



Committee: PEOPLE AND ORGANISATIONAL DEVELOPMENT COMMITTEE

Date: THURSDAY, 18TH JULY 2024

Venue: LANCASTER TOWN HALL

Time: 6.00 P.M.

A G E N D A

1. **Apologies for absence**

2. **Appointment of a Vice-Chair**

To appoint a Vice-Chair for the duration of the 2024/25 municipal year.

3. **Declarations of Interest**

To receive declarations by Councillors of interests in respect of items on this Agenda.

Councillors are reminded that, in accordance with the Localism Act 2011, they are required to declare any disclosable pecuniary interests which have not already been declared in the Council's Register of Interests. (It is a criminal offence not to declare a disclosable pecuniary interest either in the Register or at the meeting).

Whilst not a legal requirement, in accordance with Council Procedure Rule 9 and in the interests of clarity and transparency, Councillors should declare any disclosable pecuniary interests which they have already declared in the Register, at this point in the meeting.

In accordance with Part B Section 2 of the Code Of Conduct, Councillors are required to declare the existence and nature of any other interests as defined in paragraphs 8(1) or 9(2) of the Code of Conduct.

4. **Minutes**

To receive as a correct record the Minutes of meeting held on 5th March 2024 (previously circulated).

5. **Items of Urgent Business authorised by the Chair**

6. **HR Dashboard (Pages 4 - 13)**

Report of the Talent & Organisational Development Officer.

7. **Health and Safety Policy Development Review (Pages 14 - 42)**

Report of the Chief Officer People and Policy. (report and appendices published on 12th July 2024).

8. **HR Policy Development and Review** (Pages 43 - 93)

Report of the Chief Officer People and Policy. (report and appendices published on 16th July 2024).

9. **Exclusion of the Press and Public**

The Committee is recommended to pass the following recommendation in relation to the following items:-

“That, in accordance with Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business, on the grounds that they could involve the possible disclosure of exempt information as defined in paragraph 1 of Schedule 12A of that Act.”

Members are reminded that, whilst the following items have been marked as exempt, it is for the Committee itself to decide whether or not to consider these in private or in public. In making the decision, Members should consider the relevant paragraph of Schedule 12A of the Local Government Act 1972, and also whether the public interest in maintaining the exemption outweighs the public interest in disclosing the information. In considering their discretion Members should also be mindful of the advice of Council Officers.

10. **Proposed Voluntary Redundancy Requests - Environment & Place** (Pages 94 - 97)

Report of Chief Officer – Environment & Place.

11. **Proposed Voluntary Redundancy Requests - People and Policy** (Pages 98 - 101)

Report of the Chief Officer – People and Policy.

ADMINISTRATIVE ARRANGEMENTS

(i) Membership

Councillors Prof Chris Harris (Chair), Mandy Bannon, Paul Hart, Caroline Jackson, Paul Newton, Margaret Pattison and Jason Wood

(ii) Substitute Membership

Councillors Matthew Black, Alan Greenwell, Sue Penney, Sam Riches and Sue Tyldesley

(iii) Queries regarding this Agenda

Please contact Stephen Metcalfe, Democratic Support - email sjmetcalfe@lancaster.gov.uk.

(iv) Changes to Membership, substitutions or apologies

Please contact Democratic Support email democraticsupport@lancaster.gov.uk.

MARK DAVIES,
CHIEF EXECUTIVE,
TOWN HALL,
DALTON SQUARE,
LANCASTER, LA1 1PJ

Published on Wednesday 10th July 2024.

PEOPLE AND OD COMMITTEE

HR Dashboard

10 July 2024

Report of the Talent & Organisational Development Officer

PURPOSE OF REPORT
To provide an update on the Annual HR Dashboard Figures
This report is public.

RECOMMENDATIONS

- (1) To continue running annual and quarterly staffing reports in addition to utilising live dashboards to pick up on trends and provide an evidence base to inform leadership and HR/OD in making decisions and designing interventions at a team, service and organisational level whilst measuring progress over time.
- (2) To use previous years' data as a baseline for future years and benchmark against other LA's
- (3) To consult with stakeholders on additional people metrics to be incorporated into future dashboards and add further value.

1.0 Introduction

1.1 The purpose of the dashboard is to accomplish three primary aims:

- To connect data about people and the organisation together in order to advise the leadership team and HR/OD in making informed business decisions.
- To equip HR, OD, managers and chief officers with the ability to use the insights and analysis to design more effective and efficient HR processes and activities.
- To measure the effectiveness of HR/OD against its objectives.

1.2 Annual staffing reports started again from last year after a period of no reporting. The recent restructure presented us with a chance to begin afresh in providing staff reporting and insights in line with structural changes.

1.3 The dashboard has been built in Power Bi, using Excel data pulled from the HR/Payroll system Zellis

1.4 This annual staffing report covers the financial year 2023/2024

2.0 Dashboard Insights 2023/2024

- 2.1 There has been a clear downward trend in terms of headcount and FTE. With both falling from 827 and 715 at the beginning of the financial year to 769 and 679 respectively.
- 2.2 Average annual labour turnover for all local authorities in the North West was 12.42% whereas Lancaster City Council's sat at 18.5%
- 2.3 Mean Sickness Absence (FTE days per employee) for all local authorities in the North West for latest reporting period: 10.1. Lancaster City Council's was 10.15

- 2.4 There has been a clear rise in the number of sickness absences (+32) as well as days lost through sickness absences (+1,131) in the past year. This can primarily be attributed to the sharp rise in Musculo skeletal problems, of which there has been an increase of over 600 days lost in the past year.
- 2.5 Musculo-skeletal problems has overtaken personal stress as the main reason for sickness absence. This is due to the rise in Musculo skeletal cases rather than a decrease in personal stress which has remained fairly static for the past two years.
- 2.6 Things that Exiters liked most about working here: The people and the type of work.
- 2.7 Things that Exiters liked least about working here: The salary and lack of opportunities to develop
- 2.8 Agency and casual spend has remained relatively stable compared to last year, with a slight decrease overall (£1,377K down to £1,303K). Agency spend has decreased by almost £200K whereas casual spend has had a rise of £116K.

3.0 Conclusion

3.1 The main themes from the report to consider over the next year are the rise in Musculo-Skeletal problems and how this can be addressed in order to reduce sickness absence. Lack of development opportunities, like last year, are appearing to be a primary reason why people are leaving the organisation, which intends to be addressed through work on the People Plan over the coming year.

<p>CONCLUSION OF IMPACT ASSESSMENT (including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing):</p> <p>Not applicable.</p>
<p>LEGAL IMPLICATIONS</p> <p>Not applicable.</p>
<p>FINANCIAL IMPLICATIONS</p> <p>There are no direct financial implications arising from this report. It should be noted though that a core element of the Council’s annual budget is salary driven and any shift in trends can have a significant financial impact on the net financial position but by tracking them can allow for more robust financial planning.</p>
<p>OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces</p> <p>Not applicable.</p>
<p>SECTION 151 OFFICER’S COMMENTS</p> <p>The s151 Officer has been consulted and has no further comments to add.</p>
<p>MONITORING OFFICER’S COMMENTS</p> <p>The Monitoring Officer has been consulted and has no further comments to add.</p>

BACKGROUND PAPERS

2023/2024 Annual Staffing Report appended.

Contact Officer: David Richmond

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Email: drichmond@lancaster.gov.uk

HR Dashboard Annual Report

2023/2024

Workforce

Key Stats

Starters	Leavers	Average Headcount	Average FTE	Labour Turnover
83	148	792.6	694	18.55%

Formulas:

- Average headcount (excluding casuals and agency): Headcount for each month within the financial year 23/24 has been added together and divided by 12.
- Average FTE (excluding casuals and agency): FTE for each month within the financial year 23/24 has been added together and divided by 12.
- Labour turnover: is the total number (n) of leavers over the last financial year divided by the average total number (N) employed over the last financial year multiplied by 100.

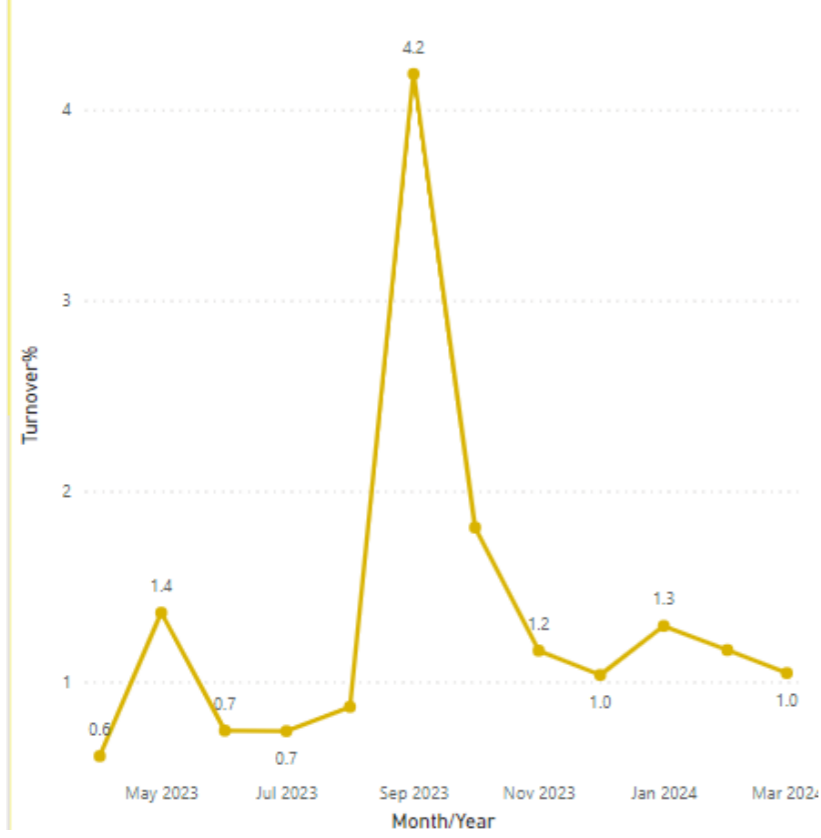
Benchmarks for Workforce:

- Average annual labour turnover for all local authorities in the North West (Latest date period): 12.42% [Labour turnover in Lancaster | LG Inform \(local.gov.uk\)](#)
- Average headcount (excluding casuals, agency, and those who have are on a fixed term contract and in post for under 1 year) totals 733. This is the highest of the 5 district councils within Lancashire who have reported their headcount statistics for the latest reporting period. For comparison, the next highest is Preston at 574, with Burnley having the lowest at 232.

Commentary:

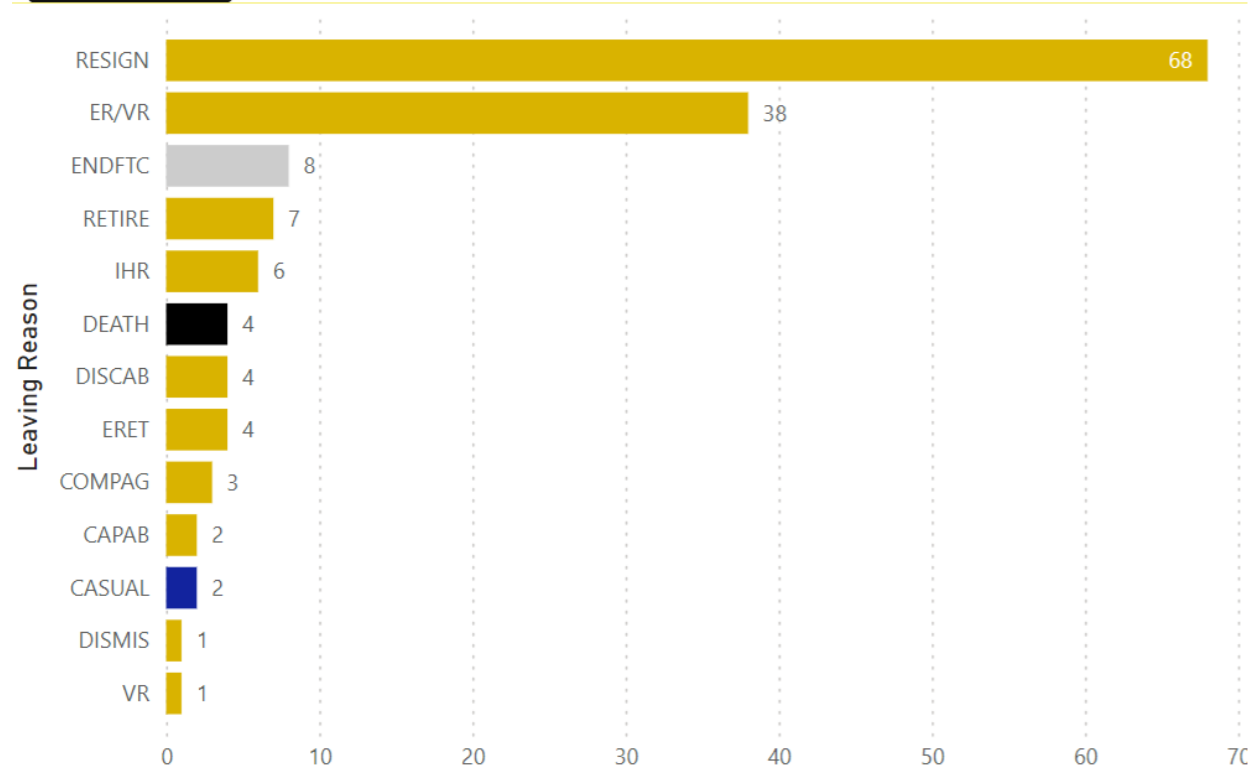
- There has been a clear downward trend in terms of headcount and FTE. With both falling from 827 and 715 at the beginning of the financial year to 769 and 679 respectively.
- 49% of those who left the organisation this year resigned. This is lower than last year (58%) which is mainly due to the higher number of ER/VR leavers.
- As casuals were included in last year's data it is difficult to baseline against last year for workforce statistics but this will be done in future reports.

Lancaster City Council Turnover% by Month



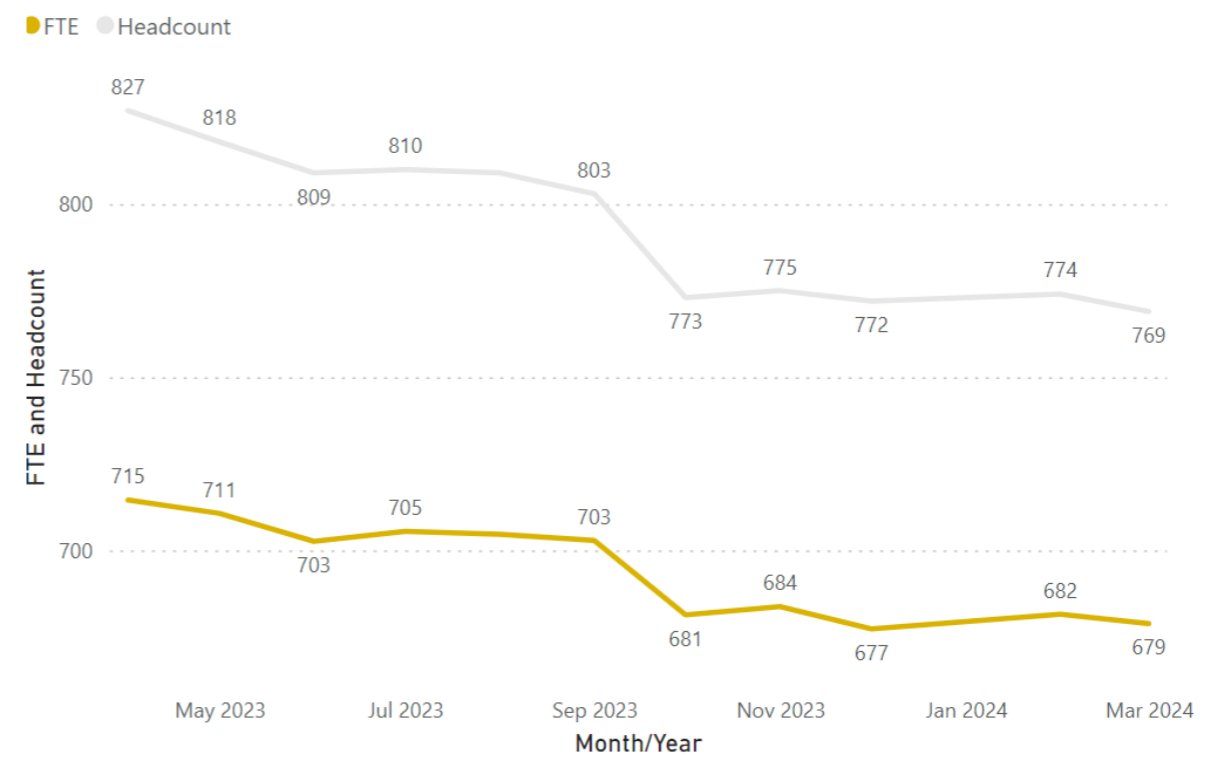
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REASON FOR LEAVING



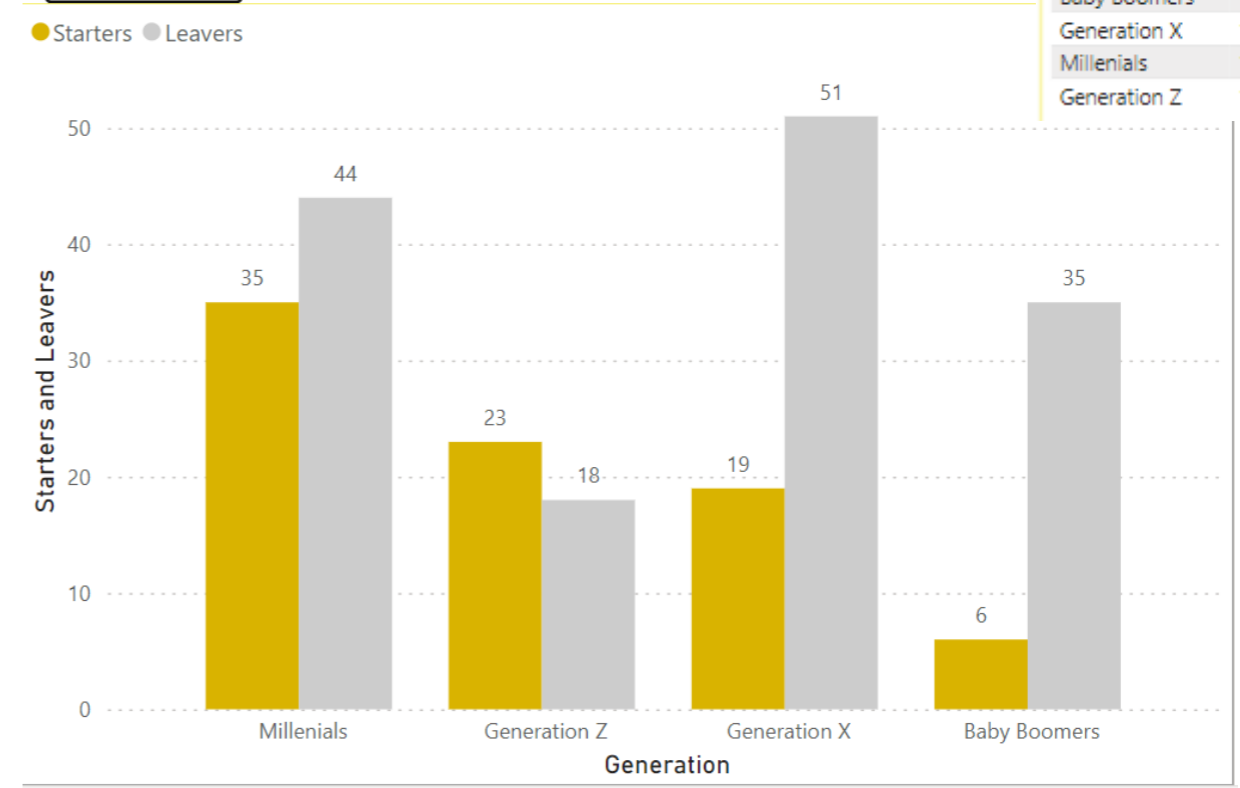
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FTE AND HEADCOUNT BY MONTH/YEAR



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STARTERS AND LEAVERS BY GENERATION



Generation	DOB
Silent Generation	1928-1945
Baby Boomers	1946-1964
Generation X	1965-1980
Millenials	1981-1996
Generation Z	1997-2012

Sickness Absence

Key stats

Year	Sickness Absence (FTE days per employee)	Total Days Absent	Number of Absence Instances	Main reason for days lost
22/23	/	5914	735	Personal Stress
23/24	10.15	7045	767	Musculo-Skeletal problems

Formulas:

- Sickness Absence (FTE days per employee) is calculated by taking the total number of days sickness absence over the financial year and dividing by the average number of FTE over the financial year.

Benchmarks for Sickness Absence:

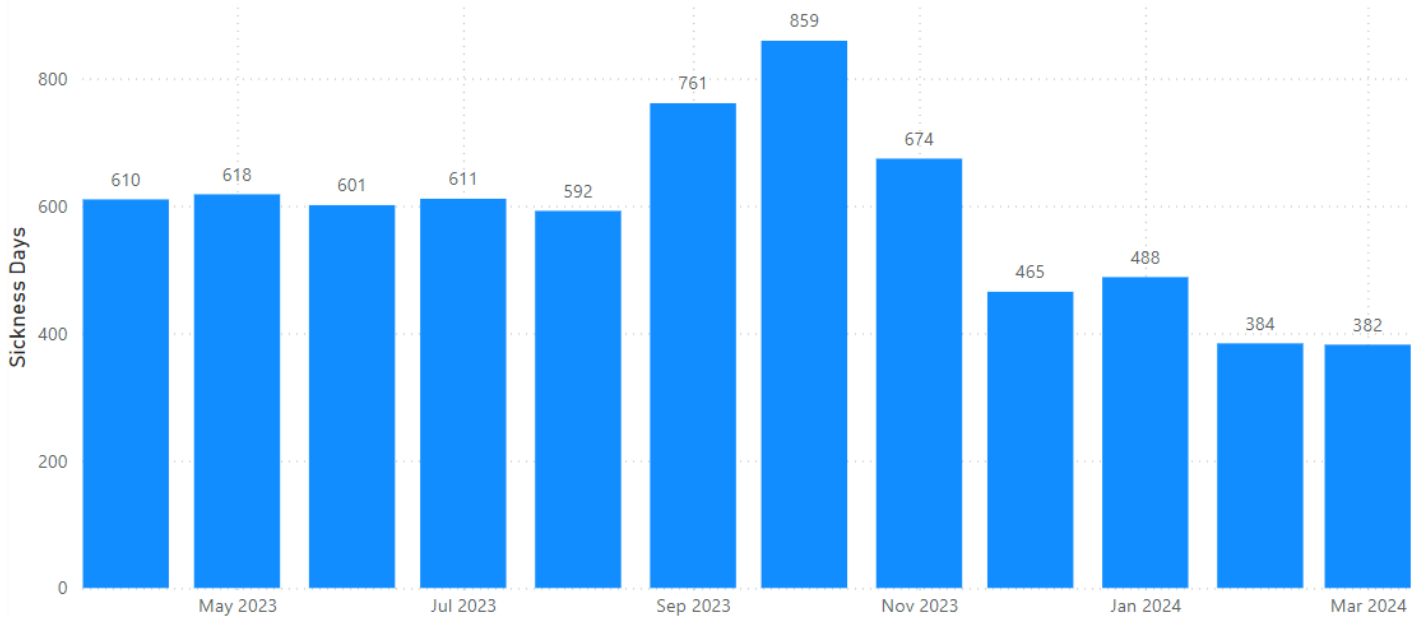
- Mean Sickness Absence (FTE days per employee) for all local authorities in the North West for latest reporting period: 10.1.

Commentary

- There has been a clear rise in the number of sickness absences (+32) as well as days lost through sickness absences (+1,131) in the past year. This can primarily be attributed to the sharp rise in Musculo skeletal problems, of which there has been an increase of over 600 days lost in the past year.
- Musculo-skeletal problems has overtaken personal stress as the main reason for sickness absence. This is due to the rise in Musculo skeletal cases rather than a decrease in personal stress which has remained fairly static for the past two years.
- The average number of days lost per employee has also risen in the last year, which correlates with a rise in long term absence cases. See below casework dashboard for distribution of long-term sickness cases across the Council.
- Despite the rise Lancaster's sickness absence (FTE days per employees) mirrors the average for the district, at 10.1.
- Work is underway to improve sickness reporting at a service level.

