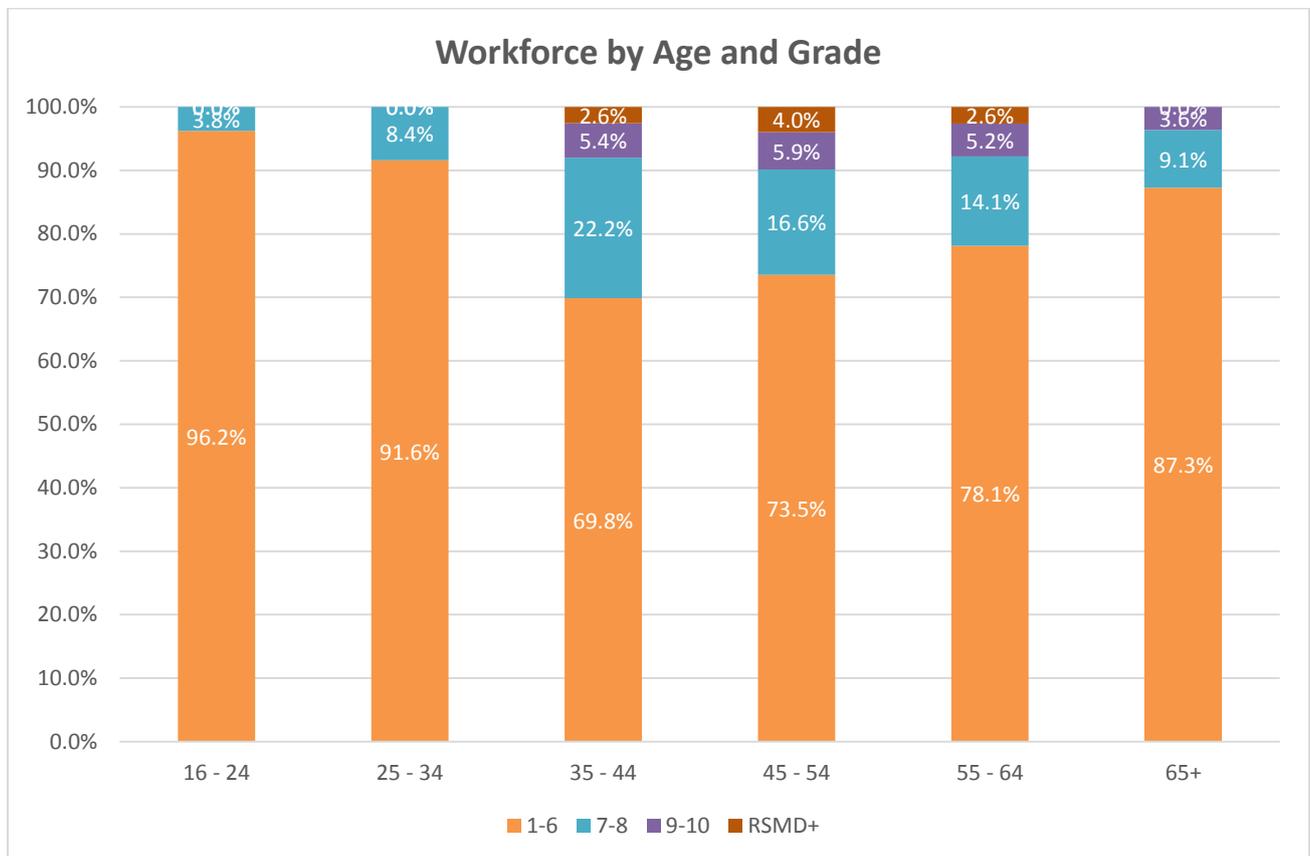
Ethnicity	Grade 1- 6	Grade 7-8	Grade 9-10	RSMD and Above
White British	77.4%	15.6%	4.5%	2.4%
White Other	88.7%	7.0%	4.2%	0.0%
Black/Black British	88.6%	10.5%	0.0%	1.0%
Asian/Asian British	70.4%	23.5%	6.3%	0.0%
Mixed	88.9%	6.7%	2.2%	2.2%
Other ethnic group(s)	60.0%	40.0%	0.0%	0.0%



3.16 Grade by age profile

The pay grades of staff aged under 35 are lower than the older age groups, up to age 64. This is expected as in most cases staff are in the earlier stages of their careers. A larger percentage of those aged 45 to 54 are in the highest pay grades than any other age group.