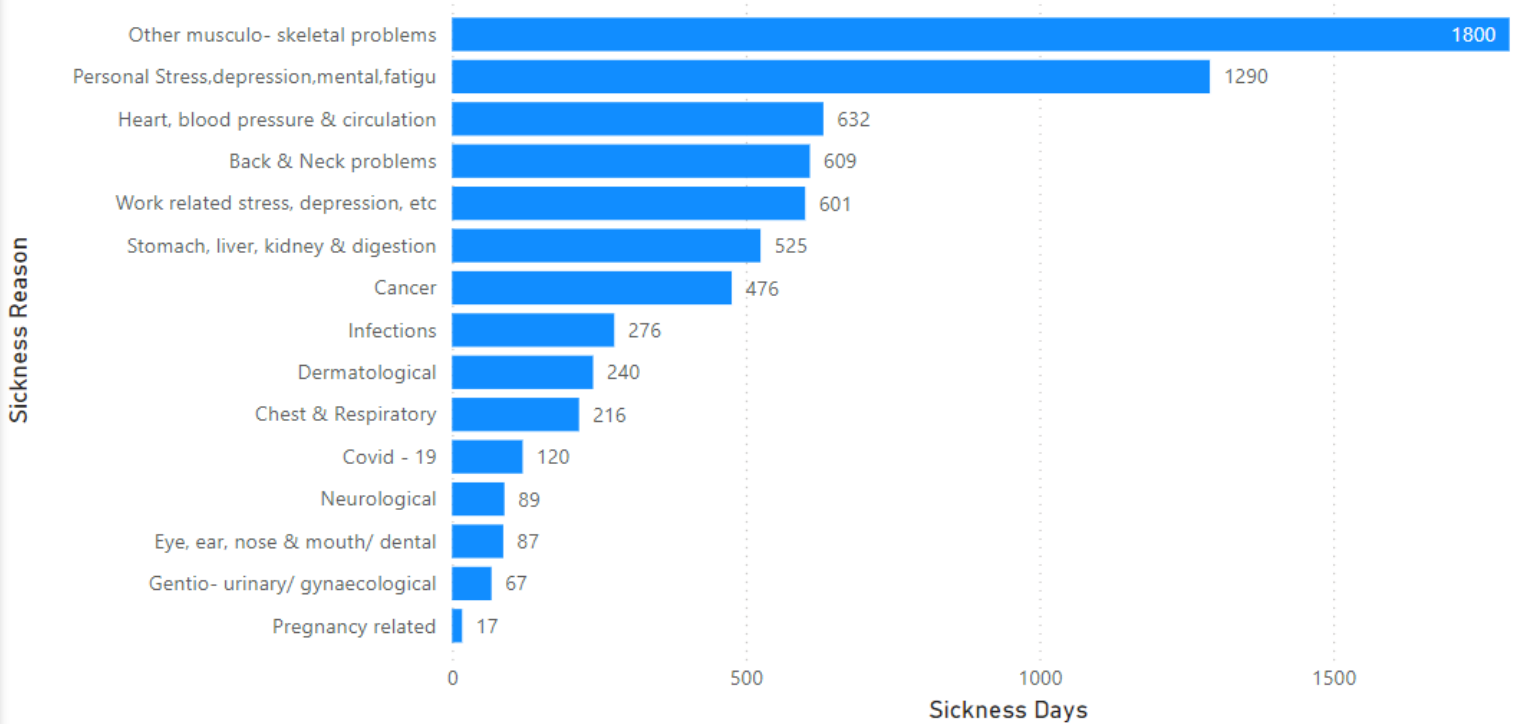
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NUMBER OF DAYS SICKNESS ABSENCE BY MONTH



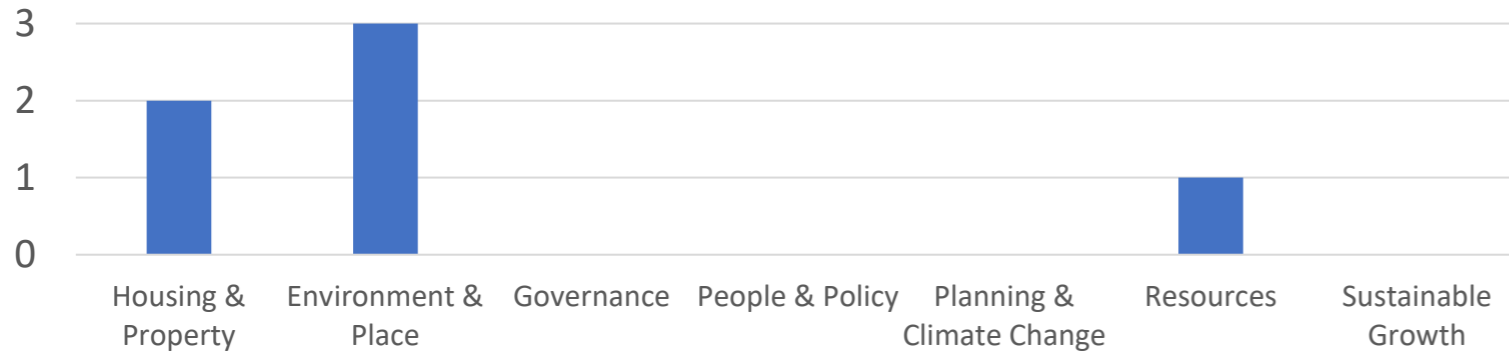
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TOTAL SICKNESS DAYS BY SICKNESS REASON

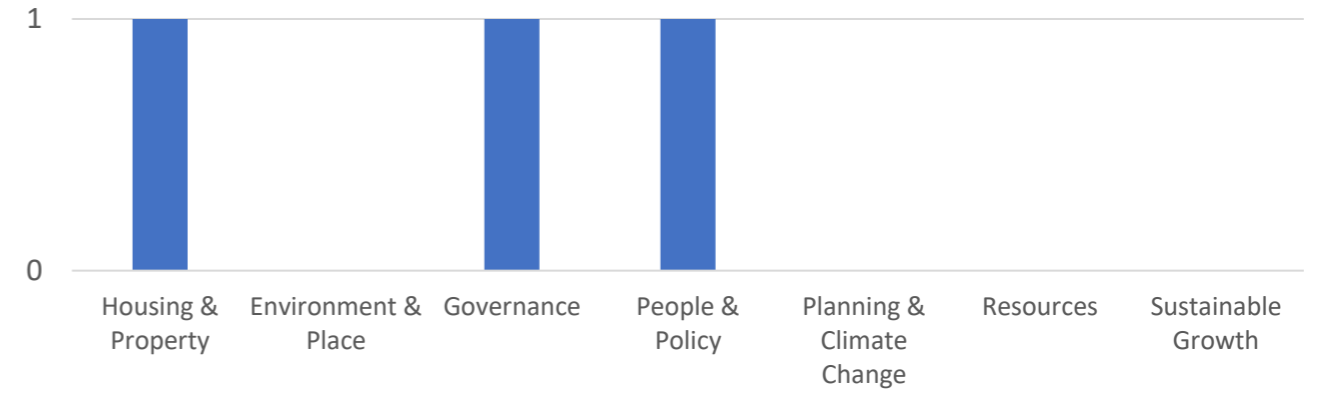


Casework

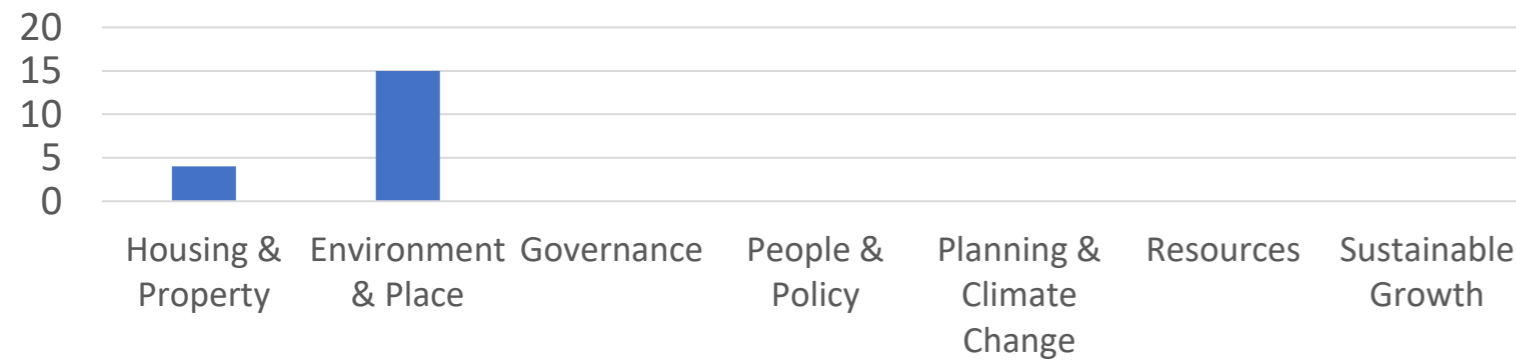
No. Grievance Cases



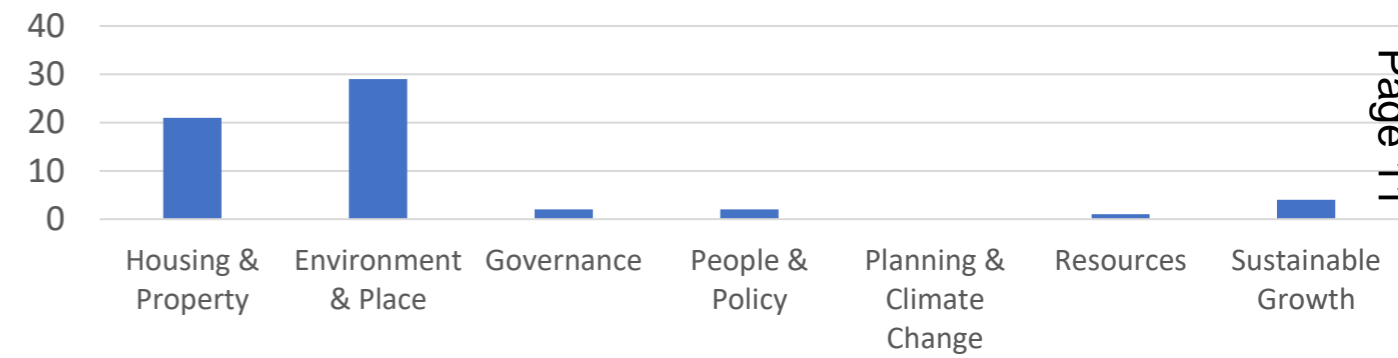
Performance Mgmt cases



No. Disciplinary Investigations



No. LT Sickness Cases

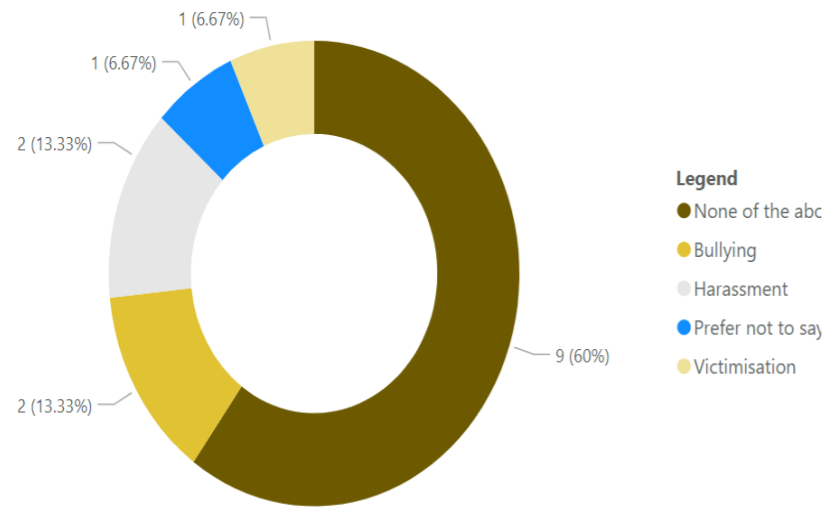


No. Formal Prob Meetings

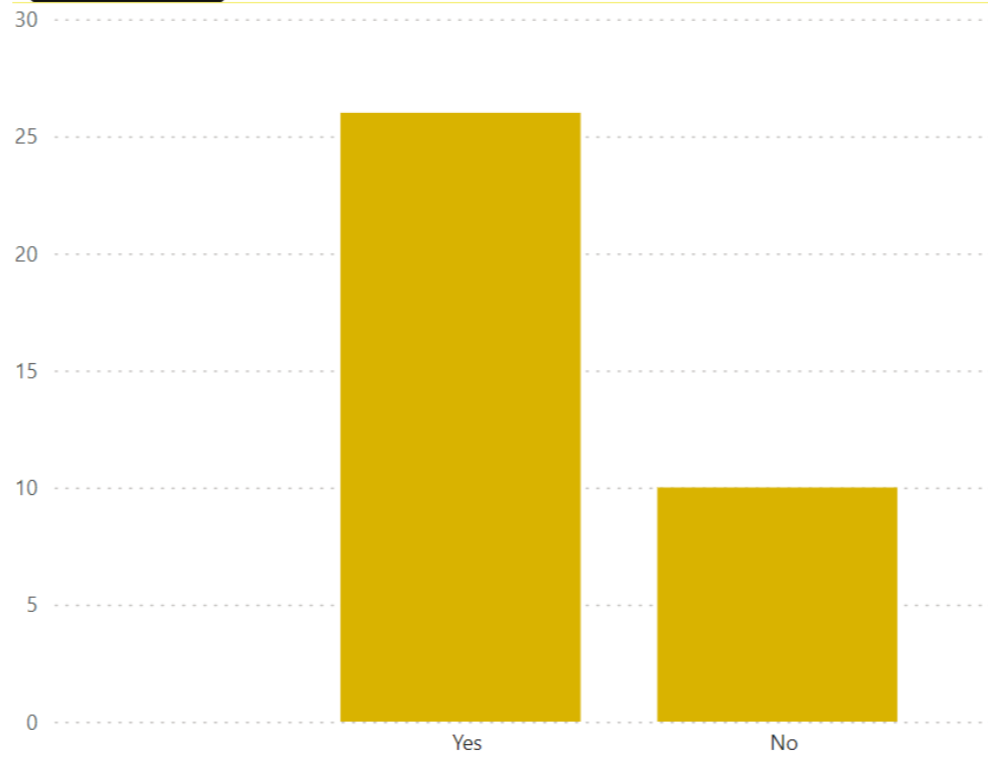


Exit

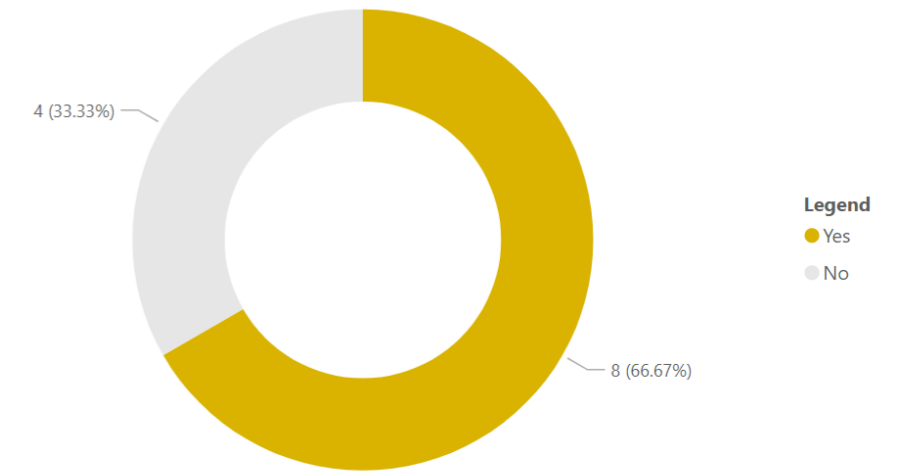
Back to report | DURING YOUR TIME AT THE COUNCIL, HAVE YOU EXPERIENCED/WITNESSED THE FOLLOWING.



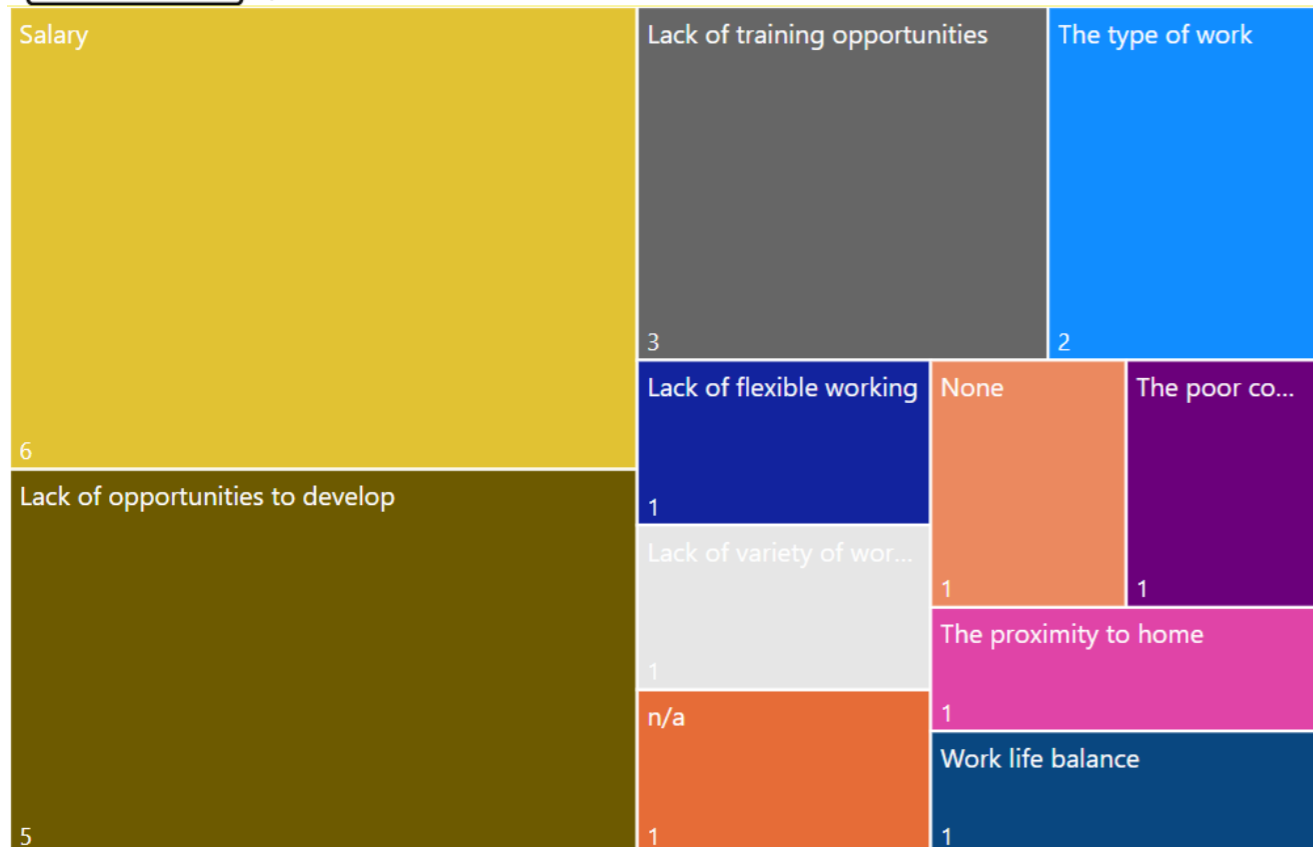
Back to report | WOULD YOU WORK FOR LANCASTER CITY COUNCIL AGAIN?



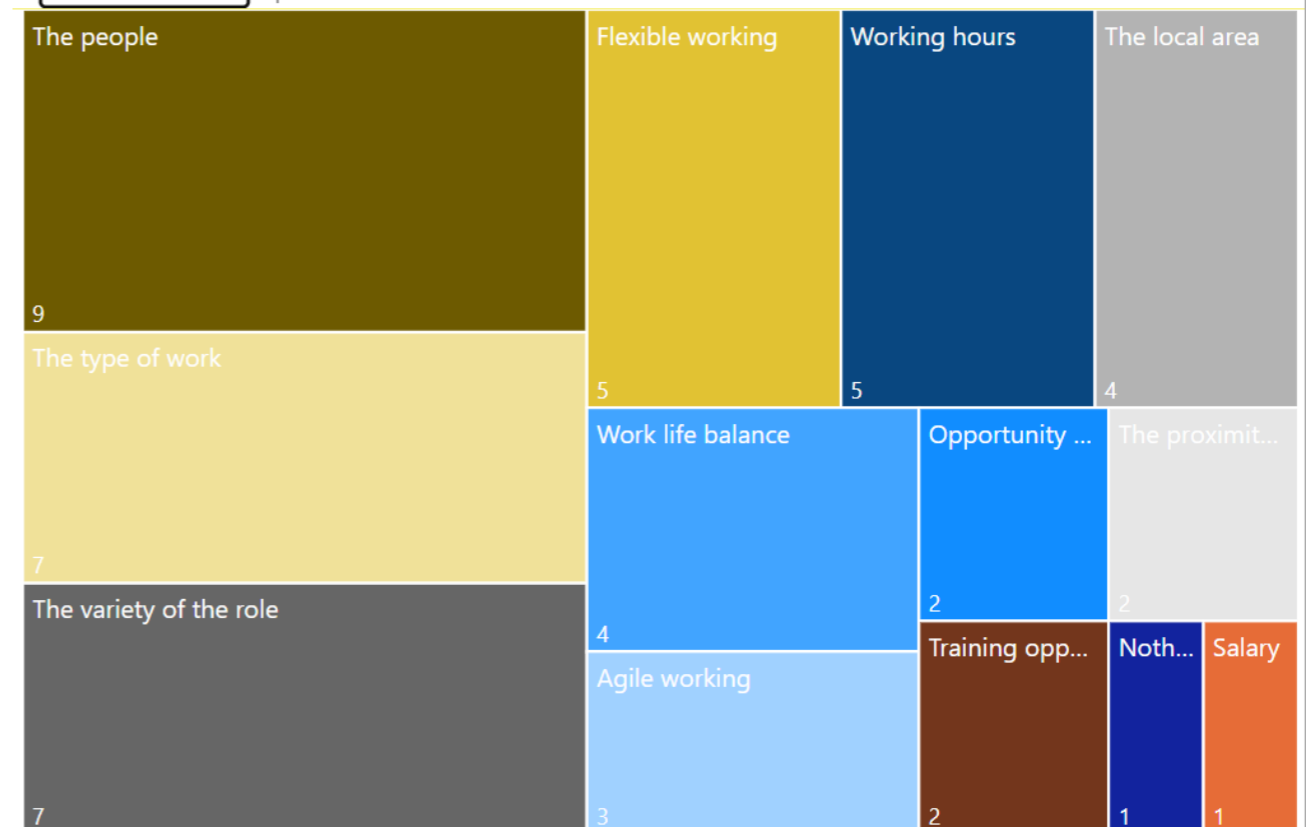
Back to report | DID/DO YOU FEEL VALUED IN YOUR ROLE?



Back to report | WHAT YOU LIKED LEAST ABOUT THE ROLE YOU ARE LEAVING?



Back to report | WHAT YOU LIKED MOST ABOUT THE ROLE YOU ARE LEAVING?



Agency/Casual Spend

Key Stats

Year	Agency Spend	Casual Spend	Total spend on casuels/agency
22/23	£642K	£735K	£1,377,000
23/24	£452K	£851K	£1,303,000

Commentary:

- Agency and casual spend has remained relatively stable compared to last year, with a slight decrease overall.
- Agency spend has decreased by almost £200K whereas casual spend has had a rise of £116K.
- The highest increase in casual spend can be found in Environment and Place as well as Sustainable Growth.

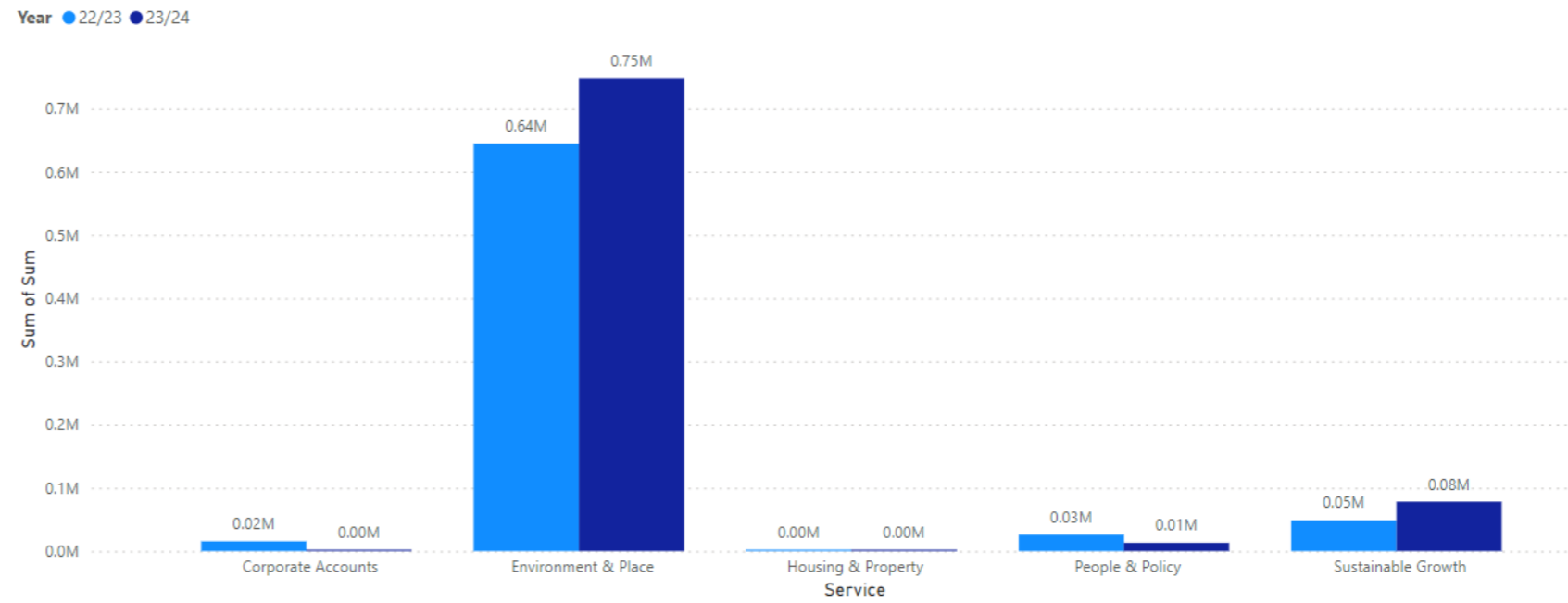


Figure 2 - Casual Spend by Service

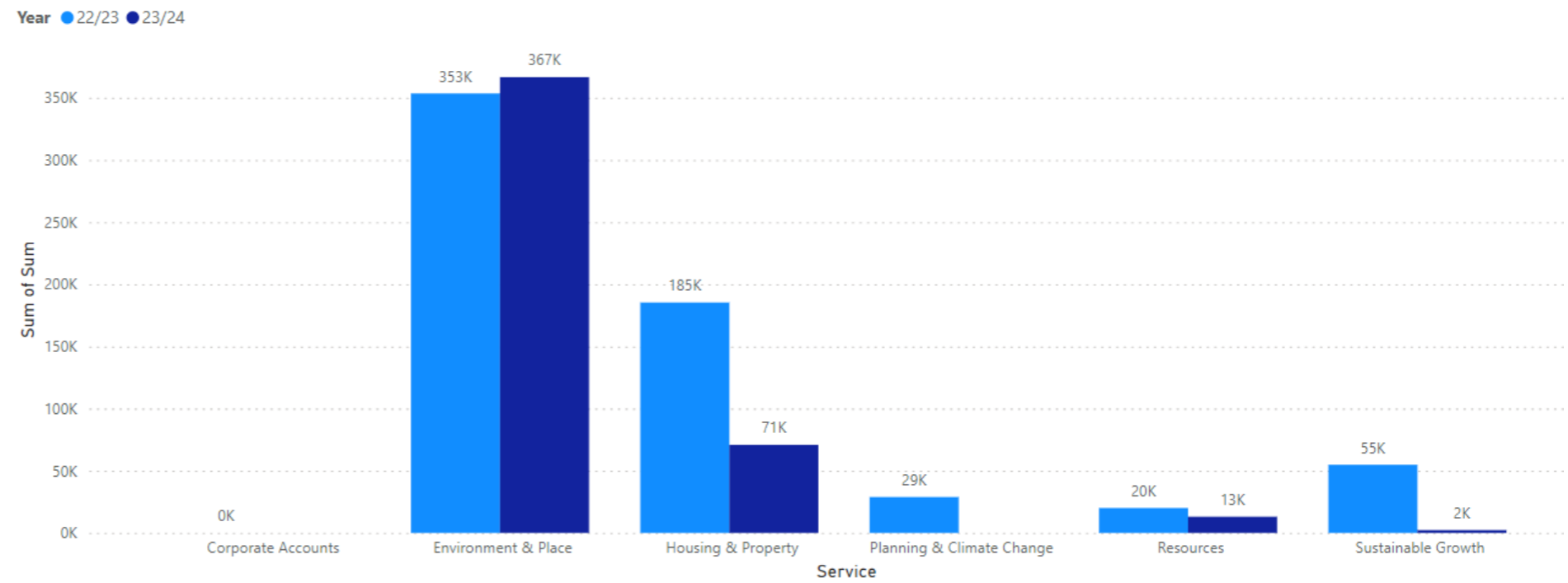


Figure 1- Agency Spend by Service

PEOPLE AND ORGANISATIONAL DEVELOPMENT COMMITTEE**HEALTH & SAFETY POLICY DEVELOPMENT REVIEW****18th July 2024****Report of the Chief Officer People and Policy****PURPOSE OF REPORT**

To enable the Committee to consider and approve a range of amendments and additions to existing policies and procedures.

This report is public.

RECOMMENDATIONS

- (1) That, in consideration of the comments of the Joint Consultative Committee on 10th July 2024, the Committee approve the new policies referred to in this report.**

1.0 Introduction

1.1 Following the Health and Safety Corporate Review and appointment of the Senior Corporate Health and Safety Manager, there is an ongoing action to renew all Health and Safety Policies to ensure they are up to date with current Legislation and have sufficient guidance for staff members with specific responsibilities included.

1.2 As part of this the proposed following health and safety policies are required:
SG02 Risk Assessment Policy
SG13 Work Equipment Policy

In addition, the following policy has been reviewed and updated:

SG07 Accident, Incident and Dangerous Occurrence Reporting Policy

1.3 These new and updated policies are presented to the Committee for their consideration.

2.0 SG02 Risk Assessment Policy

2.1 Lancaster City Council last reviewed and updated the previous version of the Risk Assessment Policy in August 2023. The original policy was insufficient in terms of the guidance provided on how to complete a risk assessment and did not cover the Health and Safety Executive recommended rating scales which was reflected within the current risk assessments within operational teams.

The new version of SG02 (re-written to replace existing versions) also reflects the change in process for risk assessments being recorded within the My Compliance system across all departments.

There is a substantial amount of guidance for:

- Responsibilities for the management of risk assessments
- Definitions
- How to complete the controls strategy
- Communication and consultation of risk assessments

This policy has been re-written to replace existing versions.

2.2 JCC Comments

It was requested that the section relating to Trade Union responsibilities is more detailed. Relevant section elaborated inline with approved Health and Safety approved roles and responsibilities. Amendments made.

3.0 SG13 Work Equipment Policy

3.1 Lancaster City Council last reviewed and updated the Work Equipment Policy in August 2023. The original policy did not detail roles and responsibilities and predominantly focused on risk assessment rather than Provision and Use of Work Equipment Regulations (PUWER) and the management and inspections of work equipment across all departments. The updated policy is in line with the new format and has substantial guidance for staff members, line managers and procurement to understand the regulations and CE marked equipment and how they apply to the council's operations.

This policy has been re-written to replace existing versions.

3.2 JCC Comments

It was requested that the section relating to Trade Union responsibilities is more detailed. Relevant section elaborated in line with approved Health and Safety approved roles and responsibilities. Amendments made.

4.0 SG07 Accident, Incident and Dangerous Occurrence Reporting Policy

4.1 Lancaster City Council last reviewed and updated the Accident, Incident and Dangerous Occurrence Reporting Policy in March 2024. The policy placed responsibility upon Line Managers to complete any RIDDOR (The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) reports to the HSE. The recently appointed internal Corporate Health and Safety Manager feels it is in the best interest of the Council that such reports are made only by a member of the Health and Safety Team. By reports being made the Health and Safety Team adherence to the reporting requirements will be met as well as ensuring that suitable and sufficient investigations are undertaken with relevant actions agreed and allocated.

Changes made include:

- Line Managers responsibilities moving over to Health and Safety Team responsibilities for the reasons noted above.
- Inclusion under Health and Safety team responsibilities "Advise the Senior Leadership Team of such reports and of any corrective actions required."
- Road traffic collision section amended from reporting through My Compliance to reflected practices of reporting on Bumpcard.

- How to report section now includes “The Health and Safety Team will use the appropriate methods below to report any RIDDOR report.”
- Follow up actions section now includes “All RIDDOR reports must be completed by the Health and Safety Team” and “The Senior Leadership Team will be notified of any RIDDOR reports.”

It is also worth noting that relevant guidance documents SG07A and SG07B relevant to this policy have also been reviewed as per point 4.1.

4.2 JCC Comments

It was requested that the section relating to Trade Union responsibilities is more detailed. Relevant section elaborated in line with approved Health and Safety approved roles and responsibilities. Amendments made.

5.0 Options

5.1 The options available to the Committee are to approve the new and revised policies as drafted, to approve the policies with amendments, or not to approve the policies.

However, if substantial changes in respect of any Policy are proposed at the People and Organisational Development Committee meeting, it may be appropriate for consideration of that Policy to be deferred to a future meeting to enable Officers to consider the proposed amendment in more detail and to consult further with the trade unions.

6.0 Conclusions

6.1 Members are asked to consider and accept the Officer recommendations set out above in respect of the new drafted policy documents appended to this report.

RELATIONSHIP TO POLICY FRAMEWORK

The Council is committed to the health safety and welfare of all employees and members of the community we support, and it is considered that the amended policies will raise the standard of the current health and safety practices across the organisation.

CONCLUSION OF IMPACT ASSESSMENT

FINANCIAL IMPLICATIONS

There are no direct financial implications arising from this report. As to be expected with any health and safety issue, future implications could occur and these will be reported at the relevant time as appropriate.

SECTION 151 OFFICER’S COMMENTS

The S151 Officer has been consulted and has no comments to add

LEGAL IMPLICATIONS

The proposed new and updated policies will assist in compliance against the Health and Safety at Work Act 1974, the Management of Health and Safety Regulations 1999, The Reporting of Injuries, Disease and Dangerous Occurrence Regulations 2013 (RIDDOR), Provision and Use of Work Equipment Regulations 1998 (PUWER), The Lifting Operations and Lifting Equipment Regulations 1998 (LOLER),

MONITORING OFFICER'S COMMENTS

The Monitoring Officer has been consulted and has no further comments.

BACKGROUND PAPERS

Policies Documents for Review

Contact Officer: Alex Kinch

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1.0 INTRODUCTION

Implementation: It is the responsibility of line managers to ensure that staff members are aware of and understand this policy and any subsequent revisions.

Compliance: This policy complies with all relevant regulations and other legislation as detailed in the *Compliance with Regulations & Legislation Statement*.

Scope: This policy applies to Lancaster City Council and all sites under its demise.

2.0 GENERAL STATEMENT

Lancaster City Council recognises that it has a legal and moral obligation to carry out risk assessments in order to identify hazards, record control measures and to communicate risks to its workers.

The Organisation will ensure that risk assessments are carried out, which shall detail the range of foreseeable health and safety hazards associated with the operation of the business, together with relevant remedial actions.

The Organisation strongly advocates a team approach to risk assessment, as this will allow for the consultation process to be engaged. It will also assist in achieving ownership of the problems and very importantly encourage staff to make full use of any of the necessary control measures.

Employees are responsible for ensuring that hazards discovered whilst carrying out work activities are reported to line managers so that the necessary remedial action can be taken.

3.0 LEGISLATION

The Organisation has a responsibility under sections 2 and 3 of the Health and Safety at Work etc. Act 1974 for the safety of employees and others who may be affected.

Risk Assessment is a legal requirement under a range of health and safety regulations, notably the following:-

- The Management of Health and Safety Regulations 1999

The Management of Health and Safety Regulations state that every employer shall make a suitable and sufficient assessment of:

- (a) the risks to the health and safety of their employees to which they are exposed whilst they are at work; and
- (b) the risks to the health and safety of persons not in his employment arising out of or in connection with the Organisation's work activities.

Any such assessment should be reviewed by the employer if:

- (a) there is reason to suspect it is no longer valid; or
- (b) there has been a significant change in the matter to which it relates.

The Regulations also require employers to record the significant findings of the assessment.

4.0 ORGANISATION AND MANAGEMENT

Chief Executive Officer

The Chief Executive Officer has overall responsibility for ensuring that the Organisation meets its statutory obligations and that effective arrangements for the management of health and safety are put in place.

Senior Leadership Team (Chief Officers)

The Senior Leadership Team have executive responsibility to manage Health and Safety including compliance with Health and Safety at Work Act, etc. 1974 and other relevant legislation, best practice guidance and Company policies to meet legal and organisational requirements within their respective services including the provision of adequate resources to meet the requirements of the risk assessment findings.

Chief Officers are responsible for the ensuring the provision of arrangements in relation to risk assessment and ensuring that the organisation's policy is implemented for their respective services, for providing support and advice to their respective managers and monitoring implementation of this policy within their respective areas.

The Health and Safety Team

The Health and Safety Team is responsible for facilitating the risk assessment process by offering advice, support and guidance and ensuring that information and training is available to all levels of management and other staff involved in the process.

Line Managers

Line Managers, have direct responsibility for health and safety matters relating to premises under their control and for persons reporting directly to them and are therefore responsible for the implementation of the provisions of this policy for the staff and / or premises under their jurisdiction by:

- Ensuring that risk assessments consider who could be harmed and clearly identify those groups or individuals in the assessment.

- Ensuring that the staff team is involved in the risk assessment process and that risk assessments are not undertaken in isolation.
- Ensuring that suitable and sufficient risk assessments are conducted in the area(s) under their control, including those for New and expectant mothers (assessments are also to be undertaken for those noted in “What if the worst happens?” section of the maternity leave policy. Young person people (anyone under 18) or (21 if they have a learning difficulty)
- Ensuring that where the risks cannot be sufficiently reduced, the Line Manager is to seek guidance from the Health and Safety Team prior to implementation.
- Ensuring that persons involved in the risk assessment process are given adequate information and training.
- The risk rating is determined by considering the severity of the impact/outcome of the hazard and the likelihood of its occurrence in order to prioritise the risk reduction measures required.
- Risks are rated and prioritised for action using the method described in the “Risk Rating Scale”.
- Safe systems of work are developed to eliminate, reduce or control risk and compliance with these systems is effectively monitored.
- Risk assessments and risk action plans are recorded on the appropriate documentation (My Compliance) and are available for inspection.
- Risk assessments are communicated to all the relevant personnel (employees and others) so they are fully aware of the hazards and risks as well as the control measures required to prevent injury loss or damage. The staff who the risk assessment relates to must sign onto the risk assessment as read and understood.
- Risk assessments are reviewed at least annually, and/or when circumstances change, or the assessment is thought to be no longer valid for any reason.
- Staff receive training appropriate to the safe performance of their work activities.
- Line managers are made aware of any resource implications related to risk assessments.

Employees

All employees are responsible for ensuring that they are fully aware of risk assessments in their area and the action they need to take as individuals to ensure compliance with control measures identified as being necessary, namely by: -

- Familiarising themselves with the risk assessments for their work activities.
- Where necessary, undertaking dynamic risk assessments of their working environment, recording any significant findings and bringing these to the attention of managers and their colleagues.
- Identifying risks where they arise and bringing their concerns to the attention of their manager.
- Complying with the safe systems of work (collective risk assessments for the activities being carried out).
- Expecting employees are responsible for notifying their line manager in writing once a pregnancy has been confirmed.

- Attending training as required to enable them to participate in the risk assessment process and perform their work activities capably and safely.
- Reporting all incidents to their manager in accordance with the Accident / Incident Reporting Policy.
- Not placing themselves or others at risk. This may, on occasion, include a refusal to enter into or complete a task because the risk is deemed too great.
- Notifying Line Managers, Supervisors / Team Leader of a significant change or a new hazard which has been found within their job role.

Health and Safety Trade Union Representatives

Health and Safety / Trade Union Representatives have certain responsibilities and duties and are able to audit and complete inspections where required.

A health and safety representative is a fellow worker who represents other union members to look after the health and safety at work of people they work with.

Health and Safety Representatives have the right to:

- take an active part in workplace risk assessments.
- investigate potential hazards and 'dangerous occurrences' and examine the accident data.
- investigate members' complaints.
- carry out inspections of the workplace in work time, at least every three months.
- be consulted on new working practices and new technology.
- receive safety information from their employer (such as inspectors' reports, hygiene surveys and risk assessments).

5.0 ASSESSMENT

All Managers and Supervisors / Team Leaders shall ensure that risk assessments are carried out within the My Compliance system, which shall detail the range of foreseeable health and safety hazards associated with the operation of their service.

All Managers and Supervisors / Team Leaders shall ensure that any assessment relating to the use of a hazardous substance (Control of Substances Hazardous to Health - COSHH) or the use of display screen equipment (DSE) is carried out before the commencement of any work involving the use of that substance or workstation.

A manual handling assessment also needs to be carried out where it is not reasonably practicable to avoid the need for staff to undertake any moving or handling task, which involves potential risk of injury. This shall be carried out in accordance with the requirements of the Manual Handling Policy.

Risk assessments must be carried out by a competent person i.e. someone who has the skills and knowledge of the particular task or work area and is trained in the use of the risk assessment system (My Compliance).

All risk assessments should be documented on the My Compliance Risks Module.

The outcome of all risk assessments will be communicated to all 'at risk' persons; this includes contractors carrying out work on site.

Safe systems of work/safe procedures will be drafted and implemented by the appropriate manager and staff.

All assessments must be current for the tasks or work area to which they apply and be reviewed if there is any reason to suspect that they are no longer valid, or there has been any significant change (e.g. changes in legislation, technology, staffing or the loss of experienced specialist staff). As a minimum, assessments will be reviewed on an annual basis. There may be a requirement to re-evaluate the level of risk following the implementation of further control measures.

Certain hazards and risks are covered by specific legislation. These include the exposure to noise, disposal of special waste, asbestos etc. The organisation will make provision for guidance and for specialist risk assessment advice in such areas through the Health and Safety Team.

6.0 DEFINITIONS

Risk assessment – is the review of all work activity to identify what might cause harm to people and decide whether reasonable steps are being taken to prevent that harm.

Dynamic Risk Assessment – continuous assessment of risk in the rapidly changing circumstances of carrying out a work procedure, in order to implement the control measures necessary to ensure an acceptable level of safety (on the spot risk assessments)

Hazard – is anything with the potential to cause harm, such as chemicals, electricity, working from ladders, an open drawer etc

Risk – is the chance/likelihood, high or low, that somebody could be harmed by these and other hazards, together with an indication of how serious the harm could be

Control measures – are actions, procedures, protocols etc. designed to eliminate, reduce/control risk presented by exposure to the hazard.

Suitable and Sufficient - A risk assessment will be considered to be suitable and sufficient if it:-

- is appropriate to the nature of the work.
- ensures that all aspects of the work activity are reviewed.
- takes a systematic approach in identifying hazard and risk-taking account of the way the work is organised.
- identifies the foreseeable risks associated with the work and includes enough detail proportionate to the risk.
- considers who might be affected including member of the public.
- Involved employees or their representatives and they were asked in relation to who may be affected.
- identifies the measures already in place to control risk as well as any required to further reduce risk including any necessary to comply with any statutory requirements applicable to the work or process.
- the precautions are reasonable / proportionate, and the remaining risk is no higher than medium. If the residual risk is identified as high the person responsible is to seek further guidance from the Health and Safety Team.
- includes a recommended review date i.e. identifies the period of time for which the assessment is likely to remain valid.

Young Person

A young person is anyone under 18 (or 21 if they have a learning difficulty) who may be exposed to additional hazards/risks due to:

- lack of experience
- being unaware of existing or potential risks and/or
- lack of maturity
- Lack of risk perception

New or Expectant Mother

The phrase means a new or expectant mother is an employee who is pregnant, who has given birth within the previous 6 months (including any pregnancies lasting 24 weeks or more, but where the baby does not survive), or who is breastfeeding.

7.0 IDENTIFYING HAZARDS

Hazard identification should be made using for example the following: -

- task observations
- consultations with staff
- accident ill-health or near miss data
- workplace inspections
- legal standards
- guidance (manufacturers; Equipment user guidance/instructions; HSE; BSI; professional bodies)

This list is not exhaustive.

8.0 ASSESSING POTENTIAL RISKS

When the hazards have been identified, the risk assessor should consider the potential impact the hazards may have on people, services or property.

A risk grading must be decided upon for the task/activity/hazardous situation being assessed. This should be done taking into account how likely people are at risk with the existing control measures in place.

The organisation uses a risk grading system based on a 1 – 5 scale for hazard severity and 1 – 5 scale for hazard probability. Using this scale, the lowest risk is graded as 1 and the highest risk is graded as 25. (Refer to Risk Assessment Rating Scale within My Compliance).

9.0 CONTROL MEASURES

Once the assessment has been made it should be possible to take action on the necessary precautions and protective measures.

Any preventative and protective measures implemented shall be determined on the basis of the principles specified in Schedule 1 of the Management of Health and Safety Regulations 1999: -

- a) avoiding risks.
- b) evaluating the risks which cannot be avoided.
- c) combating the risks at source.
- d) adapting the work to the individual, especially as regards the design of workplaces, the choice of work equipment and the choice of working and production methods, with a view, in particular, to alleviating monotonous work and work at a predetermined work-rate and to reducing their effect on health.

- e) adapting to technical progress.
- f) replacing the dangerous by the non-dangerous or the less dangerous.
- g) developing a coherent overall prevention policy which covers technology, organisation of work, working conditions, social relationships and the influence of factors relating to the working environment.
- h) giving collective protective measures priority over individual protective measures; and
- i) giving appropriate instructions to employees

Control Strategy

It is far preferable to provide effective controls measures which provide a safe place of work rather than measure which only protect the individual person. I.e. preference should be given to eliminating the hazard altogether or replace it with something less hazardous, than to rely on people working safely or wearing protective clothing.

Managers should therefore seek to provide 'safe place controls' in preference to 'safe person controls'.

Safe Place Controls

Elimination of risk
Substitution
Reduction of risk at source
Enclosure of risk
Removal of person from risk
Reduction of contact with risk

Safe Person Controls

Procedures
Training
Instruction
Supervision
Information
Personal protective equipment

The general working environment should be safe for everyone. In that way, whoever is exposed is likely to have some degree of protection. Personal controls place the onus very much on individuals, linked with all the usual human behavioural problems. In reality, a combination of controls is often implemented, i.e. as much control of the work environment as possible, supported by instruction notices, procedures and safety equipment, where required.

10.0 REVIEWING RISK ASSESSMENT

Risk assessment is not a one-off activity, as hazards and risks do not remain static. It is therefore necessary to carry out a periodic review of risk assessments in order to ensure that they remain valid and to ensure that:-

- Actions have been implemented appropriately and the risk mitigated.
- The risk scoring is still appropriate.
- The likelihood or impact of a risk has not been altered by other factors.

Reviews should be undertaken in the following circumstances: -

- Following an accident: incident; near miss or dangerous occurrence.
- Where there is a significant change in the work activity (if any circumstances change).
- Where there is a change in the employees' e.g. new employees; young workers, expectant mothers; people with disabilities.
- Changes to equipment, plant and work processes.
- Changes in legislation and/or Government Guidance.
- As a result of monitoring or audit.
- As a result of advice or action by Enforcing Authorities.
- New information becomes available relevant to the work activities.
- Improved control measures become available.
- special "one-off" occasions (e.g. building alterations).
- a specific period of time has elapsed, thus indicating the need for a periodic review.

However, it is good practice to review risk assessments regularly even when the above circumstances do not occur.