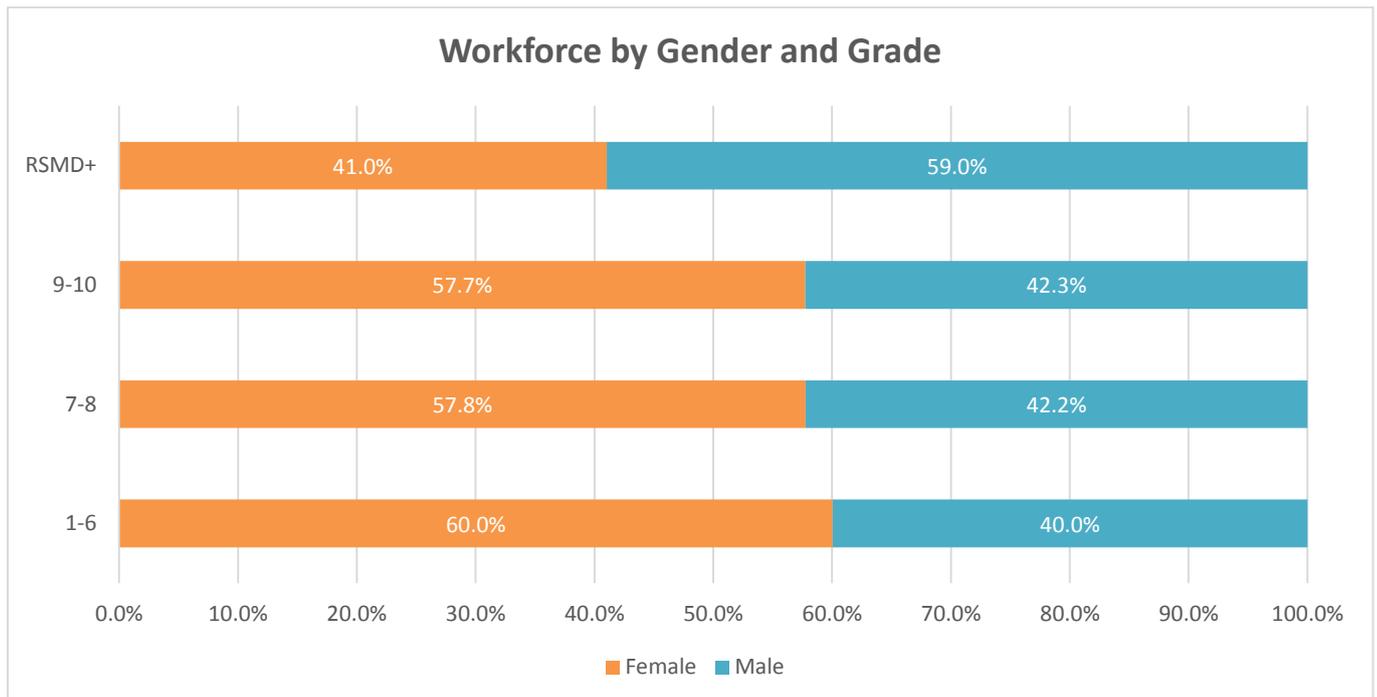
Age	Grades 1-6	Grades 7-8	Grades 9-10	RSMD and Above
16 to 24	96.2%	3.8%	0.0%	0.0%
25 to 34	91.6%	8.4%	0.0%	0.0%
35 to 44	69.8%	22.2%	5.4%	2.6%
45 to 54	73.5%	16.6%	5.9%	4.0%
55 to 64	78.1%	14.1%	5.2%	2.6%
65+	87.3%	9.1%	3.6%	0.0%



3.17 Grade by gender

There is a higher proportion of female workers in all categories except for Grade 9-10.

Gender	Grade 1-6	Grade 7- 8	Grade 9-10	RSMD and Above
Female	60.0%	57.8%	57.7%	41.0%
Male	40.0%	42.2%	42.3%	59.0%



4 Staff engagement and procedures

4.1 Quantitative and qualitative research with employees

An engagement survey for staff was carried out in April 2019 and the results were considered by protected characteristic groups. The next engagement survey was due to be carried out in April 2020 but was delayed due to the coronavirus pandemic. A decision has not yet been made about when the next survey will take place.