The frequency of these reviews will depend on the type of assessment and any legislative requirements. Work activity risk assessments, particularly around working with members of the public should be reviewed relatively frequently, whilst general risk assessments shall be reviewed at no less than annual intervals as a minimum.

Risk scores may increase or decrease depending on the effectiveness of the actions implemented and other factors that may have compounded the situation (e.g. staff shortages).

The organisation advocates a team approach to risk assessments as being most effective. Therefore, Line Managers and the Health and Safety team shall be responsible for establishing this approach within the premises for which they are responsible.

11.0 COMMUNICATING THE RISK ASSESSMENT

It is important to regularly update employees on what risk assessments have been completed/reviewed, and any actions that have been implemented/changed as a result. This will allow staff to be aware of changes that happen as a result of the risk assessment process and encourage compliance with it.

It is employee's responsibility to consult with their line manager if they have any concerns, recommendations and observations in regards to their risk assessments to ensure they are considered within the risk assessment reviews.

Nominated individuals within the team should be consulted on new/reviewed risk assessments before communicating any confirmed changes with all employees as soon as practically possible following the review.

Examples of ways to share and update staff members on the risk assessments include:

- Through involvement in writing / reviewing the risk assessments.
- Email final completed risk assessments with voting buttons.
- As part of practical demonstrations of new equipment.
- Safety briefings / start of shift briefings and workshops.
- Printed copies of risk assessments within health and safety files for each team / department / vehicle.
- Issue of risk assessments through the My Compliance App and / or QR code.

It is mandatory for employees to sign off a risk assessment as 'read and understood' either through a training record, sign off sheet or email confirmation.

12.0 MONITORING, AUDIT & REVIEW

The Health and Safety Representative and the Health and Safety Team will regularly monitor any accident/incident information and provide advice and support to managers as need dictates.

This policy will be reviewed as part of the regular reviews, unless changing circumstances require an earlier review.

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01 INTRODUCTION

Many businesses and self-employed workers use a range of equipment at work on a daily basis. The exact type and amount of equipment in any business will vary according to the kind of work carried out.

There are many hazards involved in the use of workplace equipment, examples of some risks involved in using work equipment include the following:

- Puncture wounds and cuts caused by sharp equipment such as scissors, needles, paper guillotines, knives, chisels, saws, planes and screwdrivers are the most common risks.
- Cutting equipment or equipment with moving parts may cause serious injuries if there are insufficient safeguards in place.
- Equipment that uses heat, such as ovens and grills in catering businesses, could cause injuries ranging from minor scalding to disfigurement and serious burns.

Therefore, it is imperative that employers provide work equipment that is:

- suitable for the intended use.
- safe for use, maintained in a safe condition and inspected to ensure it is correctly installed and does not subsequently deteriorate.
- used only by people who have received adequate information, instruction and training.
- accompanied by suitable health and safety measures, such as protective devices and controls. These will normally include emergency stop devices, adequate means of isolation from sources of energy, clearly visible markings and warning devices .
- used in accordance with specific requirements, e.g. for mobile work equipment and power presses.

These issues are covered within the Provision and Use of Work Equipment Regulations 1998.

Some work equipment will also be subject to other health and safety legislation in addition to PUWER. For example, lifting equipment must also meet the requirements of the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), and any pressure systems must meet the Pressure Systems Safety Regulations and personal protective equipment must meet the PPE Regulations.

Purpose

The purpose of this policy is to ensure work equipment is provided, maintained, and used safely in accordance with standards set out in the Provision and Use of Work Equipment Regulations 1998 (PUWER) and other regulations so as to minimise the risk of injury to the people we support, staff, visitors and others.

Scope

This policy is applied to all members of staff employed/working within the organisation.

02 POLICY STATEMENT

Lancaster City Council is committed to protecting the health, safety, and welfare of its employees. It is the organisations policy therefore to ensure, as far as is reasonably practicable, that all required tasks and activities are carried out with the minimum of risk to our employees, the residents we support and others. To this end, it shall be ensured that all work equipment and machinery be suitable for its intended purpose and maintained on a planned basis.

The organisation recognises that work equipment can present hazards and risks to all our employees, not just those using it. Control measures will therefore be implemented to ensure that the risks associated with the use of work equipment are minimised.

It will also be ensured that all employees are provided with adequate information, supervision and training to use work equipment safely.

Implementation: It is the responsibility of line managers to ensure that staff members are aware of and understand this policy and any subsequent revisions.

03 DEFINITIONS

Work Equipment

"Work Equipment" has a very wide meaning. Work equipment is almost any equipment used by an employee while at work. It is any "machinery, appliance, apparatus, tool or installation for use at work (whether exclusively or not)" for example hammers, knives, ladders, drilling machines, power presses, circular saws, photocopiers, lifting equipment (including lifts), dumper trucks and motor vehicles.

Similarly, if you allow employees to provide their own equipment then it will also be covered by PUWER, and you will need to make sure it complies.

Lifting Equipment

Lifting equipment is any work equipment for lifting and lowering loads, and includes any accessories used in doing so (such as attachments to support, fix or anchor the equipment). This would include hoists, lifts, hydraulic tail lifts on vehicles as well as passenger lifts.

Lifting Accessories

Lifting accessories are pieces of equipment that are used to attach the load to lifting equipment, providing a link between the two. Any lifting accessories used between lifting equipment and the load may need to be considered in determining the overall weight of the load e.g. slings, hooks, shackles.

“Use”

"Using" work equipment includes starting, stopping, programming, setting, transporting, repairing, modifying, maintaining, servicing and cleaning, as well as operating the equipment.

04 ORGANISATION AND MANAGEMENT

Chief Executive Officer

The Chief Executive has overall responsibility for ensuring that the Company meets its statutory obligations and that effective arrangements for the management of health and safety are put in place.

The Chief Executive has executive responsibility to manage Health and Safety including compliance with Health and Safety at Work Act, etc. 1974 and other relevant legislation, best practice guidance and Company policies to meet legal and organisational requirements.

Chief Officers

Chief Officers are responsible for ensuring the arrangements in relation to provision and use of work equipment are in place and for ensuring that the company's policy is implemented and monitored within their respective services.

Health and Safety Team

The Health and Safety Team is responsible for advising on appropriate measures to meet legal and organisational requirements as required and for regularly monitoring and reviewing any accident/incidents that involve work equipment to ensure that the provisions of this policy were/are implemented.

Line Managers

Line Managers are responsible for ensuring that:

- Adequate and suitable risk assessments are carried out in the workplace prior to purchasing new equipment and on equipment already in use within the organisation to ensure compliance with the PUWER regulations by ensuring that:-
 - The working conditions are safe and appropriate.
 - The most appropriate items of equipment are selected for the job.
 - The equipment is safe to use.
 - The equipment is used correctly by staff who have been adequately trained.
 - The equipment is adequately maintained.
- When new equipment is purchased it meets with CE standards.
- That all electrical equipment and any other work equipment which poses significant risk to staff or other people is checked prior to use.
- An initial inspection is carried out prior to use to ensure correct installation where there is significant risk to staff. An example of would be where safety is critically dependent on the installation conditions include those where guarding is provided by presence-sensing devices.
- Suitable inspections of work equipment are undertaken where there is significant risk to staff resulting from deterioration or exceptional circumstances and that inspection records of at least the last inspection are kept. An example would be a circular saw.
- Staff are provided with adequate information, instruction, training and supervision to ensure safe use of equipment where appropriate, written instructions pertaining to the work equipment. A record of training is kept.
- Equipment is maintained, in good working order and safe to use.

- Records are kept of maintenance checks.
- Manufacturer's instructions are kept for as long as the equipment is on site and are always readily available to staff.
- Advice is sought if the manager is unsure.
- Employees will only use equipment that has been provided by the Company.
- Accidents/incidents and near misses are reported using the My Compliance System.

Employees

Employees are responsible for ensuring that:

- They take reasonable care of themselves and of others who may be affected by their activities.
- Instruction and training is undertaken as deemed necessary.
- Work equipment is used in accordance with manufactures instructions, risk assessment and procedure, instruction, and training.
- Any problems, defects, concerns or potential hazards they encounter with work equipment are reported to their line manager as soon as practically possible.
- They check work equipment prior to use.
- They must not knowingly, wilfully or recklessly use work equipment which is faulted, or use work equipment other than its intended use.

Contractors

Contractors are responsible for providing equipment that is maintained and in good working order and using said equipment in accordance with instructions and training.

Health and Safety Trade Union Representatives

Health and Safety / Trade Union Representatives have certain responsibilities and duties and are able to audit and complete inspections where required.

A health and safety representative is a fellow worker who represents other union members to look after the health and safety at work of people they work with.

Health and Safety Representatives have the right to:

- Take an active part in workplace risk assessments.
- Investigate potential hazards and 'dangerous occurrences' and examine the accident data.
- Investigate members' complaints.
- Carry out inspections of the workplace in work time, at least every three months.
- Be consulted on new working practices and new technology.
- Receive safety information from their employer (such as inspectors' reports, hygiene surveys and risk assessments).

05 SUITABILITY OF EQUIPMENT

The selection of suitable work equipment for particular tasks and processes makes it possible to eliminate many risks in the workplace, therefore an assessment should be undertaken which considers the safety of equipment in respect of:

- Its initial integrity – it should be installed and located in such a way as to reduce any risk to users and others, such as ensuring there is sufficient space between moving parts of machinery. All forms of energy and substances used or produced by equipment should be considered. For example, it may be necessary to provide additional ventilation in the workplace.
- The place where it will be used – some equipment may be unsuitable for the working environment in a particular location because of environmental risks, such as wet or flammable atmospheres and confined spaces.
- The purpose for which it will be used – in practice this means that equipment should be used in accordance with the manufacturer's specifications and instructions. Ergonomic risks, such as working heights and reach distances, should be considered.

European Conformity Directives

Since 1995 (amended 2006) all new machinery in scope of the Machinery Directive has to be designed and constructed to meet common minimum European requirements for safety. The outward signs of compliance are CE marking on the equipment and a document (Declaration of Conformity) issued by the Responsible Person (normally the manufacturer) declaring the product's conformity. To achieve compliance the Responsible Person must undertake a conformity assessment process to meet the Directive's obligations. This includes meeting all relevant essential health and safety requirements (EHSRs) for the product, producing comprehensive user instructions, and showing how compliance has been achieved in the technical file. For certain higher risk products, the conformity assessment process will normally require the use of an independent Notified Body.

These requirements have been implemented in the UK by the Supply of Machinery (Safety) Regulations 2008, as amended by the Supply of Machinery (Safety) (Amendment) Regulations 2011 (Further amendments expected August 2024). In addition to machinery these requirements also apply to interchangeable equipment, safety components placed independently on the market, lifting accessories, chains, ropes and webbing, removable transmission devices and partly completed machinery.

When buying machinery managers should check for CE marking and ask for a copy of the Declaration of Conformity. Further information on this subject is contained within the HSE publication INDG271 'Buying New Machinery'.

06 RISK ASSESSMENT

A risk assessment will be carried out where the hazards from using the work equipment are significant. Control measures will be implemented and communicated to all users.

The following control measures will be considered/implemented where necessary:

- Restrict the use of equipment where specific risks have been identified.
- Control access to dangerous parts of work equipment.
- Provide suitable protection against specified hazards.
- Provide protection against high or low temperatures as required.
- Ensure that all controls, including controls for starting or making a significant change in the operating condition, stop controls and emergency stop controls, are provided where necessary, and are suitable for the equipment and location.
- Ensure that all control systems are safe.
- Provide suitable means of isolating the work equipment from sources of energy.
- Provide suitable environmental conditions for the safe use of work equipment.
- Provide all necessary markings and warnings.

Information, Instruction and Training

Information, instruction and training for the use of work equipment will be provided where necessary.

07 MAINTENANCE

It is important that work equipment does not deteriorate to the extent that it puts people at risk. The extent and complexity of maintenance can vary substantially from simple visual checks on basic equipment to a detailed programme of planned preventative maintenance for complex high-risk equipment.

Work equipment will be maintained on regular basis, however the frequency at which maintenance activities are carried out should take into account the risk to health and safety posed by malfunction or failure. Factors that affect this likelihood could be the intensity of use or the operating environment.

Maintenance should only be carried out by people who are competent to do the work.

An inventory of all work equipment and maintenance requirements should be kept locally. Safety-critical components must have planned preventative maintenance programmes in place, in accordance with the manufacturer's recommendations.

The manufacturers or suppliers' maintenance manual or instructions must be available at all times whilst the equipment is on site and available for managers and staff using equipment to refer to.

Where equipment is hired long-term, responsibility for maintenance will be confirmed in writing with the hirer. Maintenance of all powered equipment must only be undertaken after the equipment has been isolated/locked off.

Lifting equipment falls within the definition of work equipment but is the subject of specific additional legislation - the Lifting Operations and Lifting Equipment Regulations (LOLER).

08 THOROUGH EXAMINATION

Lifting equipment and Accessory for lifting must be thoroughly examined on initial use or following installation, and regularly in service by a competent person. Unless there is an 'examination scheme' specifying other intervals, thorough examinations should be conducted as detailed below:

- 6 months, for lifting equipment and any associated accessories used to lift people.
- 6 months, for all lifting accessories.
- 12 months, for all other lifting equipment.

Lifting equipment and Accessory for lifting must be examined following 'exceptional circumstances', e.g. if it is damaged or fails, is out of use for long periods, or if there is a major change in how it is used which is likely to affect its integrity.

Lifting equipment will also need to be inspected at suitable intervals between thorough examinations. These inspections would normally include visual and functional checks and will be recorded.

09 INSPECTIONS

Where the safety of work equipment depends upon correct installation an inspection by a competent person, who is familiar with the equipment, must be undertaken prior to putting the equipment into service for the first time.

All guards or protective devices must be suitable for their purpose, of good construction, sound material and adequate strength. When selecting the appropriate guards, the following hierarchy of selection must be applied in the order given below:

1. Use of a fixed/enclosing guard.
2. Use of other guards and protection devices such as interlocking guards, infrared trip guards, pressure mats etc.
3. Protection appliances such as jigs, holders, and push sticks etc.
4. Provision of information, instruction, training and supervision.

Inspections will be undertaken by relevant persons, at intervals, stated in section 04.

10 MONITORING, AUDIT & REVIEW

The Health and Safety Team will regularly monitor and review any accidents/incidents that involve work equipment to ensure that the provisions of this policy were/are implemented.

This policy will be reviewed as part of the regular reviews, unless changing circumstances require an earlier review.

11 FURTHER INFORMATION

Further information is available through the HSE website (see link) or industry standards.

- <https://www.hse.gov.uk/work-equipment-machinery/>

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01 INTRODUCTION

Keeping records and the reporting to the enforcing authority for health and safety certain types of injury is a legislative requirement. The Reporting of Injuries, Disease and Dangerous Occurrence Regulations 2013 (RIDDOR) requires employers, and other people in control of work premises, to report and keep records of:

- Work-related accidents which cause death;
- Work-related accidents which cause certain specified injuries (reportable injuries);
- Work-related accidents which cause incapacitation of more than 7 days;
- Diagnosed cases of certain industrial diseases; and
- Certain 'dangerous occurrences' (incidents with the potential to cause harm).

Scope

This policy applies within all Lancaster City Council services, and applies to all members of staff and visitors involved in or witness to an accident, incident, near miss, or dangerous occurrence.

Purpose

This policy is intended to set out the company's arrangements for reporting and investigating accidents and incidents.

02 GENERAL STATEMENT

The organisation recognises the need for a simple, effective and efficient system of accident and incident reporting, not as a means of apportioning blame, but as a mechanism for identifying risks and learning from mistakes, therefore it is the policy of Lancaster City Council to report and investigate all occurrences. The degree of investigation being determined by the severity of the occurrence.

This document outlines the process to be followed when an employee or contractor experiences an accident, incident, dangerous occurrence or near miss whilst at work. This will also apply to visitors who are classed as members of the public and therefore not at work.

The organisation's aim is to reduce the number of accidents by:-

- Improving training and staff awareness;
- Implementing comprehensive risk assessments; and
- Learning from past experience in taking action to prevent recurrence.

03 LEGISLATION

Reporting of Injuries, Diseases & Dangerous Occurrences Regulations

It is a legal requirement under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR) to report certain injuries, diseases or dangerous occurrences. Employees, agency workers and members of the public are included where they are injured or suffer a disease as a result of a work activity.

GDPR / Data Protection

All accident/incident records should be stored in accordance with GDPR / data protection legislation as they contain personal information.

04 DEFINITIONS

Accident

An unplanned, unwanted event or series of events, which results in loss and / or damage (including physical injury) particularly those which arise out of, or in connection with, work.

In relation to RIDDOR, specifically those arising '**out of or in connection with work**' and acts of non-consensual violence **to people at work**.

There must be an identifiable external event that causes the injury, e.g. a falling object / striking someone etc. Injuries themselves, e.g. 'feeling a sharp twinge', are not accidents.

An accident may be caused through:

- The manner of conducting the work, this refers to the way in which any work activity is being carried out including how it is organised or supervised. In other words operating unsafe systems of work.
- The equipment plant or substances used for the purposes of the work. This includes, for example, lifts, hoists, baths, air conditioning units, beds, furniture, gas supplies, any substances used in conjunction with the work.

- The condition of the premises used for the work. This includes the condition of the structure or fabric of a building or outside area, e.g. car park, condition of floors, paving, stairs, lighting etc.

Cumulative exposures to hazards, which eventually cause injury (e.g. repetitive lifting), are not classed as 'accidents' under RIDDOR.

Near Miss

"Any event, which under slightly different circumstances, may have resulted in injury or ill health of people, or damage or loss to property, plant, materials or the environment or a loss of business opportunity".

Example: A window cleaner dropping a bucket from a height, which just missed a person standing underneath, would be classed as a "near-miss" incident. This incident did not cause an injury to a person but, under slightly different circumstances (the person standing nearer to the contact point) the person may have been injured.

Dangerous Occurrences

A notifiable event (to the relevant enforcement authority) of a type specified in schedule 2 of RIDDOR which could have resulted in a reportable injury even if, in the circumstances, it did not do so. There are 27 types of dangerous occurrences included in the "General Category" within schedule 2 of RIDDOR that are relevant to most workplaces. Examples are as follows:

- The collapse, overturning or failure of any load-bearing part of any lifting equipment, other than an accessory for lifting.
- Any plant or equipment unintentionally coming into contact with an uninsulated overhead electric line in which the voltage exceeds 200 volts; or close proximity with such an electric line, such that it causes an electrical discharge.
- Any explosion or fire caused by an electrical short circuit or overload (including those resulting from accidental damage to the electrical plant) which either results in the stoppage of the plant involved for more than 24 hours; or causes a significant risk of death.

05 ORGANISATION AND MANAGEMENT

Chief Executive Officer

The Chief Executive has overall responsibility for ensuring that the company meets its statutory obligations and that effective arrangements for the management of health and safety are put in place.

Chief Officer

The Chief officer of each department has executive responsibility to manage health and safety including compliance with Health and Safety at Work Act, etc. 1974 and other relevant legislation, best practice guidance and Company policies to meet legal and organisational requirements.

Health and Safety Team

The Health and Safety Team is responsible for advising on appropriate measures to meet legal and organisational requirements as required.

The Health and Safety Team are therefore responsible for the implementation of the provisions of this policy for reporting to any RIDDOR reportable injuries / diseases / dangerous occurrences under their jurisdiction by:

- Meeting the requirements of the RIDDOR, specifically to complete and submit the online RIDDOR reporting form.
- Ensuring copies of the RIDDOR report form are downloaded from the online reporting system on submission of the completed online form or a screen shot taken prior to submitting to take note of the reference number.
- Ensuring that accident / incident investigations are carried out for all RIDDOR reportable injuries / diseases / dangerous occurrences.
- Ensuring that occurrences are reported to other relevant statutory bodies in accordance with their requirement and timescales.
- Ensuring that following an investigation, relevant risk assessments and any local procedures are reviewed and any remedial action required to improve the effectiveness of control measures are implemented and documented within the risk assessments.
- Ensuring that the investigations form for all RIDDOR reportable / serious occurrences are completed on the online reporting system.
- Advise the Senior Leadership Team of such reports and of any corrective actions required.

Line Managers

Line Managers have direct responsibility for health and safety matters relating to premises under their control and for persons reporting directly to them and are therefore responsible for the implementation of the provisions of this policy for the departments under their jurisdiction by:

- Ensuring that all staff are aware of their responsibility to report any accident, incident, near miss or dangerous occurrence occurring to:-
 - a member of staff whilst carrying out their duties
 - a contractor, whilst on the premises carrying out their duties
 - a member of the public whilst on company property
- Ensuring that accident / incident reports are completed for each accident / incident that occurs on the online reporting systems.
- Ensuring that accident / incident investigations are carried out.
- Ensuring that occurrences are reported to other relevant statutory bodies in accordance with their requirement and timescales.
- Informing the Health and Safety Manager of all RIDDOR reportable accidents / injuries.
- Ensuring that advice provided by the Health and Safety Team is implemented
- Reviewing all accidents, incidents, near misses and dangerous occurrences at monthly intervals.

Health and Safety Representatives / Trade Union Representatives

Health and Safety / Trade Union Representatives have certain responsibilities and duties and are able to audit and complete inspections where required.

A health and safety representative is a fellow worker who represents other union members to look after the health and safety at work of people they work with.

Health and Safety Representatives have the right to:

- Take an active part in workplace risk assessments.
- Investigate potential hazards and 'dangerous occurrences' and examine the accident data.
- Investigate members' complaints.

- Carry out inspections of the workplace in work time, at least every three months.
- Be consulted on new working practices and new technology.
- Receive safety information from their employer (such as inspectors' reports, hygiene surveys and risk assessments).

Employees / Contractors

Employees and Contractors are responsible for reporting any accident / incident or near miss that occurs to themselves.

06 REPORTING REQUIREMENTS

What should be reported?

Employees are responsible for ensuring that all accidents, incidents (including those not requiring first aid), near misses and dangerous occurrences and any other unsafe situations are reported as soon as possible to their line manager or the person in charge of the premises at the time of the occurrence.

There are 2 levels of reporting:

- In house reporting
- Reporting under RIDDOR

07 IN HOUSE REPORTING

Paper reporting forms

Where staff members do not have access to the My Compliance system, a paper form must be completed and issued to either the responsible person for the facility or the department manager.

Electronic reporting system

The procedure for recording accidents and incidents is by completing an electronic accident / incident report form on 'My Compliance'. All accidents and incidents shall be recorded on the electronic system accessed from the relevant link provided on the company Intranet.

Employees must make a prompt, full and detailed report regarding the accident or incident, and the form must be completed clearly and as fully as possible.

It must contain only factual detail and not supposition or opinion. Some information fields on the systems are mandatory (compulsory) and this is indicated by an asterisk (*). These information fields must be completed to enable the form to be saved to the system. Failure to complete the mandatory information will result in an inability to save the form.

Managers, after checking that the form has been accurately and fully completed shall commence completion of the manager's investigation / response section. It may not be possible to fully complete this section until an investigation into the occurrence have been completed. In these circumstances the section should be closed as "In progress".

Please note – only when an accident / incident is classed as a RIDDOR (please see further guidance on RIDDOR reportable events) then the box should be clicked to state it is a RIDDOR.

Accidents to Visitors / Contractors / Residents

Any non-employee who is involved in an accident or near miss incident whilst on company premises or at a resident's home must report the incident immediately to the person in charge of the premises, who must ensure that the company procedure is adhered to.

All injuries, however minor, must be reported. Contractors should also notify their own employer where applicable.

If an injury occurs to a member of the public on company premises, which results in their removal directly from the scene of the accident to hospital for hospital treatment, then this is RIDDOR reportable.

Road Traffic Collisions

Please refer to the Driving at Work Policy, all incidents, or accidents in relation to an RTA must be reported by completing a 'Bumpcard', although they will not be RIDDOR Reportable.

08 RIDDOR REPORTING

Not all accidents which result in injuries need to be reported, a RIDDOR report is required only when the accident is work-related, and it results in an injury of a type which is reportable – detailed below:-

- **Deaths**

All deaths to employees and non-employees, except for suicides, must be reported if they arise from a work-related accident, including an act of physical violence to a worker.

- **Specified Injuries to employees**

- A fracture, other than to fingers, thumbs, and toes.
- Amputation of an arm, hand, finger, thumb, leg, foot, or toe.
- Any injury likely to lead to permanent loss of sight or reduction in sight in one or both eyes.
- Any crush injury to the head or torso, causing damage to the brain or internal organs.
- Serious burns including scaldings (covering more than 10% of the body, or damaging the eyes, respiratory system, or other vital organs).
- Scalping (separation of skin from the head) which require hospital treatment.
- Loss of consciousness caused by head injury or asphyxia.
- Any other injury arising from working in an enclosed space, which leads to hypothermia, heat-induced illness or requires resuscitation or admittance to hospital for more than 24 hours.

- **Over 7-day incapacitation injuries to employees**

An accident or incident at work, including physical violence, that results in an employee being incapacitated for more than 7 consecutive days.

Incapacitation in this context means being away from work, or unable to perform normal work duties, for more than seven consecutive days.

In the calculation of the period of incapacitation for work any days the injured person would not normally have been expected to work, such as weekends, rest days or holidays, must be included.

Note: Over-three-day injuries are not reportable under RIDDOR, unless the incapacitation period goes on to exceed seven days.

- **Injuries to non-employees**

Work-related accidents involving people who are not at work e.g. members of the public must be reported if a person is injured and is taken **directly** from the scene of the accident to hospital for treatment to that injury. There is no requirement to establish what hospital treatment was provided, and no need to report accidents where people are taken to hospital purely as a precaution when no injury is apparent. If the accident occurred at a hospital, the report only needs to be made if the injury is a 'specified injury' (see above).

Other RIDDOR reportable occurrences

Reportable occupational disease – These diseases include:

- Carpal Tunnel Syndrome: where the person's work involves regular use of percussive or vibrating tools.
- Cramp of the hand or forearm: where the person's work involves prolonged periods of repetitive movement of the fingers, hand or arm.
- Occupational dermatitis: where the person's work involves significant or regular exposure to a known skin sensitiser or irritant.
- Hand Arm Vibration Syndrome: where the person's work involves regular use of percussive or vibrating tools, or holding materials subject to percussive processes, or processes causing vibration.
- Occupational asthma: where the person's work involves significant or regular exposure to a known respiratory sensitiser ; and
- Tendonitis or tenosynovitis: in the hand or forearm, where the person's work is physically demanding and involves frequent, repetitive movements.

A reportable disease must be diagnosed by a doctor. Diagnosis includes identifying any new symptoms, or any significant worsening of existing symptoms. Employees need to provide the diagnosis in writing to their manager.

Exposure to carcinogens, mutagens, and biological agents

Regulation 9 requires employers and self-employed workers to report cases of occupational cancer, and any disease or acute illness caused by an occupational exposure to a biological agent.

For a full, detailed list, refer to the online guidance at: <https://www.hse.gov.uk/riddor/carcinogens.htm>

Reportable dangerous occurrences

Dangerous occurrences are certain, specified 'near-miss' events. Not all such events require reporting. There are 27 categories of dangerous occurrences that are relevant to most workplaces. For example:

- The collapse, overturning or failure of load-bearing parts of lifts and lifting equipment.
- Plant or equipment coming into contact with overhead power lines.
- Explosions or fires causing work to be stopped for more than 24 hours.

For a full, detailed list, refer to the online guidance at: <http://www.hse.gov.uk/riddor/dangerous-occurrences.htm>

09 HOW TO REPORT UNDER RIDDOR

The Health and Safety Team will use the appropriate methods below to report any RIDDOR report.

Online

The RIDDOR report form for workplace injuries can be accessed on the following link: <https://notifications.hse.gov.uk/riddorforms/Injury>

Please refer to the Lancaster City Council guidance document “HS Accident Reporting – Guide to completing RIDDOR report form prior to completing the online form.

Telephone

All incidents can be reported online but a telephone service is also provided for reporting fatal / specified, and major incidents **only** - call the Incident Contact Centre on 0345 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

10 REPORTING TIMESCALES

In House ‘My Compliance’ System

The following timescales apply to reporting accidents on My Compliance.

- Accident / Incident records - **within 24 hours** of the accident / incident occurring. If a major accident occurs, then this must be communicated to the Health & Safety Manager **within 12 hours** of the accident / incident occurring.
- A staff debrief **MUST** take place within 48 hours with the staff involved in the incident.

RIDDOR Reportable Injuries

‘Specified Injuries’

Notify the enforcing authority of the reportable occurrence by the quickest practicable means without delay. Complete the online RIDDOR report form within 10 days of the occurrence.

‘Over 7 day incapacitation’

Where staff have been absent (or not able to carry out their normal work duties) for more than 7 days, complete the online RIDDOR report form 15 days of the occurrence.

11 FOLLOW UP ACTIONS

- All RIDDOR reports must be completed by the Health and Safety Team.
- The Senior Leadership Team will be notified of any RIDDOR reports.
- All accidents / incidents must be investigated to help prevent a recurrence.

- Employees who have been injured must have a return-to-work interview prior to commencing their shift by their Line Manager, in order to discuss their fitness for work – whether they are fully fit for normal duties, or whether their injuries / conditions will cause any limitations in the workplace, in which case support measure must be considered and implemented where reasonably practicable until the IP is fully able to undertake their normal duties.
- It may be required that the IP is referred to the Rehabilitation Service or Occupational Health for professional assessment and advice regarding their ability to carry out full working duties.

12 INFORMATION / TRAINING

To enable employees to understand the importance and requirements of the reporting of accidents, incidents, dangerous occurrences and near misses, appropriate information and training shall be given to all personnel.

13 ACCIDENT INVESTIGATION

Line Managers are responsible for carrying out an investigation after an accident or near miss that has been reported. The purpose of the investigation is to determine the cause or causes so action can be taken to prevent a recurrence. It is not to apportion blame. The degree of investigation being determined by the severity of the accident/incident.

In the event of an accident occurring to a member of staff whilst carrying out their duties or any other person on company premises, the manager or person in charge of the premises at the time shall:

- Ensure that any injured person receives first aid treatment.
- Visit the scene of the accident, ensuring that no immediate hazard remains.
- As far as possible, establish the facts.
- Ensure that all witnesses make a written statement.
- Identify any immediate action required.
- Ensure that, where appropriate, any piece of equipment is withdrawn from service and isolated / identified so that it may not be used; and
- Where considered appropriate, make a sketch or arrange for a photograph to be taken complete relevant documentation.

See supplementary Lancaster City Council guidance document Accident Investigation for further details.

14 REVIEWING ACCIDENT INFORMATION

Accident records shall be reviewed at monthly intervals by managers to ascertain the nature of the accidents and incidents which have occurred, and that remedial action is implemented relevant and appropriate to the circumstances of the occurrence.

This review shall be in addition to an individual investigation of the circumstances surrounding each accident.

Accident information shall also be reviewed at monthly interval as part of the company's compliance and governance system.

15 ACCIDENT / INCIDENT RECORD KEEPING

Reportable Injuries

- Copies of the completed online report form must be forwarded to the Health and Safety Manager.
- Copies of the completed RIDDOR report forms shall be retained in accordance with company policy on document retention.
- Accident records must be kept securely in the premises complying with requirements of GDPR.

In house Accident / Incident reports

- Accident/incident reports for all services and offices shall be retained in accordance with company policy on document retention.
- Accident records must be kept securely in the premises complying with requirements of GDPR.

16 MONITORING AND REVIEW

Monthly statistical analysis will be provided to the Senior Leadership Team in a monthly overview report.

RIDDOR will be a regular agenda item for health and safety meetings.

This policy will be reviewed every 2 years, unless changing circumstances require an earlier review.

PEOPLE AND ORGANISATIONAL DEVELOPMENT COMMITTEE**HR POLICY DEVELOPMENT AND REVIEW**

18 July 2024

Report of the HR Policy and Strategy Lead**PURPOSE OF REPORT**

To enable the Committee to consider and approve the introduction of revised recruitment and selection, domestic abuse, maternity, partner, adoption, and shared parental leave policies and the introduction of a special leave (consolidating the emergency dependant leave, bereavement leave, compassionate leave, unpaid leave and carers leave policies) and parental leave policies.

This report is public.

RECOMMENDATIONS

That the draft policies appended to this report are considered by the committee and approved.

1.0 Introduction

- 1.1 The council has undertaken a phase four review of HR Policies which fall into the category of Special Leave, Family Friendly Leave, Domestic Abuse and a minor subsequent update to the Recruitment and Selection Policy which was approved more recently.
- 1.2 The policy review continues to concentrate on standardising format and branding of all the HR policies; bringing them in line with the branding selected to produce the employee handbook.
- 1.3 The policy review also concentrates on simplifying, consolidating and shortening policies where possible, so that they are easier to follow and digest for employees, trade unions and managers. Each policy makes clear the scope, the responsibilities of each party and the process to be followed and any rights and/or entitlements of employees.
- 1.4 It is considered that a lot of information currently in these policies would be better served in guidance documents to ensure that the policy is focused on the fundamentals of principles, entitlements and process. It is the intention that each of these policies will be introduced alongside a suite of supporting documents provided to both managers and employees to ensure they each feel equipped and prepared to engage with the processes.
- 1.5 The policies are appended to this report, as well as a policy amendments tracker which focuses specifically on amendments to the relevant policy.

2.0 Recruitment and Selection Policy

- 2.1 The existing LCC Recruitment and Selection Policy was recently reviewed, but a minor amendment is suggested following the implementation of the People Manager Essentials training, which was designed to improve line manager capability in undertaking interviews with all candidates.
- 2.2 During consultation, it was highlighted that the Guaranteed Interview Scheme has been replaced by the Disability Confident scheme, but there were still references within the policy to the Guaranteed Interview Scheme which have now been updated.
- 2.3 The policy previously required HR to be present during all interviews with candidates who were selected for interview in connection with the relevant Scheme. However, we consider that the introduction of another person in an interview may lead to increased pressure for the interviewing candidate, and following the roll-out of the People Manager Essentials training on recruitment and selection line managers should feel confident to undertake interviews, and to be clear on what reasonable adjustments are necessary in advance of the interview.

3.0 Domestic Abuse Policy

- 3.1 The LCC Domestic Abuse Policy and Procedure had not been reviewed since 2019.
- 3.2 The previous policy was fit for purpose and was consistent with the policies for other local authorities, however, we consider that this version is improved, with a much greater focus and emphasis on education, and spotting the signs of domestic abuse and also encouraging all staff members to encourage open conversations.
- 3.3 There is a greater focus on what adjustments can be put in place to ensure that victims of domestic abuse feel supported that they can ask for these specific things, and do not need to come up with the suggestions themselves (although they would be encouraged to do so in addition to that list in any case).
- 3.4 We have also introduced two days paid leave for victims of domestic abuse to use as they need to, to ensure that they do not feel any financial impact of having to take time out of work to make arrangements.
- 3.5 The policy makes reference to our existing White Ribbon Ambassadors as another support mechanism internally for victims of domestic abuse to discuss their circumstances with and to ensure that they feel they are speaking with someone who is equipped to discuss their situation and to point them in the most appropriate direction.
- 3.6 The policy also makes clear that domestic violence is a workplace issue. Not only an issue to be identified in the workplace and which can have a significant impact on a victim's ability to perform their roles (which we are clear will be taken into account when considering managing absence/performance) but also acknowledges that we may have perpetrators of domestic violence who work with us and that if their conduct outside of the workplace is considered relevant to their role, that this may be dealt with as a disciplinary issue.
- 3.7 The policy already included signposting to a number of relevant external sources of help, however we have taken a fresh look at these and included networks/organisations which cater more appropriately to the diverse group of people that we work with, to ensure that their specific needs are adequately reflected on, as we acknowledge that domestic abuse is more prevalent with certain groups of people. We have also included an organisation which provides help and support to perpetrators of domestic abuse and encourage any staff members who may be perpetrators of domestic abuse to get help.

4.0 Special Leave Policy

- 4.1 The Special Leave Policy is a new policy which seeks to consolidate Compassionate Leave, Bereavement Leave, Emergency Dependants Leave, Unpaid Leave and now includes the introduction of the statutory right to Carers Leave. Previously these were all separate policies which were due to be reviewed but combining them consolidates almost all situations for which an employee might need emergency time off work in one place.
- 4.2 All policies have been re-branded and re-formatted, but the key changes include the following:
- 4.3 Previously, when an employee submitted a request for Emergency Dependant leave, the line manager and/or HR needed to calculate how much annual leave was remaining before this could be approved. We have sought to simplify this by providing the right to two paid days' leave no matter how much annual leave is remaining and to introduce flexibility on how to report these emergencies so that employees can feel more comfortable to deal with the immediate emergency and inform us in a way they feel comfortable with. We have done so following the feedback of our internal staff networks.
- 4.4 As a result of consultation we have clarified in the policy that grandparents are included within the definition of Dependants, but LCC are committed to honouring Emergency Dependants leave for anybody that might rely on our employees for their care.
- 4.5 The Special Leave policy incorporates a new right for employees to take Carer's Leave for up to one week (pro rata) per year. The entitlements and notice requirements reflect the statutory offering, but we understand that advance notice will not always be possible, so we instead encourage employees to give as much notice as they are able to in the circumstances. We previously offered Unpaid Leave in excess of this, but this was subject to application and approval (which it continues to be but note the below changes), but Carers Leave is an *entitlement* for which LCC would only be able to delay/postpone in cases of serious disruption (which is again consistent with the statutory rules).
- 4.6 Previously, Unpaid Leave was subject to length of service criteria, and was also broken down into various types of unpaid leave based on the length of time off requested. We have sought to simplify this significantly by providing that Unpaid Leave of less than 3 weeks can be approved by a line manager, and anything 3 weeks or more needs to be approved by a Chief Officer. The only length of service requirement now is that an employee must have passed their probationary period to request a period of Unpaid Leave. A request for more than 12 weeks Unpaid Leave would be considered a Career Break.

5.0 Parental Leave Policy

- 5.1 Historically, there has not been a policy in place to reflect the statutory right of parents to take parental leave so this is a brand-new policy to summarise the right of a parent with 1 years' service or more to take up to 18 weeks' unpaid leave up until their child's 18th birthday. It mirrors the statutory regime in respect of entitlements, notice, and incorporates the additional rights of parents of disabled children.

6.0 Maternity Leave Policy

- 6.1 There has been little in the way of substantive change to the Maternity policy, save as to remove the limit of up to 5 working days (pro rata) holiday carryover. This is to acknowledge that it will not always be possible to take all holidays as a result of taking a period of family leave, and rather than losing any other leave, or being required to take it at a time that is not convenient for the employee, there is now no limit on carryover, but

this must be *at least* booked in the first 2 months of the following leave year. Following consultation, these matters have been further clarified in the attached drafts to ensure employees understand that there is no limit on carryover, and that they can pre-book those carried over days for *any time* in the next leave year provided this is done in the first two months after their return.

6.2 Following consultation, it has also been made clear within the body of the entitlements to leave and pay section, that an employees' maternity pay will be recalculated to reflect any pay increases during their leave (as opposed to in an FAQ section).

6.3 All other changes to the policy have been in respect of re-formatting, re-branding and re-ordering information so that it is easier to read for employees. The policy is now very clear on each parties' responsibilities and sets out in a logical order what is necessary from the employee and when. There have been no changes in respect of process or entitlement.

7.0 Adoption Leave Policy

7.1 Similarly with Maternity leave, there has been little in the way of substantive change to the Adoption policy, save as to remove the limit of up to 5 working days (pro rata) holiday carryover. This is to acknowledge that it will not always be possible to take all holidays as a result of taking a period of family leave, and rather than losing any other leave, or being required to take it at a time that is not convenient for the employee, there is now no limit on carryover, but this must be *at least* booked in the first 2 months of the following leave year. Following consultation, these matters have been further clarified in the attached drafts to ensure employees understand that there is no limit on carryover, and that they can pre-book those carried over days for *any time* in the next leave year provided this is done in the first two months after their return.

7.2 Following consultation, it has also been made clear within the body of the entitlements to leave and pay section, that an employees' maternity pay will be recalculated to reflect any pay increases during their leave (as opposed to in an FAQ section).

7.3 All other changes to the policy have been in respect of re-formatting, re-branding and re-ordering information so that it is easier to read for employees. The policy is now very clear on each parties' responsibilities and sets out in a logical order what is necessary from the employee and when. There have been no changes in respect of process or entitlement.

8.0 Partner Leave Policy

8.1 The Partner Leave policy has been renamed to "Partner Leave", which was previously named "Paternity/Partner" Leave. It was felt that including both was a half measure toward inclusivity, and Partner Leave is a more inclusive term to reflect the fact that all genders could be the "partner" to the primary parent.

8.2 The policy reflects the new statutory changes to how Partner Leave can be taken i.e. in 2 1-week blocks, and how much notice needs to be given of the intention to take Partner Leave (4 weeks in advance of each week if taking 2 1-week blocks).

8.3 LCC are cognisant of the disparity in the enhancement of maternity leave and pay and partner leave and pay. The existing position is that partners get one-week full pay regardless of length of service, and the second week was subject to the statutory eligibility requirements (meaning that some partners are not eligible for either pay, leave or even both in some cases) and statutory rate of pay. Now, LCC are committing to two weeks of normal pay for all regardless of length of service, which will hopefully ensure

that partners are not financially affected by taking Partner Leave, and therefore elect to take the second week to bond with their new child.

9.0 Shared Parental Leave Policy

- 9.1 There has been little in the way of substantive change to the Shared Parental Leave policy, save as to remove the limit of up to 5 working days (pro rata) holiday carryover. This is to acknowledge that it will not always be possible to take all holidays as a result of taking a period of family leave, and rather than losing any other leave, or being required to take it at a time that is not convenient for the employee, there is now no limit on carryover, but this must be *at least* booked in the first 2 months of the following leave year. Following consultation, these matters have been further clarified in the attached drafts to ensure employees understand that there is no limit on carryover, and that they can pre-book those carried over days for *any time* in the next leave year provided this is done in the first two months after their return.
- 9.2 All other changes to the policy have been in respect of re-formatting, re-branding and re-ordering information so that it is easier to read for employees as it is such a complex process. The policy is now very clear on each parties' responsibilities and sets out in a logical order what is necessary from the employee and when but this scheme already mirrors the statutory offering and no changes have been made to entitlements or process.

10.0 Comments and amendments following the JCC on 10 July 2024

Recruitment and Selection

- 10.1 Fixed typo at paragraph 4.5.
- 10.2 Clarified that LCC are responsible for the cost of DBS checks at paragraph 7.9.
- 10.3 Fixed typo at paragraph 15.1.

Domestic Abuse

- 10.4 Fixed typo at paragraph 7.3.

Special Leave

- 10.5 There was some discussion around the name of the policy, as Special Leave is a catch all term used in other Local Authorities. This author considers this is valid feedback and proposes that it be dealt with by efficient signposting on the intranet so that employees are aware of specifically what it covers.
- 10.6 The matter of a "wellbeing day" and a discussion around an increase in the number of paid days of emergency dependant leave was discussed. The author considers that LCC has improved on the existing position which was impacted by the number of holidays an employee had, but HR have also committed to reviewing the data in 12 months' time to get an accurate gauge on how often this is used, and what increasing this further may cost. We propose to introduce a Chief Officer discretion within the guidance for exceptional circumstances (which is likely to be where there is little flexibility in the employee's role).
- 10.7 Further clarified that bereavement leave is paid, and re-worded entitlement to parental bereavement leave following feedback from UNISON.

Parental Leave

- 10.8 Committed to postponing applications for parental leave in exceptional circumstances only.

Maternity Leave

- 10.9 Clarified that imposed maternity leave, will only be in cases of pregnancy related ill-health or suspension during the 4 weeks prior to the expected week of childbirth as requested by UNISON.
- 10.10 Included a sentence regarding a return-to-work conversation where line managers work with employees to agree how to use annual leave effectively. This will be reinforced in the manager guidance about what options could be suggested i.e. reducing working days by 1 day and using holidays to ease employees back in.

Adoption Leave

- 10.11 Included protection from redundancy to mirror maternity and shared parental leave at new paragraph 9.4.
- 10.12 Included a sentence regarding a return-to-work conversation where line managers work with employees to agree how to use annual leave effectively. This will be reinforced in the manager guidance about what options could be suggested i.e. reducing working days by 1 day and using holidays to ease employees back in.

Shared Parental Leave

- 10.13 Included a sentence regarding a return-to-work conversation where line managers work with employees to agree how to use annual leave effectively. This will be reinforced in the manager guidance about what options could be suggested i.e. reducing working days by 1 day and using holidays to ease employees back in.

11.0 Options

- 11.1 The options available to the Committee are to approve the revised policies as drafted, to approve the policies with amendments, or not to approve the policies.
- 11.2 However, if substantial changes in respect of any Policy are proposed at the People and OD Committee meeting, it may be appropriate for consideration of that Policy to be deferred to a future meeting to enable Officers to consider the proposed amendment in more detail and to consult further with the trade unions.

12.0 Conclusions

- 12.1 Members are asked to consider and accept the Officer recommendations set out above in respect of the draft policies appended to this report.

**CONCLUSION OF IMPACT ASSESSMENT
(including Health & Safety, Equality & Diversity, Human Rights, Community Safety,
Sustainability and Rural Proofing):**

Please see associated Equality Impact Assessment in respect of the proposed policies. There is no notable impact however I would always encourage the use of reasonable adjustments where any formal process is followed due to a disabled employees' ability to purposefully interact with a meeting.

LEGAL IMPLICATIONS	
There are no legal implications, save for compliance with legal requirements to implement and update policies.	
FINANCIAL IMPLICATIONS	
There are increased entitlements to leave with a slight financial impact for days' pay not worked, but rather than this being an additional "cost" this will be dealt with by an absorption of work in that employees' absence.	
OTHER RESOURCE IMPLICATIONS, such as Human Resources, Information Services, Property, Open Spaces:	
Chief Officers and their delegates, managers and HR have significant roles to play in these procedures. It would be recommended that as many managers as possible are upskilled in mediation and investigation so that more lower-level managers are able to be utilised.	
SECTION 151 OFFICER'S COMMENTS	
The Section 151 Officer has been consulted and has no comments to add.	
MONITORING OFFICER'S COMMENTS	
The Monitoring Officer has been consulted and has no comments to add.	
BACKGROUND PAPERS	Contact Officer: Laura Collins
Policies and policy amendment tracker are appended.	E-mail: lcollins@lancaster.gov.uk

HR Policy Amendments Tracker

Policy Section Number (new number)	Existing/New Section	Section Heading	Amendment/addition Notes
Recruitment and Selection Policy			
9.2	Revised Existing	Disability Confident Scheme and Armed Forces Veteran	It was highlighted on consultation that the policy referred to the “Guaranteed Interview Scheme” rather than the Disability Confident Scheme (which was referenced elsewhere within the policy). This has been updated within the policy, but the major change is to remove the requirement for HR to attend these interviews. Line managers have had People Manager Essentials training, which was an extensive session on the recruitment and selection policy, and it is therefore considered unnecessary to include another member of staff to make disabled candidates feel more at ease. It is acknowledged that having more people in an interview could cause considerable pressure, and line managers should be equipped to conduct an interview alone, having prepared and understood any reasonable adjustments necessary ahead of time.
Domestic Abuse Policy			
N/A	N/A	Branding	Policy re branded to new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the substantive provisions.
4-8	New		The domestic abuse policy has been revised significantly, but the policy itself doesn't have a process to follow, but more so the commitments LCC makes to victims. Those commitments are captured in brand new clauses 4-8 which focus on the importance of confidentiality, an explanation of who can be affected by domestic violence and what it is, acknowledging that it can have an impact on the workplace, encouraging open conversations, and listing the specific support and adjustments which are on offer (including a new entitlement to 2 days paid leave).
9	New	Disciplinary action against perpetrators	The existing policy is silent on what (if any) action would be taken against the perpetrators of domestic abuse. The revised policy makes clear that any domestic abuse in the workplace will not be tolerated, and also captures the fact that LCC may consider taking disciplinary action if domestic abuse has taken place outside of the workplace, but which has an impact on someone's role. Following consultation, we have specifically included that this might be where conduct could bring LCC into disrepute or where we have to balance our duty of care to another employee.
N/A	N/A	White Ribbon Ambassadors	We have a network of trained employees who are available to the victims of domestic abuse or their line managers who are equipped to have open conversations and provide the appropriate support. The revised policy signposts them as additional sources of support.