4.2 Due regard to the aims of the duty in decision-making

Equality Impact Assessments (EIAs) are carried out on all employment-related policies and procedures and general employment issues are discussed with Trade Unions.

4.3 Staff complaints

There were no staff complaints recorded as instances of discrimination during the period which this report covers.

4.4 Engagement with trade unions and staff

The council recognises Trades Union and works in partnership with them to proactively support the process of collective bargaining.

Each directorate has is a forum where ideas, issues, and suggestions for making the council an even better place to work are discussed openly and in a spirit of free exchange of views. Unison representatives are also invited to attend these forums. They are not a substitute for Trade Unions and management continue to consult and negotiate with recognised Trade Unison on matters that directly affect local working at the council.

4.5 Policies and programmes to address equality concerns

The council has a range of policies to address equalities issues. Some examples of these include:

- Equal Opportunities in Employment Policy
- Recruitment and Retention of Disabled People
- Whistle-Blowing Policy
- Grievance Policy
- Bullying and Harassment Policy

4.5.1 HR Casework

Completed HR Casework – Use of Formal Procedures – April 2019 to March 2020 - Analysis by Employee Protected Characteristics

Case Type	All Cases	Gender		BAME		Disability	
		Female	%	Number	%	Number	%
Capability – Ill Health	26	21	80.8%	4	15.4%	0	0.0%
Capability – Performance	2	2	100.0%	1	50.0%	1	50.0%
Disciplinary	30	14	46.7%	4	13.3%	0	0.0%
Grievance	8	5	62.5%	1	12.5%	0	0.0%
Total	66	42	63.6%	10	15.2%	1	1.5%

Completed HR Casework – Use of Formal Procedures – April 2019 to March 2020 – Employee Protected Characteristics Not Recorded

Case Type	All Cases	Gender		BAME		Disability	
		Not Recorded	%	Not Recorded	%	Not Recorded	%
Disciplinary	30	0	0.00%	6	20.00%	9	30.00%
Grievance	8	0	0.00%	2	25.00%	3	37.50%
Ill Health Capability	26	1	3.85%	5	19.23%	13	50.00%
Poor Performance Capability	2	0	0.00%	1	50.00%	1	50.00%
Total	66	1	1.52%	14	21.21%	26	39.39%

The council also has a Flexible Working Policy that welcomes formal requests from employees who meet the necessary criteria. We recognise the importance of a work-life balance for all staff and will consider flexible working requests on an informal basis, accommodating these where they meet business needs.

4.6 Learning and development opportunities

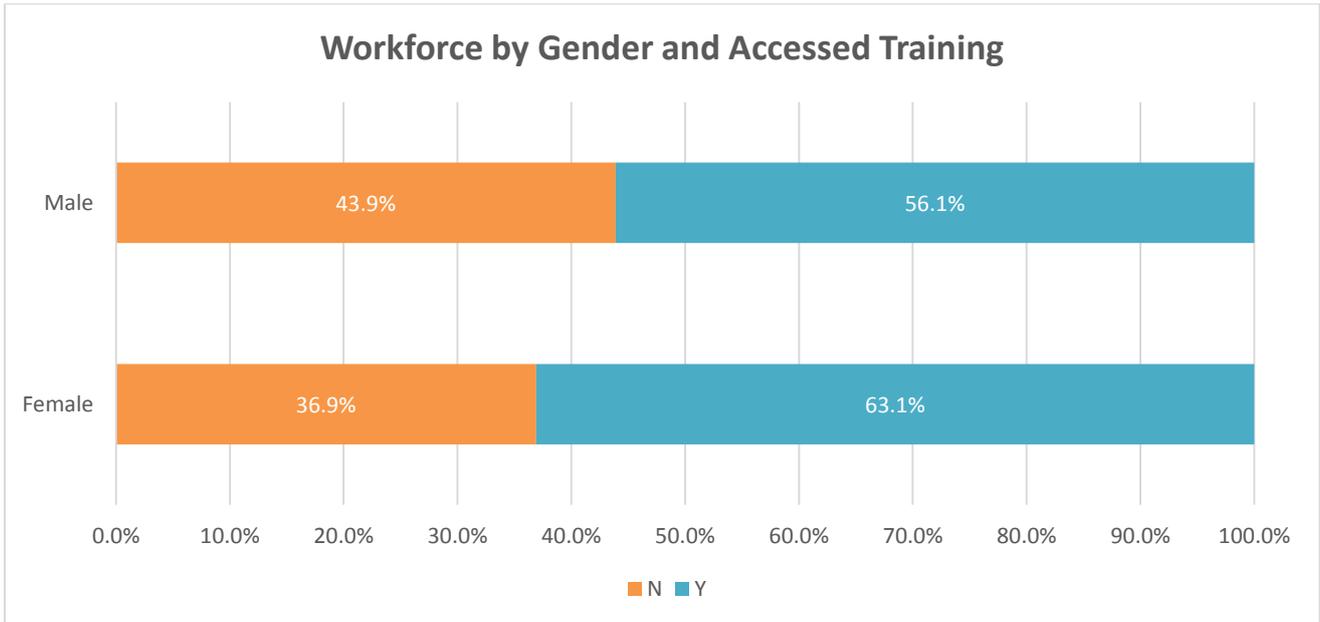
Staff are our main asset and the council is committed to training and personal development. Every member of staff has a crucial role to play in enabling the council to make a difference: to make the borough an even better place to be and to help meet the challenges faced within local communities. To that effect, the council has a People Strategy in place with the aim to have the right people, in the right job, with the right skills.

To deliver on this, the council has a range of learning and development opportunities available including classroom courses, e-learning and a professional qualification support scheme as well as on-the-job training, and mentoring. The council also has an integrated programme of leadership and management development.

In 2019/20, 60.2% of the total workforce accessed our corporate training, 63.1% of females accessed training and 61.9% of Black/ Black British staff accessed training compared to 59.7% of White British Staff

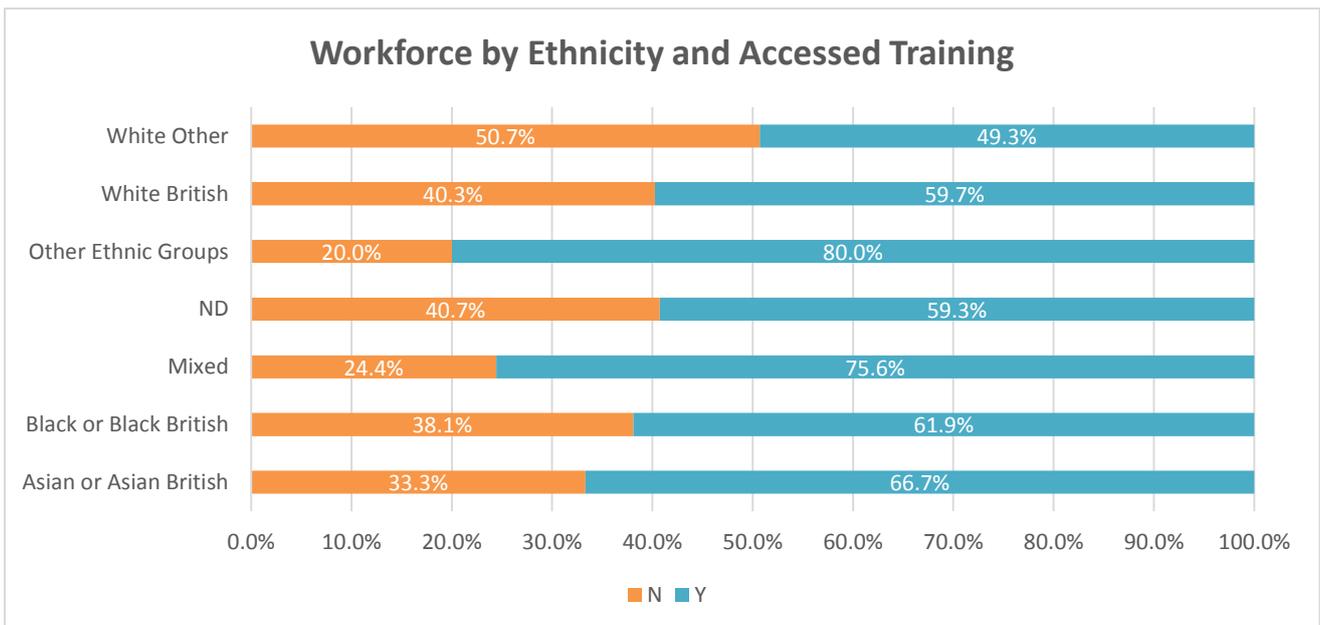
Gender	Number who accessed Training	Number who did not access Training
Female	63.1%	36.9%
Male	56.1%	43.9%