Parental Leave Policy			
N/A	N/A	Branding	Policy introduced with branding to match new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the entitlements and procedure to be followed.
4	New	Entitlement	Reflects statutory scheme – eligible employees must have 1-year continuous service and have or expect to have parental responsibility for the child and be taking the time off to care for the child. They are entitled to 18 weeks leave per year unpaid and can take no more than 4 weeks in any one year.
5	New	Taking parental leave	In ordinary circumstances, no more than 4 weeks of leave can be taken in one year and must be taken in 1-week blocks, however for parents of disabled children, they can take their leave in less than 1 week blocks if necessary, but they are still subject to the same requirement to take no more than 4 weeks per year and no more than 18 weeks in total.
6	New	Our right to postpone	The statutory scheme acknowledges an employers right to delay/postpone parental leave, which would only be in cases of undue disruption, but our policy reflects the statutory regime that any postponement cannot be beyond 6 months. It should only be in exceptional circumstances that a request is postponed/delayed.
Special Leave Policy			
N/A	N/A	Branding	Policy introduced with branding to match new format. The policy consolidates 4 existing policies and introduces the new statutory right to Carers Leave.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed for each individual policy.
3.	New	Definitions	Following consultation, definition of Dependant has been clarified to include grandparents.
N/A	N/A		Following feedback from internal networks, it has been repeatedly fed back that employees would prefer not to have to telephone their line managers in emergency situations for a variety of reasons. In each of the policies where contact is necessary, any method of communication is now acceptable, but employees will be expected to accept a follow-up call from their line manager at an alternative time if the line manager contacts them. This concession is to acknowledge that not everybody communicates in the same ways and particularly in emergency situations it may be particularly distressing, whilst also highlighting the importance of LCC knowing where staff are and appropriately recording absences for pay reasons.
		Emergency Dependants Leave	Simplified to not refer to annual leave at all (previously if there was outstanding annual leave there would be no paid entitlement) and to provide everybody regardless of length of service 2 paid days off to attend to dependant emergencies.
		Carers Leave	The government recently introduced a new statutory right to Carers Leave. This is an entitlement to 1 working week of unpaid leave to deal with caring responsibilities. The LCC policy reflects the statutory offering in respect of entitlement and eligibility and notice requirements (i.e. For ½ or 1 day of leave, 3 days' notice is required or for longer, then twice the amount of leave as notice) albeit we acknowledge within the policy that the notice provisions may not always be met given the emergency nature of care. Requests cannot be refused but they can be delayed in exceptional circumstances, and it would only ever be in truly exceptional circumstances that a request be delayed.
		Unpaid Leave	The existing policy separated out Unpaid Leave into different categories according to the length requested and had different length of service requirements for each. The eligibility has been simplified so that all employees who have passed probation are entitled to make a request. For any requests less than 3 weeks this can be approved by the line manager, and for any requests 3-12 weeks, need to be approved by the

			Chief Officer. The request process is the same, and requests can be rejected for business reasons. Any Unpaid Leave which exceeds 12 weeks will be considered a career break.
Maternity Leave Policy			
N/A	N/A	Branding	Policy introduced with branding to match new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
7.1-7.2	Revised existing	Annual Leave	The existing policy provided a limit on holiday carryover to 5 days. This has been revised to remove this limit on carryover, to ensure that all outstanding leave can be carried forward, but to implement a time limit to book the leave i.e. any carried over leave must be pre-booked in the first 2 months after returning (but this can be booked for any time of the year). This was the intention from the outset but has been clarified to make that intention clear as a result of consultation.
Adoption Leave Policy			
N/A	N/A	Branding	Policy introduced with branding to match new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
7.1-7.2	Revised existing	Annual Leave	The existing policy provided a limit on holiday carryover to 5 days. This has been revised to remove this limit on carryover, to ensure that all outstanding leave can be carried forward, but to implement a time limit to book the leave i.e. any carried over leave must be pre-booked in the first 2 months after returning (but this can be booked for any time of the year). This was the intention from the outset but has been clarified to make that intention clear as a result of consultation.
Partner Leave Policy			
N/A	N/A	Branding	Policy introduced with branding to match new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
		Name of Policy	Policy renamed to Partner Leave as a more inclusive name to acknowledge all genders who are partners to primary parents.
		Entitlement	The existing policy was an enhancement beyond the statutory. All employees were entitled to 1 week full pay and leave regardless of length of service, but the second week was subject to statutory pay and eligibility for leave. Now, the policy provides for 2 weeks enhanced pay and leave no matter the employees' length of service, and therefore the provisions relating to eligibility have been removed. There are new statutory regulations in relation to how leave can be taken and the notice requirements, so these have been updated within the policy i.e. leave can be taken in 2 1 week blocks and 4 weeks' notice of each week must be given.
Shared Parental Leave Policy			
N/A	N/A	Branding	Policy introduced with branding to match new format.
N/A	N/A	Generic Layout	Layout follows new format. Scope, Purpose, Roles & Responsibilities followed by the procedure to be followed.
7.1-7.2	Revised existing	Annual Leave	The existing policy provided a limit on holiday carryover to 5 days. This has been revised to remove this limit on carryover, to ensure that all outstanding leave can be carried forward, but to implement a time limit

			to book the leave i.e. any carried over leave must be pre-booked in the first 2 months after returning (but this can be booked for any time of the year). This was the intention from the outset but has been clarified to make that intention clear as a result of consultation.
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Recruitment and Selection Policy

1. Scope

- 1.1 The Council's Recruitment and Selection Policy applies to all Council Vacancies. Any Council Employee involved in recruitment and selection has a duty to act in line with this policy.
- 1.2 The exception to this is Chief Officer Vacancies for which separate arrangements are in place, please refer to the council's constitution for further information.

2. Objectives and Principles

- 2.1 Lancaster City Council recognises the need to ensure that a robust and efficient recruitment and selection process is in place for Council vacancies to ensure that the best employees are recruited and selected to contribute to the work of the Council in line with appropriate legislation and guidelines.
- 2.2 The Council recognises the link that can develop between a poor recruitment and selection process and an employees' inability to perform in a new role. It is therefore important to ensure that the selection process is appropriate to assess the skills and knowledge of the applicants and is fitting to the role.
- 2.3 The objectives of this policy are:
 - To ensure that applicants are treated fairly and lawfully at all stages of the recruitment and selection process.
 - To ensure that safe selection is carried out for posts working with vulnerable groups.
 - To ensure that recruitment to council vacancies is carried out in line with Equalities legislation.
- 2.4 The following principles apply to the Council's procedures for dealing with recruitment:
 - The council will ensure that all recruitment is conducted in a fair and transparent way and that selection decisions are based on objective and justifiable criteria.
 - Recruitment will be undertaken in a cost efficient and effective way.
 - The process will promote the Council as an employer of choice in order to attract the best candidates.

3. Responsibilities

3.1 Management responsibilities

- to apply objective and fair recruitment practices which comply with this policy.
- recruit and select skilled people to ensure organisational success.
- control staffing establishments and seek appropriate authorisations where applicable to recruit to vacant positions.

3.2 HR responsibilities

The HR Team are responsible for providing advice and support to managers and employees during the recruitment and selection process.

To this end HR will:

- provide advice and guidance to managers, employees, and trade union representatives on the correct implementation of the policy and procedure.
- Provide advice to managers to ensure that they treat all applicants in a fair and equitable manner through the consistent application of this procedure.
- administer the recruitment process including corresponding with applicants shortlisted for interview, carrying out pre-employment checks, producing offer letters and processing DBS applications.
- Monitor equal opportunities in line with council recruitment procedures.
- Liaise with the Council's advertising agency and ensure that vacancies are placed on Jobs Go Public and other relevant advertising medium.
- keep records in line with the Data Protection Act.

4. Authorisation to Recruit

- 4.1 Prior to advertising a vacancy, recruiting managers must seek authorisation from the relevant Chief Officer and additional signatories when required if filling a new post.
- 4.2 This should be done using the Councils Vacancy Authorisation Form
- 4.3 Managers should confirm the duties of the role by revisiting the job description and person specification in line with section 6 prior to seeking authorisation to recruit.
- 4.4 For all vacancies, particularly grade 5 and 6 roles, consideration should be given to whether the post could be converted into an apprenticeship or career graded role.
- 4.5 All posts should also be considered for part time and flexible working arrangements that differ from the standard 37-hour week, should the duties of the post allow it. For these vacancies It should be noted on the advertisement that alternative hours and working arrangements will be considered. Applicants should then state their preferred hours/pattern of work in their application.
- 4.6 In addition to the above two considerations, recruiting managers and Chief Officers should also consider that a like for like recruitment to an existing post is the best value for money and best decision for the service and the Council. Factors such as whether the post is still needed and if so could be done in a different way, e.g. is the

job required on the same hours or the same duties or will the job be affected by current or future organisational objectives or restructuring, could it be done partnership with another organisation.

5. Job Evaluation

- 5.1 All of the council's posts are graded in line with the Willis Towers Watson Global Grading System.
- 5.2 Any new posts should be evaluated and moderated by Human Resources prior to the completion of the relevant vacancy authorisation process.
- 5.3 Prior to advertisement recruiting managers should revisit the job description for existing posts and ensure that this is updated. Should this mean any significant changes to the post, for example a reduction or increase in the number of staff that the post manages, the grade of the post should be re-evaluated by Human Resources.

6. Record Keeping and Confidentiality

- 6.1 Recruitment records will be retained by Human Resources and recruiting managers should ensure that all information is sent to the recruitment team with the selection information for the successful candidate. This includes the short-listing scoring matrix, records of tests and interviews and any scoring sheets.
- 6.2 Recruitment records will be kept for a maximum of 1 year at which point they will be destroyed in line with the council's retention and disposal schedule.

7. Safeguarding Children and Vulnerable Adults and Rehabilitation of Ex-Offenders

- 7.1 The council has a responsibility to safeguard children and vulnerable adults as well as ensuring that ex-offenders are not unfairly discriminated against due to any previous convictions (Rehabilitation of Offenders Act 1974).
- 7.2 All applicants will be asked to declare whether they have any unspent criminal convictions on their application for employment.
- 7.3 Having a criminal record will not necessarily be a bar to obtaining a position with the Council. This will depend upon the nature of the position and the circumstances and background of the offence/s.
- 7.4 When an applicant has disclosed on their application form that they have a conviction that is not spent, consideration should be given to the seriousness of the offence, the length of time that has elapsed since the conviction and the age of the applicant at the time. Recruiting managers must consult with human resources and their Chief Officer when considering unspent convictions, and decisions relating to these documented. It should be noted that if the conviction will not have an adverse effect on the candidate's ability to carry out the duties of the job, then they should be treated as any other candidate.
- 7.5 If a furthermore detailed check is required on conditional offer of appointment the employee will be asked to complete a Disclosure and Barring Service application form through the councils DBS check provider, Personnel Checks. Any posts that require a DBS check will clearly state that a clearance is required on the advert, person spec and job description. DBS checks may be standard or enhanced dependent on the level of contact with vulnerable adults and children.

- 7.6** The Council requires DBS Disclosures for all individuals whom it wishes to employ in jobs which:
- may potentially give them one to one access to children.
 - give them regular access to vulnerable adults in a one-to-one caring, training or supervisory role.
 - are otherwise eligible because of the nature of the post.
- 7.7** Any matters revealed by Disclosures will be discussed with the candidates before any final recruitment decision is made.
- 7.8** The Council will not retain any information with regards to disclosures only the certificate reference number and issue date, all data will be processed and retained by Personnel Checks in line with their Privacy Policy.
- 7.9** Posts which require a DBS check will require the postholder to have regular DBS checks at 3-year intervals throughout their employment (the cost of which will be covered by LCC). Renewals should be monitored and arranged by Line managers. Renewals can be requested from Human Resources.

8. Permission to work in the United Kingdom

- 8.1** The Asylum and Immigration Act 1996 requires the council to ensure that all new employees are legally allowed to work in this country. As such it is an offence to employ a person with no immigration entitlement to work in the United Kingdom.
- 8.2** Applicants will be asked on the Application for Employment form to provide their national insurance number and to confirm that they are eligible to work in the UK. Applicants shortlisted for interview will also be required to provide verification of their national insurance number at the interview stage.
- 8.3** As of 01 July 2021 all EU, EEA and Swiss citizens are no longer be able to use their passport or national identity card to prove their right to work. The council are therefore required in these cases to check applicants your right to work status online. Applicants will be requested to provide the recruitment team with their online share code and date of birth to do so.

9. Equality and Diversity

9.1 Equality Monitoring

The council will ask job applicants for information on a voluntary basis for equality monitoring purposes. This information will not be made available to the recruitment panel.

Human resources will monitor equality information to ensure recruitment and selection procedures comply in full with employment law and the Council's Equality and Diversity Policy.

9.2 Disability Confident Scheme and Armed Forces veterans

The council operates guaranteed interviews for those who declare a disability and those who have served in the Armed Forces. This is because there are often barriers to employment for these applicants. The Council therefore seeks to remove any disadvantage they may face by making an adjustment to our recruitment process.

This approach to recruitment and selection is recognised in the Councils Disability Confident membership and Ministry of Defence Gold Employer Recognition Scheme Award.

Those applicants who meet the minimum essential criteria for the role will be guaranteed an interview. Should the minimum essential criteria not be met, recruiting managers will be asked to note which of the essential criteria have not been met and therefore justify why the applicant has not been selected for interview.

HR will inform the recruiting manager of any adjustments required for the interview and it will be the managers responsibility to implement these. More information regarding interviewing through the scheme can be found in section 12.

It should be noted that it is unlawful to ask a disabled applicant, who has been shortlisted through the Disability Confident scheme about their disability prior to any offer of employment being made.

More information regarding veteran applicants can be found in the Armed Forces Community Employment Policy.

10. Advertising

- 10.1** Consideration will always be given in the first instance to any employees who are at risk of redundancy and are on the council's redeployment register. Adverts will be held back until redeployees have had a minimum of three working days to express an interest.
- 10.2** In order to support career progression opportunities for internal staff managers should consider carefully for all roles whether posts can be advertised internal only prior to external advertisement, except for Grade 5 and apprenticeship posts.
- 10.3** All external vacancies should be advertised through the council's advertising platform, Jobs Go Public. External Vacancies will also be advertised on Indeed job search recruitment board, DWP 'find a Job' Forces Families Jobs and the Career Transition Partnership. Adverts will also be boosted on social media.
- 10.4** Internal only vacancies will be advertised on the council's intranet site and internal applicants will be asked to complete a modified word version of the online application form, an expression of interest form.
- 10.5** If wishing to advertise further Human Resources can assist with sourcing appropriate publications, upon advice from the Council's advertising agency regarding factors such as readership, copy deadlines and number of hits on websites. Cost of further advertising should be met from service budgets. Services are responsible for arranging their own purchase orders and paying any subsequent invoices.

11. The Application Process

- 11.1** All external candidates will be required to apply using the council's online application process hosted by Jobs Go Public. For most vacancies, a full application form should be completed. CV's and paper applications will not be accepted.
- 11.2** A shortened version of the application form which involves completion of key monitoring information and attachment of a CV can be made available should recruiting managers feel that a more streamlined application process would be preferable for a particular role e.g., specialist hard to recruit to roles. Recruiting Managers should discuss this option with their HR business partner should they wish to explore it.
- 11.3** For applicants with disabilities alternative methods of application can be made available including paper formats as part of a reasonable adjustment to the recruitment process. Candidates are asked to request these alternatives from the Recruitment Team.

12. Shortlisting

- 12.1** The Recruiting Manager has a responsibility to ensure that only the criteria stated on the Job Description and Person Specification are used for shortlisting purposes and that the same criteria is applied to all applicants using a shortlisting matrix. Short-listing decisions must be based on the information contained in the application form only.

- 12.2** The recruiting manager can make the decision, with agreement from all panel members, to re-advertise a post if it is not possible to form a shortlist from the applications received.
- 12.3** Shortlisting panels will be a minimum of two employees and should be the same employees that form the interview panel.
- 12.4** If many applicants meet the essential criteria, then the desirable criteria should be considered to reduce the shortlist. This can be all the desirable or certain specific desirable criteria which have priority. The important thing is that all panel members are consistent and that this is applied to all applicants. Any criteria used must be in the original person specification and be job related.
- 12.5** Applicants are informed during the online application process that they should assume they are unsuccessful if they are not contacted within three weeks of the closing date.
- 12.6** Shortlisting for all vacancies should be completed within 10 working days of the closing date if managers know that the shortlisting may take longer due to, for example, the likely popularity of a vacancy and number of resultant applications this should be discussed, before advertising, with Human Resources.

13. Declarations and Restrictions

13.1 Politically restricted posts

The Local Government and Housing Act 1989 imposes restrictions on political activities by employees who hold certain posts. This includes the Chief Executive, Chief Officers, and any posts that are 'politically sensitive' i.e., giving advice on a regular basis to Elected Members or speaking on behalf of the Council on a regular basis to journalists or broadcasters. If a post is deemed politically restricted this should be indicated on the advertised job details and job description.

13.1 Declaration of interests or relationships

Applicants are required to declare any relationships to existing employees or Elected Members. Applicants also have a duty to declare any interests that they may have in respect of any aspect of the Council's business. Further details are in the Code of Conduct.

It is the recruiting manager's responsibility to ensure that if an applicant declares an interest or relationship, that the person concerned does not take any part in the recruitment process.

If the recruiting manager themselves or any member of the recruitment panel identify that they have an interest or relationship with an applicant they must declare the fact to Human Resources immediately and either remove themselves from the recruitment process or agree with the Human Resources appropriate measures and safeguards to ensure that the recruitment and selection process is fair and cannot be influenced by any personal interest or relationship.

14 Selection Methods

- 14.1** The Application Form and interview remain central to the selection process. To ensure the right fit for the role however other selection methods should also be considered that are relevant. Using a mixture of selection methods demonstrates the council's commitment to trying to ensure that the best person is appointed as a more rounded view of individuals may be obtained. Additionally, all candidates are allowed the opportunity to demonstrate their suitability for the role in different situations.
- 14.2** The purpose of any selection method is to gather information about candidates and to help predict their performance in the job. They should be fair, objective and add value to the selection process. Selection methods used may include:
- Assessment Centres
 - Case studies
 - Group discussions
 - In-tray exercises

- Presentations
- Problem-solving
- Tests
- Work based tasks.

14.3 Guidance on selection methods is available on the HR pages of the intranet or from the HR team itself.

15. Interviews

15.1 The panel

All recruitment interviews should be performed by employees who are competent and have previous experience in recruiting staff. Where an employee is inexperienced, they should seek to have two other experienced managers on the panel.

As with all management essential skills a variety of learning and development options are available to ensure those undertaking recruitment are suitably skilled to do so, ranging from online recruitment and selection toolkit guidance and e-learning to ad hoc face to face recruitment and selection training and coaching with the service HRBP/Advisors.

Panels should be made up of a minimum of 2 employees however, where possible and appropriate to the vacancy, 3 panel members are advised to ensure that there is a third party should the two panel members disagree.

The council encourages the use of shortlisting and interview panels which represent a mix of gender and ethnic origin where possible and this should be considered when appointing panel members.

If an applicant is flagged as having applied through the guaranteed interview scheme as an armed forces veteran, a member of the councils armed forces network can assist with interviews and shortlisting. Managers should request the assistance of a network member by contacting HR.

15.2 Pre employment checks on the day of the interview

On the date of interview recruiting managers should conduct initial employment checks of candidates.

This includes witnessing any essential qualifications for the role, taking copies and signing them to confirm the original has been witnessed and sending the relevant copies on to HR.

Managers should also conduct right to work checks to ensure that the applicant has permission to work in the UK. Guidance on how to conduct these can be found on the Recruitment Pages of the HR intranet and will be sent to recruiting managers by the recruitment team prior to the interview.

15.3 Appropriate Notice of an Interview

All candidates should receive at least 5 working days' notice of their interview. To assist in the administration of this, recruiting managers should provide shortlisting information to HR at least 7 working days before the proposed interview date.

15.4 Recruiting to Our Values

Recruiting managers should ensure that recruitment is conducted in line with the councils Values of Pride, Ownership, Working Together and Ambition.

It is essential that the interview questions include values-based questions and that the values are discussed at interview to ensure that employees with the correct values to drive the councils' ambitions are recruited.

15.5 Second Interviews

If there is a substantial number of candidates shortlisted for interview it may be appropriate to conduct an initial short first stage interview followed by a more detailed interview with a shorter number of candidates.

Additionally, if a recruitment panel is unsure of their decision or require further information then a second interview should be arranged. This is to ensure all candidates are asked the same questions and that the correct selection decision is made.

16. Feedback and Offers of Employment

- 16.1** The recruiting manager should contact the successful candidate to make a verbal offer of employment.
- 16.2** When making the verbal offer the following should be confirmed:
- The salary being offered.
 - That the offer is subject to satisfactory references, probation and any other checks (e.g. a DBS Disclosure, evidence of qualifications if for some reason this has not already been obtained) It should also be confirmed with the candidate that they are happy for references now to be obtained.
 - A formal written offer will be sent from human resources.
 - That the candidate accepts the offer.
- 16.3** All unsuccessful interviewed candidates must also be informed by the chair of the panel that they have not been selected for the position and given verbal feedback on their interview within three working days. Should applicants wish to receive their feedback in writing the chair of the panel should provide this to them within 10 working days of the interview.

17. Pre-Employment Checks and Probation/Appointment Review

- 17.1** Successful candidates will be required to undertake a number of pre-employment checks before they take up their post. The specific pre-employment checks will be determined by the nature of the role and could include references, medical, DBS, qualifications (including driving), professional registrations and right to work in the UK.
- 17.2** In no circumstances must any employee begin work without the relevant checks being confirmed as completed by Human Resources. This includes any agency staffing that may be used as a temporary resource. Please note that in line with 18.3 all use of agency staffing must be discussed with Human Resources.
- 17.3** Internal applicants will still be required to have a modified number of pre-employment checks and provide the relevant documentation before they are able to transfer into their new role.
- 17.3** All appointments are subject to a 6-month probation review (appointment review in the case of internal applicants) for an advertised vacancy.

18. Recruitment Difficulties

- 18.1** If a candidate accepts an offer and subsequently gives backword or leaves a post quickly upon appointment, and a similar or the same job in the same work area at the same grade was filled in the last six months, and there was more than one appointable applicant, it is permissible to offer the job to the next ranked applicant from that recruitment process.
- 18.2** Where a recruiting manager is struggling to fill a vacancy, they should discuss this with their HR Business Partner who will be able to advise on further recruitment strategies and options.
- 18.3** Under no circumstances should vacancies be temporarily filled by alternative means such as off payroll workers or agency staffing without prior discussion with Human Resources.

19. Recruitment Complaints

- 19.1** Applicants who have a complaint to make about the recruitment process can do so through the council's complaints procedure or by writing directly to the Head of HR and OD.
- 19.2** Internal employees who have a complaint about the recruitment process should use the council's grievance procedure.

20. Appointment of staff who have previously left on the grounds of voluntary redundancy/early retirement

- 20.1** In line with the provisions of the Councils' early termination of employment policy applicants who have within the last 12 months left the council on the grounds of voluntary redundancy/early retirement will not be permitted to return until 1 year has elapsed.
- 20.2** For those who have left the council at Chief Officer level on the same grounds it is the councils' policy that only in exceptional circumstances will they be permitted to return.

21. Review

- 21.1** This policy will be reviewed 2 years after implementation or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0	03.06.13	New Policy replacing old Recruitment of Selection code of Practice with shorter policy and accompanying guidance.	03.06.15
2.0	13.07.23	Policy revised and rebranded to new master policy template. A full review of policy conducted and amendments approved by People and OD Committee.	13.07.25
3.0		Policy revised pursuant to People Manager Essentials training on recruitment and selection	



Domestic Abuse

1. Who does this policy apply to?

- 1.1 This policy applies to all employees, officers, consultants, contractors, volunteers, interns, casual workers and agency workers.

2. What is the purpose of this policy?

- 2.1 LCC is committed to supporting staff affected by domestic abuse. We recognise that members of staff may experience domestic abuse and that this may have an adverse impact on their working lives.
- 2.2 The purpose of this policy is to recognise domestic abuse as an issue, raise awareness of domestic abuse and its impact on work (including how we can provide a safe place of work for those experiencing domestic abuse), encourage open conversations between line managers and staff and to direct staff to relevant advice and assistance.