Workforce by Gender and Accessed Training



Ethnicity	Number who accessed Training	Number who did not access Training
White British	59.7%	40.3%
White Other	49.3%	50.7%
Black/Black British	61.9%	38.1%
Asian/Asian British	66.7%	33.3%
Mixed	75.6%	24.4%
Other ethnic group(s)	80.0%	20.0%
Prefer not to say	59.3%	40.7%

Workforce by Ethnicity and Accessed Training



Development opportunities can be identified in a variety of ways including by the individual through regular 1 to 1 meetings and the performance appraisal process. Training courses

delivered on an ongoing basis include: health and safety, first aid, stress resilience, equality and diversity, recruitment and selection, project management, Microsoft Office applications, data protection, lone working and managing aggressive behaviour.

4.7 Gender pay gap information

The council has been required to publish and report specific figures about its gender pay gap since 2017. Using the required snapshot date of 31 March 2019 for public sector organisations, the council was pleased to report a mean gender pay gap of 4.99%. This showed the council was performing positively against the national average of 17.3% (in favour of men).

The council will be publishing its 2020 gender pay gap report on its website, and on the government reporting website, by 30 March 2021.



The Race at Work Charter

Welcome to Business in the Community's Race Equality Campaign

The Race at Work campaign was established by HRH the Prince of Wales in 1995 with the support of key business leaders who recognised the demographic shift in existing and future populations. In 2017, the McGregor-Smith review found that action by employers to promote racial equality could boost the UK economy by [£24 billion annually](#). Businesses with ethnically diverse leadership teams have also been shown to financially outperform competitors by 36% ([McKinsey, May 2020](#)). However, these potential gains are being stifled by the unequal barriers faced by ethnic minorities in the workplace.

We are committed to empowering employers to tap into this economic potential by accelerating change for Black, Asian and Minority Ethnic (BAME) employees. We work with our network of partners from private and public sectors to offer tailored practical advice and share new insights to drive long-term change.

The Race at Work Charter

Launched by the Prime Minister in October 2018, the Race at Work Charter is designed to foster a public commitment to improving the outcomes of BAME employees in the workplace.

Signing the Charter means taking practical steps to ensure your organisation is tackling barriers that ethnic minority people face in recruitment and progression and that the organisation is representative of communities, customers, clients and British society today. Our research has identified five key areas which now comprise our **Race at Work Charter principles**:



Appoint an **Executive Sponsor** for race



Capture **ethnicity data** and publicise progress



Commit at board level to **zero tolerance** of harassment and bullying



Supporting equality in the workplace is the **responsibility** of all **leaders and managers**



Take action that supports ethnic minority career **progression**

To learn more about the Charter and the actions taken by signatories, take a look at our [2018 Race at Work Scorecard](#) report and our [2019 One Year On](#) report.





Race at Work Charter FAQ

Who should sign the BITC Race at Work Charter?

BITC's race partners are already well placed to be signatories to the Race at Work Charter. Additionally, any organisations employers with ten or more employees who meet the following criteria are encouraged to sign:

- Employers who aspire to have the most inclusive workplaces in the UK
- Employers who believe that ethnicity should not be a barrier to recruitment or progression
- Employers who have demonstrated a commitment to any of the charter principles e.g. if they have a senior leader or executive sponsor for race and diversity within their organisation, if they are capturing data on ethnicity or if they have a zero-tolerance policy on bullying and harassment

Please note it is not a requirement for employers to have the charter principles in place before signing the charter. The only prerequisite is for employers to demonstrate an understanding of where their challenges lie and how they will overcome it.

How do I sign up for the Charter?

Sign up by visiting the [BITC Race webpage](#) and following the prompts. Once you register your interest, a member of the team will be in touch with more information.

How will BITC measure the impact of the Charter?

BITC will ask employers to report using the BITC Race at Work Charter tracker survey, which will ask charter signatories questions about their progress and encourages them to share examples of improved outcomes for BAME employees and stakeholders within their organisation against one or more of the five charter themes. If you would like to take part in the 2020 survey, contact Zahra Mohamoud.

Will the survey results be publicly available?

BITC will share analysis and impact stories with an annual report and celebration event, promoted with a media campaign and online communications activities.

What will businesses get when they sign up to the Charter?

There are free online materials online for signatories and interested organisations including:

- New factsheets, toolkits and insights to support your organisation with delivering the charter principles. Take a look at our [Executive Sponsor Top Tips toolkit](#) for a taster.
- Information on ethnicity and pay consultation
- Invitation to attend workshops, webinars and events with the opportunity to share best practice and network with other employers
- Information on collaborative projects and actions to support actions linked the 5 principles of the Race at Work Charter





BITC will commit to profiling companies that demonstrate real progression and impact against the Charter principles. We will be listening to employers about support they may need to ensure that they can bring the Charter commitments to life.

Who will be checking that those who have signed up are keeping their commitments? How will the process work?

BITC will review progress with employers by helping them complete the Race at Work Charter survey. This will ensure that employers can demonstrate their commitment and share impact stories about how their actions have changed outcomes.

What is the required organisational commitment to the Charter (e.g. do organisations need a CEO signature or simply approval that they can use the organisation name)?

Approval that they can use the organisations name is all that is required.

Is there a deadline for becoming a signatory, or is this option open for the foreseeable future?

There is no deadline. Companies are welcome to sign up when they are ready.



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Appendix 3

DIVERSITY AND INCLUSION AT TEAM READING

OCTOBER 2020

ONGOING INITIATIVES TO INCREASE DIVERSITY AND INCLUSION IN THE WORKFORCE

Our [Equal Opportunity in Employment Policy](#) recognises the need to set an example as an employer. It sets our diversity and inclusion objectives, standards, employee rights and responsibilities.

We are a [Disability Confident](#) employer which demonstrates our commitment to make the most of the talents that disabled people bring to our workplace.

We carry out an annual [Gender Pay Gap Report](#) and publish the findings and our Action Plan to address the gaps on the Council's website and through our social media channels. Our gender pay gap is the lowest of all Local Authorities in Berkshire.

We will be participating in the Government's Kickstart Scheme which offers 6-month job placements to young people aged 16-24 who are currently on Universal Credit and at risk of long-term unemployment. The Council will offer 15 placements initially, with the aim of giving young people in the borough skills and experience to make them fundamentally more employable in the long term.

Our Recruitment and Selection Policy confirms that it is mandatory for all staff involved in recruitment decisions to receive training. This includes raising awareness of unconscious bias and what can be done to tackle it.

We carry out an annual Equality Audit to ensure transparency in our recruitment, retention and progression data for the workforce. The Equality Audit for 2019/20 will be published by December 2020 and we will use the findings to develop a Team Reading Diversity and Inclusion Action Plan.

We carry out annual Equal Pay Audits to check for gender bias and take action if necessary.

We are currently reviewing all employment policies in partnership with our recognised trade unions, to ensure they reflect best practice and use gender neutral language to actively encourage people from all groups to apply. We have committed to complete this review by end of March 2021.

All new staff undertake equalities training to help them understand our diversity and inclusion priorities.

Our staff have established an LGBT+ Network to raise awareness of LGBT+ issues within RBC and also for colleagues to meet new people. This group has worked

actively with the HR and Organisational Development team to develop a new Transgender Policy.

We are working with staff to establish a BAME staff group to raise awareness of race issues within RBC and provide a forum for colleagues to meet new people.

We have a dedicated and inclusive Wellbeing Group and Mental Health 'Time to Change Champions' who help to determine and deliver our Wellbeing Strategy.

We are training a group of Mental Health First Aiders to actively support our workforce and help to breakdown the stigma around mental health. The first group of Mental Health First Aiders will be trained by end of March 2021.

A new post of Apprenticeship Officer has been created within the HR and Organisational Development team to raise awareness, both internally and externally, of apprenticeship training opportunities and how these can improve skills and experience and help people to progress their career.

We are an accredited Real Living Wage Employer.

We have flexible working hours to show our employees that we trust them to do their work in hours that fit within their schedules

We have a free and confidential Employee Assistance Programme which all employees and members of their household can access 24/7, which provides counselling and 'citizens advice' services such as legal, debt or residency advice.

We work with a financial wellbeing partner, [Neyber](#) who provide financial education and help people to take control of their finances.

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