3. What roles do the employee, line managers, the Council and HR play in this policy?

3.1 Employee Responsibilities

- ❑ All staff members should be aware of domestic abuse so that they can support those experiencing abuse or otherwise affected by abuse. If employees have any concerns or recognise any of the signs of domestic abuse captured within this policy, they should deal with this sensitively and encourage the employee to speak with their line manager in confidence.

3.2 Line Manager Responsibilities

- ❑ Not to share with anybody else (even HR) the information disclosed by anybody to whom the policy applies (unless it must be shared in the interests of safety, to process any adjustments or with the employee's consent).
- ❑ To respond appropriately to and provide appropriate support to any staff who have disclosed domestic abuse.
- ❑ To direct all staff members who make disclosures of domestic abuse to the external sources of help captured in this policy.

3.3 HR Responsibilities

- ❑ To be on hand for any questions from line managers or anybody to whom the policy applies on the day-to-day application of this policy.

3.4 Council responsibilities

- ❑ To empower line managers to respond appropriately to any disclosures that are made.
- ❑ To ensure this policy is updated every two years or earlier in the event of any updates.

4. Confidentiality

- 4.1 Any information shared with a line manager about domestic abuse will be treated as highly confidential and will not be shared internally, including to HR, except where necessary and on a “need-to-know” basis.
- 4.2 There may be occasions when it is appropriate for a line manager or others to share information provided to them about domestic abuse (whether internally, externally, or both) (see paragraph 7.4 for more information). Individuals should not hesitate to speak with their line manager or a White Ribbon Ambassador if they have any concerns about how their information might be shared. Our White Ribbon Ambassadors are signposted [here](#).

5. Domestic abuse

- 5.1 Domestic abuse is abuse which takes place between two adults who are personally connected to each other. We use the term “victim” to refer to the individual who has been, or is being, subjected to domestic abuse. However, we acknowledge that an individual may not identify as a victim and prefer to be described differently. We use the term “perpetrator” to describe the individual who has committed, or is committing, domestic abuse.
- 5.2 Domestic abuse is complex; it can take many forms and may involve a single incident or a course of conduct. Examples could include psychological, emotional, or economic abuse, physical or sexual abuse, controlling or coercive behaviour and violence or threats of violence. It can involve (among other things): exploitation, subordination, manipulation, humiliation, harassment, isolation, or intimidation. It can be related to faith or be honour-based. It may not necessarily be directed at the victim but nevertheless be intended to cause them distress (for example it may be directed at children within the family unit or a colleague). It is extremely serious and may result in criminal proceedings.
- 5.3 The signs of domestic abuse are not always visible or obvious and individuals experiencing abuse may attempt to hide the effects of that abuse. They may also provide an alternative explanation for any signs of abuse that are apparent to colleagues or be reluctant to engage in conversation. Some victims may not identify their experiences as those of domestic abuse at all.
- 5.4 LCC recognises that anyone can be affected by domestic abuse irrespective of sex, sexual orientation, gender reassignment, disability, race, age, or any other protected characteristic. However, women are more likely to experience domestic abuse and be killed a result of that abuse. In addition, some individuals may be vulnerable to domestic abuse because, for example, they are also disabled or have recently come out as transgender.

6. Domestic abuse IS a workplace issue

- 6.1 Abuse that an individual experiences at home is likely to have a direct impact on every aspect of their life, including their work life. Staff members who work from home may lack a space away from the perpetrator of the domestic abuse. Domestic abuse may also extend to the workplace itself as the perpetrator may harass the victim at work (for example by attending the workplace in person or by telephoning or sending messages to the workplace).
- 6.2 Economic abuse is one of the most prevalent forms of domestic abuse. It may include attempts to interfere with the victim’s work by, among other things, sabotaging career prospects (for example, by attempting to undermine an individual’s reputation at work) controlling working hours or ability to participate in work-related activities, making the victim late for work or insisting on driving them to and from work, destroying work clothes, isolating the victim from colleagues, demanding earnings be paid into a specific bank account or diverting monies paid into a joint account, destroying the victim’s confidence so that they feel unable to work, and causing injuries that result in sickness absence.

- 6.3 LCC acknowledges that domestic abuse may be experienced by any staff member, irrespective of their level of seniority or role within the organisation. LCC also recognises that a staff member's children who have seen, heard or experienced the domestic abuse are also victims. Whatever the individual's role, LCC recognises that their ability to concentrate and perform at work is likely to be affected and that domestic abuse may be the underlying reason for any capability, absence or conduct issues. Where this is the case, we encourage individuals to let their line manager know so that adjustments to our usual procedures can be made where appropriate.
- 6.4 We want all our staff members to be able to remain in, and thrive at, work. Given that domestic abuse may involve attempts to stop an individual's source of income (for example by causing the individual to leave employment) or otherwise sabotaging an individual's career, we are particularly keen to provide support to staff members who may be at risk in this way. LCC will seek to identify ways in which it can help these individuals to remain in work. If a perpetrator contacts our workplace and attempts to undermine a staff member's name, position or reputation, we will speak with the staff member directly and discuss with them how we can protect their position. This may, for example, involve blocking calls from the perpetrator or denying them access to our buildings.

7. Encouraging open conversations

- 7.1 We encourage an environment in which colleagues can have open conversations about domestic abuse without fear of stigma or harassment. We will take any report of domestic abuse seriously and acknowledge that abusive behaviour is the responsibility of the perpetrator, not the victim.
- 7.2 We do not expect staff members to become experts on domestic abuse, but we do expect all staff members to be supportive of colleagues who may be affected. We also encourage all staff members to be familiar with some of the signs of domestic abuse, whilst also recognising that these signs may be indicative of other issues. These signs include persistent lateness or absenteeism, or conversely, spending an increased number of hours at work for no obvious reason, reduced quantity or quality of work, webcams being turned off during video calls, changes in appearance such as make up or clothing that conceals injuries, withdrawal from or lack of participation in work-related meetings and events, isolation from friends, family and work colleagues, regular interruptions during the working day (such as receiving multiple text messages which the individual looks distressed by) and control of finances (for example wages being paid into a new bank account).
- 7.3 Anyone affected by domestic abuse should be made to feel comfortable to speak with their line manager or a member of Human Resources about the support they may need in relation to work. Alternatively, they may contact one of our White Ribbon Ambassadors. We expect line managers to be ready to have conversations with staff members about domestic abuse and what support is available. The role of the line manager is not to deal with the abuse itself but to provide support related to work and to direct an individual to external help. Any conversation must be treated sensitively and handled confidentially.
- 7.4 While line managers or colleagues approached by a staff member in relation to domestic abuse should attempt to agree next steps with the individual and maintain confidentiality, there may be occasions where it is appropriate for the matter to be escalated internally (for example, to a senior manager or a White Ribbon Ambassador) or to an external agency where there are concerns about the safety of the individual or others connected to them, such as family members or work colleagues. Where possible, we will seek to obtain the consent of the individual before making any external disclosures, and any disclosures will be made on a strictly "need-to-know" basis. However, we will contact the police where we believe there to be an imminent threat to life or risk of harm.
- 7.5 We will keep records of any incidents at work related to domestic abuse (for example persistent telephone calls or visits) and note any actions taken. We will also keep a record of any reports of domestic abuse. The records will be handled confidentially and will never form part of an individual's personnel record.

8. Support and adjustments

- 8.1 We recognise that there is support we can offer to help victims of domestic abuse at work. We encourage staff members to let their line managers know what arrangements or adjustments may be helpful in their circumstances and any adjustments will be made on a case-by-case basis, taking into account the needs of the victim and the business. We understand that victims' needs will vary, but we are committed to offering the following where possible and appropriate:
- i. Paid time off work, up to a maximum of 2 days each calendar year, to deal with issues such as moving to a safe house, refuge or new home, settling children into a new school or attending appointments with support providers.
 - ii. Temporary adjustments to work patterns, hours or duties, as well as temporary flexible working arrangements outside those offered under our Flexible Working Policy.
 - iii. Safe methods of communication (for example, providing a new work email address or telephone number).
 - iv. An agreed code word or hand signal, so an individual can discreetly alert colleagues that they are experiencing domestic abuse.
 - v. A quiet room to make and receive confidential telephone calls during working hours.
 - vi. Diversion of telephone calls and emails from a list agreed with any victim of domestic abuse.
 - vii. Removal of the victim's work contact details and photographs from our company website and other public platforms operated by us.
 - viii. An agreed procedure with reception and other key contacts to ensure that details of a victim's whereabouts during working hours are not disclosed or made accessible.
 - ix. Temporary redeployment to another role or work location, where possible.
 - x. Access to office space when an individual would otherwise be working from home.
 - xi. Changes to office-based seating arrangements to ensure that a victim is sitting in a safe place and not in an isolated area on their own.
 - xii. Payment of wages into a different bank account.
- 8.2 We encourage victims to let us have emergency contact details for a trusted friend or family member and to let us know if personal information (for example, in relation to work-related benefits provided by us) should be updated. An individual's line manager should be contacted to provide this information in the first instance.
- 8.3 If an individual has left a domestic abuse situation and is trying to ensure that the perpetrator of the abuse cannot find them, we encourage the individual to speak with their line manager about what steps can be taken by us to reduce this risk. This may, for example, involve the removal of work contact details, names and photographs from any council webpage and other public platforms operated by us, as well as some of the other steps outlined above.
- 8.4 Where the victim and perpetrator both work for us, we will discuss appropriate steps with the victim and consider whether a temporary change of role or relocation to a different workplace may be appropriate. We will also consider what, if any, investigation may be needed. During any investigation, the perpetrator will have an opportunity to respond to the allegations against them if they also work for us. Where possible,

and if it is deemed appropriate following a discussion with the victim, we will ensure that it is the perpetrator's, not the victim's work arrangements that are changed.

- 8.5 If there are any changes put in place to support a victim, we will always seek to agree with the victim what will be communicated to colleagues if any changes are obvious and may require explanation.

9. Disciplinary action against perpetrators

9.1 We will not tolerate domestic abuse in any form. Any employee who is alleged to have committed abuse in the workplace, during working hours or using our equipment will be subject to disciplinary proceedings in accordance with our Disciplinary Policy. Where an employee's conduct is the subject of a criminal investigation, we will not usually await the outcome of any prosecution before deciding what action, if any, to take.

9.2 Conduct outside of work may also be treated as a disciplinary matter if we consider that it is relevant to the individual's employment with us, regardless of whether that conduct is subject to criminal investigation. We may consider conduct relevant to the individual's employment if it is possible that the conduct could bring LCC into disrepute or if the conduct is such that we must consider our duty of care to other members of LCC should there be a real risk of violence or abuse towards them.

10. When will this policy be reviewed?

- 10.1 This policy will be reviewed every two years or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0	02.02.2016	New policy agreed by Personnel Committee	02.02.2018
2.0	25.02.2019	Policy Review	25.02.2021
3.0		Policy Redraft [agreed by JCC and People and OD Committee]	

FAQs:

Where can perpetrators go for further help and support?

Where a staff member discloses their abusive behaviour to us, we will engage with that individual to identify sources of external help and support. We encourage all staff members to address their abusive behaviours of any kind and recognise that change may only be possible with the provision of external help such as from:

- [Respect](#), provides help for perpetrators of domestic violence.

Where can victims go for further help and support?

While we are committed to supporting victims of domestic abuse at work, we are not experts on domestic abuse and recognise that not all staff members may feel comfortable speaking with their line manager, one of our White Ribbon Ambassadors or a colleague about domestic abuse. The following offer a range of help and support:

- The [Domestic Violence Helpline](#), run in partnership between Women's Aid and Refuge (**0808 2000 247**).
- The [Bright Sky App](#), a mobile app and website operated in conjunction with Hestia for anyone experiencing domestic abuse, or who is worried about someone else.
- The [ManKind Initiative Domestic Support Service \(MIDASS\)](#) (**01823 334244**), which provides support to men experiencing domestic abuse.
- [Galop](#) (**0900 999 5428**), which provides support to LGBT+ people who have experienced a hate crime, domestic abuse or sexual violence.
- [Muslim Women's Network](#) (**0800 999 5786**), which provides a confidential listening service for Muslim girls or women.
- [Jewish Women's Aid](#) (**0808 801 0500**), which provides support to Jewish women and children affected by domestic and sexual violence.
- [Southall Black Sisters](#), which provides an instant messaging service and support to Black (primarily Asian, African and African-Caribbean) women.



Special Leave

1. Who does this policy apply to?

1.1 All employees of Lancaster City Council, (LCC) except casual workers.

2. What is the purpose of this policy?

2.1 The Special Leave policy covers a combination of different types of “emergency” leave. It includes:

- **Emergency Dependants Leave;**
- **Compassionate Leave;**
- **Bereavement Leave;**
- **Parental Bereavement Leave;**
- **Carer’s Leave; and**
- **Unpaid Leave**

3. Definitions

Dependant: A “Dependant” is anybody who relies on an employee for their care, domestic or financial support like a spouse/partner, child, sibling, mother, father, close relative, close friend, grandparent or someone who shares the same household.

Immediate Family: an employee’s spouse, partner, child, mother, father, guardian or sibling.

Critical Illness: refers to an emergency, life threatening illness.

4. Roles and Responsibilities

Employee Responsibilities

- Where possible, to communicate the need for the special leave as soon as it arises. If this is not feasible in the circumstances, to let their manager know and to schedule a time to speak when it is more appropriate.

Manager Responsibilities

- Line managers are responsible for approving each of these types of special leave and for ensuring that the correct leave type is submitted on MyView to ensure employees’ employment records are up to date.
- To contact HR with cases of Compassionate or Bereavement Leave.

Council Responsibilities

- To ensure that this policy is revisited if any statutory changes are introduced which impact any of the leave types included within this policy.

- ❑ To empower managers to be supportive and compassionate in response to emergencies and unforeseen situations.

Emergency Dependants Leave

All employees (excluding casual workers) will be entitled to up to **two paid days off** per year to deal with an urgent situation of an emergency or unforeseen nature concerning a dependant. This must be taken as a half or full day, and if the emergency situation is resolved on the first day, the expectation is that the employee will return to work thereafter.

Typically, emergency dependants leave might be used to:

- Provide emergency care for unwell dependants;
- Accompany a dependant to an emergency or unplanned medical appointment;
- Temporarily respond to childcare emergencies, where normal arrangements have broken down; or
- Attend an urgent court hearing in child custody cases.

LCC recognises that advance notice from the employee is not likely to be possible in cases of Emergency Dependants Leave, but it is important that the employee contact their line manager as soon as possible to let them know. It is permissible to contact the line manager by telephone, text, email or Instant Messenger, and the line manager may follow this up over the telephone. The line manager is responsible for approving Emergency Dependants Leave and they must ensure that it is correctly recorded on the MyView system to ensure that the employee's employment record is accurate. A line manager will only be able to approve 2 days' Emergency Dependants Leave in a rolling 12-month period. Any further time off will need to be unpaid (see below).

Compassionate Leave

In the unfortunate event of the critical illness of an employee's Immediate Family, employees may be granted compassionate leave of up to one working week with pay. Compassionate leave is available for critical illness, so if during that working week, the illness is no longer critical, it is the expectation that the employee will either return to work or request a different type of leave.

LCC acknowledges that it may not always be possible to seek prior approval in emergency situations, so employees are encouraged to speak to their line manager as soon as possible. It is permissible to contact the line manager by telephone, text, email or Instant Messenger, and the line manager may follow this up over the telephone. A line manager may request supporting evidence, but this will always be done as sensitively as possible and will not be prioritised prior to accommodating the absence. Once approved, the line manager is responsible for ensuring that the absence is correctly recorded on the MyView System.

Bereavement Leave

We hope that none of our employees suffer the bereavement of any of their loved ones during the course of their employment. But in the event that they do, LCC provide for the following paid absence:

In the event of the death of a member of Immediate Family – up to one working weeks' paid leave (to include the funeral); and

For the funeral of a close family member or close friend (who do not meet the "Immediate Family" definition – 1 days' paid leave.

For anybody bereaved of their child (including stillbirths from the 24th week of pregnancy), in addition to the bereavement leave clarified above, a further working week of *leave* is provided for all impacted employees (up to 10 working days pro-rata in total), and for those employees with at least 26 weeks' continuous service and

weekly earnings over the lower earnings limit will also be entitled to statutory parental bereavement pay (SPBP) (paid at the statutory rate of SPBP).

Employees are entitled to choose when they take Parental Bereavement Leave up to 56 weeks after the bereavement. For the first seven weeks following the bereavement, an employee only needs to inform their line manager before they start work on the first day of absence. After this you will be required to provide your line manager with at least one week's notice. It may be taken in a single block of two weeks, or two blocks of one week taken at different times within the 56 weeks.

Carer's Leave

Carer's Leave is provided in addition to the above types of paid leave. All employees are entitled to one working week of unpaid Carer's Leave if they require it to look after a Dependant.

The statutory minimum period of notice for a half day or one day of carer's leave is 3 working days. If the request is for longer than one day, then twice the amount of notice is required i.e. if 2 days carer's leave is requested, then 4 days' advance notice is required. The request need not be in writing and there is no need to evidence your caring requirements either. It is acknowledged that it may not always be possible to comply with these statutory notice periods, and where that is the case, the expectation is that the employee contact their line manager as soon as possible. It is permissible to contact the line manager by telephone, text, email or Instant Messenger, and the line manager may follow this up over the telephone.

LCC is not permitted to refuse a request but may ask that you delay it in exceptional circumstances. This would only be in cases of serious disruption to the service and if a request must be delayed, the line manager will write to the employee within 7 days of the original request to explain the reason for the delay and a new date will be agreed within 1 month of the original request.

Unpaid Leave

Unpaid leave of up to 12 weeks can be requested for *any* reason, although LCC will not normally consider more than one period of unpaid leave of more than 4 weeks in a three-year period. Any period of unpaid leave lasting longer than 12 weeks would be considered a career break.

It is expected that all requests for unpaid leave are submitted once an employee's annual leave entitlement has been exhausted and that if travel abroad has prompted the request, then it is expected that an employee will not commit to travel plans until approved.

For unpaid leave of up to three weeks– a written request must be made to the employee's line manager 2 weeks prior to the requested date and the line manager is authorised to approve, deny or delay the request. For unpaid leave lasting longer than three weeks, Chief Officer approval is necessary, and the request must be made (first to the line manager who will refer the request to the relevant Chief Officer) at least 2 months prior to the requested date. In emergency situations, it is expected that other types of Special Leave are explored first, but LCC managers are empowered to respond appropriately to emergency requests where these notice requirements cannot be met (this will largely be driven by what the request is for).

Where approval for short term unpaid leave has already been granted, employees are able to submit a request for that to be extended (subject always to the maximum unpaid leave of 12 weeks).

The relevant manager should consider the request considering some or all of the following factors:

- The operational needs of the service.
- The employee's reason for the request.
- The employee's attendance record.
- The likely effect of the employee's absence.

- Any failure on the part of the employee to return promptly from earlier periods of leave.
- Any other relevant factors.

If a request for any classification of unpaid leave is approved, it is the responsibility of the relevant manager to write to the employee as confirmation of the approval within 10 working days of receiving the request.

The discretion as to whether to approve a request for any classification of unpaid leave rests with the relevant manager and Chief Officer, and there is no right of appeal should a request be rejected.

Upon receiving a request for unpaid leave, if the relevant manager considers that the request for unpaid leave cannot be accommodated at the time requested by the employee, then the request will be either postponed or rejected. It is good practice for the relevant manager to discuss this with the employee. HR should also be advised.

If the relevant manager postpones or rejects the request, there must be a clear business reason. For example, if taking the unpaid leave at the time requested by the employee would cause the business to be particularly disrupted.

Should the employee agree, it would be good practice for the relevant manager to initially consider postponing the request, instead of rejecting it. If the employee does not wish to postpone the timing of the leave, then the manager may reject the request if there is a clear business reason to do so.

Regardless of whether the request is to be postponed or rejected, the relevant manager must write to the employee within 10 working days of receiving a request, setting out their position and providing details as to why the request is to be postponed or rejected.

An employee will not automatically be entitled to Occupational Sick Pay where they submit a medical certificate, after being advised that their request for any classification of unpaid leave has been rejected.

If approved, the line manager must ensure the unpaid leave is correctly recorded onto the MyView system to ensure that the employee's pay ceases for the unpaid leave period.

During periods of unpaid leave the employee may elect to pay pension contributions. Employees wishing to explore this option should contact payroll@lancaster.gov.uk at the earliest opportunity, as certain time limits apply. Further advice on pension contributions during periods of unpaid leave can be sought from Your Pension Service.

An employee absent on unpaid leave remains employed, although pay and most contractual benefits will be suspended. Save for in the case of a redundancy situation, the employee will be entitled to return to their existing post provided that they return to work on or before the agreed date.

Failure to return on the agreed date after a period of unpaid leave will result in pay being suspended and will be treated as an unauthorised absence which will be dealt with through the Disciplinary Policy and Procedure.

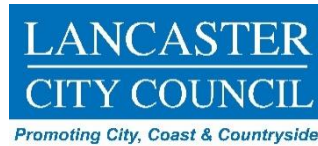
For periods of unpaid leave taken exceeding three weeks, the employee will have no right to accrual of statutory or contractual annual leave entitlement. HR will make the necessary amendments to the employee's annual leave balance on MyView.

When will this policy be reviewed?

This policy will be reviewed every year or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0		Combining all types of "Special Leave" including: Emergency Dependants Leave (Policy last reviewed in 2016) Bereavement and Compassionate Leave (Policy last reviewed in 2023) Unpaid Leave (Policy last reviewed in 2023) Introduction of statutory Carer's Leave	



Parental Leave

1. Who does this policy apply to?

1.1 All employees of Lancaster City Council.

2. What is the purpose of this policy?

2.1 This policy summarises the statutory right of employees with at least one year's continuous service to take up to 18 weeks' unpaid parental leave in respect of each of their children.

3. What roles do the employee, line managers, the Council and HR play in this policy?

3.1 Employee Responsibilities

- To give your line manager as much notice as possible when you intend to take parental leave.
- To inform LCC about any other parental leave you may have already taken while working for another employer as this counts towards your 18-week entitlement.

3.2 Line Manager Responsibilities

- To give due consideration to the needs of parents to take time to spend with their children and to deal with emergencies involving their dependents and to allow parental leave when requested where it would not cause undue disruption.
- To inform HR of the parental leave to ensure that MyView accurately reflects the leave type.

3.3 Council responsibilities

- To ensure this policy is updated in line with any changes in legislation.

4. Entitlement

4.1 To be eligible for parental leave, you must:

- Have at least 1 years' continuous employment with us;
- Have or expect to have responsibility for a child (which means you are their biological or adoptive parent or have legal parental responsibility); and
- Be taking the leave to spend time with or otherwise care for the child.

4.2 Eligible employees are entitled to take up to 18 weeks' unpaid parental leave in relation to each child and we may (sensitively) ask for supporting evidence of responsibility or expected responsibility for the child.

5. Taking parental leave

- 5.1 In most cases, parental leave can only be taken in blocks of a week or a whole number of weeks, and you may not take more than 4 weeks' parental leave a year in relation to each child. Parental leave can be taken up to the child's 18th birthday.
- 5.2 Special rules apply where your child has a disability, which for these purposes means eligibility for a disability living allowance, armed forces independence allowance or personal independence payment. You can take parental leave in respect of that child in blocks of less than one week, However, there is still a limit of four weeks a year for each child and 18 weeks in total for each child.
- 5.3 You must notify your line manager of your intention to take parental leave at least 21 days in advance. Your notification should include the start and end dates of the requested period of leave. For any requests of three weeks or more, the relevant Chief Officer will need to be consulted by the line manager for approval.
- 5.4 If you intend to start parental leave immediately on the birth of a child, you must give at least 21 days notice before the expected week of childbirth (which is the week, starting on Sunday before the due date).
- 5.5 If you wish to start parental leave immediately on having a child placed with you for adoption, you should give notice at least 21 days before the expected week of placement or, if this is not possible, give as much notice as you can.

6. Our right to postpone parental leave

- 6.1 We will always try to accommodate your request for parental leave, but we may postpone your requested leave where it would unduly disrupt service. We will always discuss alternative dates with you and notify you in reason for the postponement and the new start and end dates within 7 days of receiving your request for parental leave. This will occur in exceptional circumstances only.
- 6.2 We cannot postpone parental leave for more than 6 months, if it would extend beyond the child's 18th birthday, or if you have requested it to start immediately on the birth or adoption of a child.

7. When will this policy be reviewed?

- 7.1 This policy will be reviewed every two years or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0		New Policy	



Maternity Leave

1. Who does this policy apply to?

1.1 All employees of Lancaster City Council.

2. What is the purpose of this policy?

2.1 To provide guidance to employees who intend to take maternity leave during the course of their employment. It sets out the entitlements, notice requirements, responsibilities of employees and LCC, and other matters that may arise during or after a period of maternity leave.

3. What roles do the employee, line managers, the Council and HR play in this policy?

3.1 Employee Responsibilities

- To notify their line manager of their pregnancy as soon as they feel comfortable to. Employees are encouraged to share this as soon as possible to ensure that a risk assessment can be carried out.

3.2 Line Manager Responsibilities

- As soon as they are notified that an employee is pregnant or breastfeeding, to arrange for a risk assessment to be carried out and if the risk assessment identifies any concerns, to raise these with HR or the Health and Safety Manager as soon as possible.
- Upon receipt of the Maternity Leave Notification form, to countersign the form and pass to HR.

3.3 HR Responsibilities

- To write to the employee and line manager confirming the maternity leave arrangements.
- To inform payroll to ensure that the correct payments are made.
- To enter into MyView any recredited bank holidays during maternity leave on behalf of the employee, as well as any annual leave.

3.4 Council responsibilities

- To take reasonable steps to avoid health risks to the employee. This could involve temporarily removing duties highlighted by the risk assessment, offering suitable alternatives, or in exceptional cases medically suspending an employee from work until such time as the risk is removed, or there is no longer a risk.
- To ensure this policy is updated in line with any changes in legislation.

4. Entitlements to leave and pay

- 4.1 Pregnant employees may take up to a maximum of 52 weeks maternity leave. The first 26 weeks are known as “Ordinary Maternity Leave” (OML) and the second 26 weeks are known as “Additional Maternity Leave” (AML).
- 4.2 For all employees, the first 2 weeks after the birth are compulsory maternity leave, so an employee may not return until at least 2 weeks and 1 day following the birth.
- 4.3 Employees remain bound by all terms and conditions of employment during maternity leave, save for those applying to pay.
- 4.4 Employees who have less than one year’s service at the beginning of the 15th week before the expected week of childbirth (which is the Sunday before the child’s expected due date) (“EWC”) will be entitled to either Statutory Maternity Pay (SMP) or Maternity Allowance (MA). Employees who have more than one year’s service at the beginning of the 15th week before the EWC, may be entitled to an occupational enhancement.
- 4.5 To be entitled to SMP an employee must have at least 26 weeks’ service at the beginning of the 15th week before the EWC (and to still be employed at this point), and their average weekly earnings must be over the lower earnings limit for National Insurance purposes. Employees who qualify for SMP will receive:
- 90% of a weeks’ pay for the first 6 weeks of absence (and a weeks’ pay for the purposes of this policy is normal pay where hours do not vary, or where there are no normal working hours, an average of pay in the 8 weeks preceding the 15th week before the EWC); and
 - The standard rate of SMP for the remaining 33 weeks; and
 - Any additional weeks of maternity leave will be unpaid.
- 4.6 Due to the length of service requirement for SMP, some newer employees may not be entitled to SMP, but MA may be available to them, which is payable by the government at the rates of SMP set out above.
- 4.7 Employees who have completed one years’ continuous service at the 15th week before the EWC and who intend to return to work will be entitled to:
- 90% of a weeks’ pay for the first 6 weeks of absence (inclusive of SMP/MA); and
 - Half a weeks’ pay for the next 12 weeks of maternity absence plus SMP or MA. Where half pay plus SMP/MA exceeds the normal weekly rate of full pay; the payment made will be capped at full pay;
 - SMP for the following 21 weeks of maternity absence; and
 - Any additional weeks of maternity leave will be unpaid.
- 4.8 Enhanced payments are made on the understanding that the employee will return to work for at least 3 months following the end of maternity leave. If an employee resigns before 3 months are completed, LCC will seek to recoup the enhanced element of pay by way of deductions from salary. Employees going on maternity leave who do not intend to return will only be entitled to the pay as set out above at paragraph 4.5.
- 4.9 If an employees’ pay increases whilst they are on maternity leave maternity pay will automatically be recalculated to take any increases into account.

5. Maternity leave arrangements

- 5.1 On becoming pregnant, an employee should notify their line manager as soon as possible so that a risk assessment can be carried out.

- 5.2 In addition to providing the MATB1 form as soon as it is available, the employee should also submit the Maternity Leave Notification form to confirm the pregnancy, the EWC, the intended start and end date of maternity leave (noting that the earliest maternity leave can begin is 11 weeks prior to the EWC). The Maternity Leave Notification Form should be completed no later than 28 days prior to leave being taken, but employees are encouraged to do this as soon as possible to ensure plans can be put in place in a timely manner.
- 5.3 An employee is entitled to bring forward or postpone the intended start date of maternity leave provided this is requested by submitting another Maternity Leave Notification Form 28 days in advance of leave commencing (unless that is not possible).
- 5.4 In the event that the birth occurs earlier than anticipated, the employee should advise their line manager of the birth date who will notify HR. The schedule will then be amended as maternity leave will have started automatically on the day after childbirth and this will be communicated to the employee in writing by HR.
- 5.5 If an employee is absent due to pregnancy related ill health (or pregnancy related medical suspension) in the 4 weeks prior to the EWC, maternity leave will commence automatically, and a revised maternity schedule will be communicated to the employee by HR.

6. Pension contributions

- 6.1 During periods of paid maternity leave, the employee will continue to make pension contributions based on the amount the employee is actually paid, whilst the Council will make contributions based on Assumed Pensionable Pay, which is what an employee would have earned, but for the maternity leave. Any employees who wish to explore the option of paying additional contributions when they are in a period of unpaid maternity leave, should contact payroll@lancaster.gov.uk at the earliest opportunity.

7. Annual Leave

- 7.1 Annual leave continues to accrue as normal throughout the period of OML and AML and due to the length of maternity leave, most maternity absences are likely to fall between two annual leave years. Although it is encouraged to try and take all annual leave in the leave year, maternity may often mean this is not possible, so all outstanding annual leave can be carried over, and it is permissible to use this to extend the period of paid leave following the birth of a child. Employees may wish to end their maternity leave after the 39 weeks of paid leave, and top this up with accrued holiday entitlement, or they may wish to have the whole 52 weeks leave, and then supplement this with annual leave.
- 7.2 Any carried over leave must be taken or pre-booked within 2 months of the employee's return. If the carried over leave is pre-booked, this can be booked at any time in that leave year; the requirement is only to ensure that all carried over leave is either taken or booked (for a later date) in the first two months following the employees' return. Line managers will engage in a return-to-work conversation with employees, and work with them to use annual leave effectively.
- 7.3 Bank holidays that fall during any period of maternity absence will be recredited to the employee, on a pro-rata basis in line with their existing working pattern, and subject to any bank holidays already taken during the relevant leave year.

8. Contact during maternity leave

- 8.1 LCC acknowledges how important the bonding process is during maternity leave, and how exhausting it can be, so contact will be kept to a minimum, and only where necessary to inform employees about

changes at work and ahead of the employees' return to work date (unless of course the employee would like to have a more frequent dialogue with their line manager or colleagues).

- 8.2 Except for in the first 2 weeks of maternity leave, an employee can carry out up to 10 "keeping in touch" (KIT) days without bringing maternity leave to an end. They are optional and must be agreed between both parties. A KIT day is used to carry out usual work duties or training. KIT days do not extend the period of maternity leave and will be paid at the usual rate of pay for the hours worked in addition to either the occupational maternity pay or SMP. If all 10 KIT days are used during maternity leave, any further work performed would mean that a weeks' SMP is lost for any week in which work is performed.

9. Returning to work

- 9.1 If the employee intends to return to work on the date previously agreed, there is no requirement for her to confirm this to LCC, although it will be natural for the line manager and the employee to have had dialogue prior to this point to discuss the return to work.
- 9.2 For any employee who wishes to return from maternity leave earlier than the date originally agreed, 8 weeks' notice must be given of the proposed return date. If 8 weeks is not possible, it may be necessary for LCC to postpone the return date until such time as 8 weeks has been achieved (provided this is not later than the original return date). If the employee would like to extend the period of maternity leave (up to a maximum of 52 weeks), they should provide as much notice as possible to their line manager who will confirm the revised return date in writing within 28 days.
- 9.3 Employees who return just after or during the period of OML i.e. the first 26 weeks following the birth, they have the right to return to the same job occupied before maternity leave on the same terms and conditions of employment. An employee who returns to work during or after AML retains the right to return to the original job on the same terms and conditions of employment, however where it is not reasonably practicable i.e. due to a general reorganisation, LCC may offer the employee suitable alternative work on terms and conditions which are no less favourable.
- 9.4 If there is a genuine redundancy situation which arises after the notification of pregnancy, the role of a pregnant employee or an employee on or returning from maternity leave can be put at risk of and confirmed as redundant. However, the period starting with the notification of the pregnancy, and ending 18 months after the birth date of the child, is a "protected period", and if a genuine redundancy situation did arise during that time, a pregnant employee, or an employee on or returning from maternity leave will be prioritised for any suitable alternative vacancies.

10. Flexible Working Requests

- 10.1 LCC understands that having a child *may* necessitate a desire to work differently, for any number of reasons. Full consideration will be given to requests from employees who, upon their return from maternity leave, wish to change their working commitment. Employees should submit their requests as far in advance of their scheduled return date as possible, to allow adequate time for the request to be considered, and where appropriate, the necessary arrangements to be put in place.

11. When will this policy be reviewed?

- 11.1 This policy will be reviewed every two years or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0	01.06.2003	Policy agreed by Personnel Committee	
2.0	01.05.2008	Revisions agreed by Personnel Committee	
3.0	11.10.2011	Revisions agreed by Personnel Committee	
4.0	01.04.2015	Revisions agreed by Management Team	10.07.2017
5.0		Revisions agreed by People & OD Committee	

FAQ's:

Do I get time off for appointments?

Pregnant employees have the right to reasonable paid time off for ante-natal care. We ask that as much notice as possible be given, and where possible to try and minimise disruption to work by scheduling appointments at the beginning or end of day where possible. Partners of pregnant employees are eligible to take *unpaid* time off to accompany their pregnant partners for up to two antenatal appointments. Evidence of appointments *may* be requested by a line manager.

What if I have pregnancy sickness?

If an employee is sick during maternity leave, they will receive normal contractual sick pay. Pregnancy related absences will be disregarded when calculating absence indicator points.

What if the worst happens?

We truly hope that none of our employees ever have to go through a miscarriage or suffer the bereavement of their baby, but we are conscious that this can happen, and we will provide all the support we are able to if the worst were to happen.

If an employee were to miscarry prior to being 24 weeks pregnant, they are not entitled to maternity leave and pay, but their absence will be considered a sickness absence and absence indicator points will not accrue as it is a pregnancy related reason for absence.

For any pregnancies lasting 24 weeks or more, but where the baby does not survive, the employee will be entitled to maternity leave and pay in line with this policy.

We encourage any employees who may be impacted by these devastating circumstances to reach out to the Employee Assistance Programme.



Adoption Leave

1. Who does this policy apply to?

1.1 All employees of Lancaster City Council.

2. What is the purpose of this policy?

2.1 To provide guidance to employees who intend to take adoption leave during the course of their employment. It sets out the entitlements, notice requirements, responsibilities of employees and LCC, and other matters that may arise during or after a period of adoption leave. Please note that this policy applies to UK adoptions only; please reach out to HR if you are considering an overseas adoption.

3. What roles do the employee, line managers, the Council and HR play in this policy?

3.1 Employee Responsibilities

- To notify their line manager in writing, no more than 7 days after being notified they have been matched for adoption (or as soon as is reasonably practicable) of their intention to take adoption leave, the expected date of placement, a copy of the matching certificate completed by a UK-recognised adoption agency, and the intended start date and end date of adoption leave.

3.2 Line Manager Responsibilities

- Upon receipt of the notification from the employee of their intention to take adoption leave, to countersign the form and pass to HR.

3.3 HR Responsibilities

- To write to the employee and line manager confirming the adoption leave arrangements.
- To inform payroll to ensure that the correct payments are made.
- To enter into MyView the recredited bank holidays on behalf of the employee, as well as any annual leave.

3.4 Council responsibilities

- To ensure this policy is updated in line with any changes in legislation.

4. Entitlements to leave and pay

4.1 To qualify for adoption leave, the employee must have been matched with a child by a UK adoption agency and the date of placement must have been agreed with the agency. The employee must be the principal carer and the only parent claiming adoption leave and pay. An employee adopting their partner's child is not eligible.

- 4.2 Employees must have completed 26 weeks' continuous service with LCC ending with the week in which they are notified of having been matched with a child.
- 4.3 All employees may take up to a maximum of 52 weeks adoption leave. The first 26 weeks are known as "Ordinary Adoption Leave" (OAL) and the second 26 weeks are known as "Additional Adoption Leave" (AAL).
- 4.4 Adoption leave can start either from the date the child starts living with the employee or up to 14 days before the date the child is expected to start living with the employee.
- 4.5 Employees remain bound by all terms and conditions of employment during adoption leave, save for those applying to pay.
- 4.6 Employees who have less than one year's service at the beginning of the 15th week before the expected week of childbirth (which is the Sunday before the child's expected due date) ("EWC") in cases of surrogacy or the date of notification of placement will be entitled to either Statutory Adoption Pay (SAP) or Adoption Allowance (AA). Employees who have more than one year's service at the beginning of the 15th week before the EWC or the date of notification of placement, may be entitled to an occupational enhancement.
- 4.7 To be entitled to SAP an employee must have at least 26 weeks' service by the beginning of the 15th week prior to the EWC or the date ending with the week the employee is notified of the placement, and their average weekly earnings must be over the lower earnings limit for National Insurance purposes. Employees who qualify for SAP will receive:
- 90% of a weeks' pay for the first 6 weeks of absence (and a weeks' pay for the purposes of this policy is normal pay where hours do not vary, or where there are no normal working hours, an average of pay in the 8 weeks preceding the 15th week before the EWC or week of notification for placement); and
 - The standard rate of SAP for the remaining 33 weeks; and
 - Any additional weeks of adoption leave will be unpaid.
- 4.8 Due to the length of service requirement for SAP, some newer employees may not be entitled to SAP, but AA may be available to them, which is payable by the government at the rates of SAP set out above.
- 4.9 Employees who have completed one years' continuous service at the 15th week before the EWC/date of notification of placement and who intend to return to work will be entitled to:
- 90% of a weeks' pay for the first 6 weeks of absence (inclusive of SAP/AA); and
 - Half a weeks' pay for the next 12 weeks of adoption absence plus SAP or AA. Where half pay plus SAP/AA exceeds the normal weekly rate of full pay; the payment made will be capped at full pay;
 - SAP for the following 21 weeks of adoption absence; and
 - Any additional weeks of adoption leave will be unpaid.
- 4.10 Enhanced payments are made on the understanding that the employee will return to work for at least 3 months following the adoption leave. If an employee resigns before 3 months are completed, LCC will seek to recoup the enhanced element of pay by way of deductions from salary. Employees going on adoption leave who do not intend to return will only be entitled to the pay as set out above at paragraph 4.7.
- 4.11 If an employees' pay increases whilst they are on adoption leave, their adoption pay will be recalculated.

5. Adoption leave arrangements

- 5.1 On notification of a match or as soon as possible in cases of surrogacy, an employee should notify their line manager as soon as possible by submitting the Adoption Leave Notification form to confirm the match, the EWC (if applicable), the intended start and end date of adoption leave (noting that the earliest adoption leave can begin is 14 days prior to the expected placement date). The Adoption Leave Notification Form should be completed no later than 28 days prior to leave being taken, but employees are encouraged to do this as soon as possible to ensure plans can be put in place in a timely manner.
- 5.2 An employee is entitled to bring forward or postpone the intended start date of adoption leave provided this is requested by submitting another Adoption Leave Notification Form 28 days in advance of leave commencing (unless that is not possible).
- 5.3 In the event that the birth or placement occurs earlier than anticipated, the employee should advise their line manager of the birth or placement date who will notify HR. The schedule confirming the leave and pay arrangements will then be amended as adoption leave will have started automatically on the day after childbirth or placement and this will be communicated to the employee in writing by HR.

6. Pension contributions

- 6.1 During periods of paid adoption leave, the employee will continue to make pension contributions based on the amount the employee is actually paid, whilst the Council will make contributions based on Assumed Pensionable Pay, which is what an employee would have earned, but for the adoption leave. Any employees who wish to explore the option of paying additional contributions when they are in a period of unpaid adoption leave, should contact payroll@lancaster.gov.uk at the earliest opportunity.

7. Annual Leave

- 7.1 Annual leave continues to accrue as normal throughout the period of OAL and AAL and due to the length of adoption leave, most adoption absences are likely to fall between two annual leave years. Although it is encouraged to try and take all annual leave in the leave year, adoption may often mean this is not possible, so any outstanding leave can be carried over, and it is permissible to use this to extend the period of paid leave following the placement/birth of a child. Employees may wish to end their adoption leave after the 39 weeks of paid leave, and top this up with accrued holiday entitlement, or they may wish to have the whole 52 weeks leave, and then supplement this with annual leave.
- 7.2 Any carried over leave must be taken or pre-booked within 2 months of the employee's return. If the carried over leave is pre-booked, this can be booked at any time in that leave year; the requirement is only to ensure that all carried over leave is either taken or booked (for a later date) in the first two months following the employees' return. Line managers will engage in a return-to-work conversation with employees, and work with them to use annual leave effectively.
- 7.3 Bank holidays that fall during any period of adoption absence will be recredited to the employee, on a pro-rata basis in line with their existing working pattern, and subject to any bank holidays already taken during the relevant leave year.

8. Contact during adoption leave

- 8.1 LCC acknowledges how important the bonding process is during adoption leave, and how exhausting it can be, so contact will be kept to a minimum, and only where necessary to inform employees about changes at work and ahead of the employees' return to work date (unless of course the employee would like to have a more frequent dialogue with their line manager or colleagues).
- 8.2 An employee can carry out up to 10 "keeping in touch" (KIT) days without bringing adoption leave to an end. They are optional and must be agreed between both parties. A KIT day is used to carry out usual work duties or training. KIT days do not extend the period of adoption leave and will be paid at the usual

rate of pay for the hours worked in addition to either the occupational adoption pay or SAP. If all 10 KIT days are used during adoption leave, any further work performed would mean that a weeks' SAP is lost for any week in which work is performed.

9. Returning to work

- 9.1 If the employee intends to return to work on the date previously agreed, there is no requirement to confirm this to LCC, although it will be natural for the line manager and the employee to have had dialogue prior to this point to discuss the return to work.
- 9.2 For employees who wish to return from adoption leave earlier than the date originally agreed, 8 weeks' notice must be given of the proposed return date. If 8 weeks is not possible, it may be necessary for LCC to postpone the return date until such time as 8 weeks has been achieved (provided this is not later than the original return date). If the employee would like to extend the period of adoption leave (up to a maximum of 52 weeks), they should provide as much notice as possible to their line manager who will confirm the revised return date in writing within 28 days.
- 9.3 Employees who return just after or during the period of OAL have the right to return to the same job occupied before adoption leave on the same terms and conditions of employment. An employee who returns to work during or after AAL retains the right to return to the original job on the same terms and conditions of employment, however where it is not reasonably practicable i.e. due to a general reorganisation, LCC may offer the employee suitable alternative work on terms and conditions which are no less favourable.
- 9.4 If there is a genuine redundancy situation which arises after the notification of adoption, the role of a primary adopter on or returning from adoption leave can be put at risk of and confirmed as redundant. However, the period starting with the notification of the placement, and ending 18 months after the birth/placement date of the child, is a "protected period", and if a genuine redundancy situation did arise during that time, an employee on or returning from adoption leave will be prioritised for any suitable alternative vacancies.

10. Flexible Working Requests

- 10.1 LCC understands that having a child *may* necessitate a desire to work differently, for any number of reasons. Full consideration will be given to requests from employees who, upon their return from adoption leave, wish to change their working commitment. Employees should submit their requests as far in advance of their scheduled return date as possible, to allow adequate time for the request to be considered, and where appropriate, the necessary arrangements to be put in place.

11. When will this policy be reviewed?

- 11.1 This policy will be reviewed every two years or earlier in the event of changes in legislation.

Document Control:

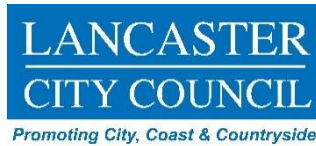
Version no.	Effective Date	Reason	Review due
1.0	05.2008	Policy agreed by Personnel Committee	

2.0		Revisions agreed by People & OD Committee	
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FAQ's:

Do I get time off for appointments?

LCC offers reasonable paid time off for prospective adoptive parents to attend pre-adoption meetings, court hearings, case conferences, solicitors and social services appointments etc. We ask that as much notice as possible be given, and where possible to try and minimise disruption to work by scheduling appointments at the beginning or end of day where possible. Evidence of appointments *may* be requested by a line manager.



Partner Leave

1. Who does this policy apply to?

1.1 All employees of Lancaster City Council.

2. What is the purpose of this policy?

2.1 To outline the rights and responsibilities of employees who wish to support their partners when they have given birth or where a child has been placed with them for adoption. LCC recognises the importance of the partner's role and therefore offers enhanced pay to all employees regardless of their length of service.

3. What roles do the employee, line managers, the Council and HR play in this policy?

3.1 Employee Responsibilities

- To notify their line manager in writing of their intention to take Partner Leave by completing the Application for Partner Leave form with at least four weeks' notice of the intended leave date. The four weeks will apply to each block of leave if the employee intends to take two separate weeks of leave. In cases of adoption, the form should be completed no later than 7 days after notification of the match if it is the employee's intention to take Partner Leave right away.
- If an employee subsequently wishes to change the timing of the Partner Leave, they must give 28 days' written notice of the new dates or as much notice as is practically possible.

3.2 Line Manager Responsibilities

- Upon receipt of the application form, the line manager should countersign the form and pass it to HR as soon as possible.

3.3 HR Responsibilities

- To issue a letter to the employee and the line manager within 28 days of receipt of the application to confirm the Partner Leave arrangements.
- To notify payroll of the arrangements to ensure the correct payments are made to the employee.

3.4 Council responsibilities

- To ensure this policy is updated in line with any changes in legislation.

4. Entitlements

4.1 All LCC employees whose partner gives birth to a child, or who is the partner of an adoptive parent who has chosen to take Adoption Leave and a child has been matched/placed with them are entitled to 2 weeks of partner leave at normal pay regardless of their length of service. To qualify for partner leave,

the employee must have or expect to have responsibility for the upbringing of the child and be making the request to help care for the child or to care for the birthing parent.

- 4.2 Partner leave can be taken as either one single block of two weeks or two blocks of one week within 52 weeks of the child’s life or placement for adoption. If you work part time, the 1 or 2 weeks of partner leave applies to your normal working week.

5. Pension Contributions

- 5.1 During periods of paid Partner Leave, the employee and the Council will continue to make pension contributions.

6. Extending Leave

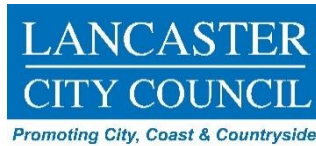
- 6.1 Annual leave continues to accrue as normal during the period of partner leave. If the leave year is due to end during the period of partner leave, employees are encouraged to take their entitlement before starting their partner leave. However, up to 5 days’ annual leave (pro-rata) will automatically be carried over into the next leave year and any bank holidays which fall during a period of partner leave will be credited back to the employee on a pro-rata basis in line with their existing working commitment.
- 6.2 If an employee wishes to take an extended period of leave, other than by using annual leave, there are two options to consider. They may be eligible to take Shared Parental Leave, or they can apply for a period of unpaid leave to supplement the partner leave period.

7. When will this policy be reviewed?

- 7.1 This policy will be reviewed every two years or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0	05.02.2013	New Policy Document	05.02.2013
2.0	21.06.2016	Revised Policy agreed by JCC & Personnel Committee	21.06.2018
3.0	6.04.2024	Legislative Update	06.04.2024
4.0		Revised Policy [to be agreed by JCC & People and OD Committee]	



Shared Parental Leave

1. Who does this policy apply to?

1.1 All *employees* of Lancaster City Council.

2. What is the purpose of this policy?

2.1 This policy sets out the entitlement and arrangements for Shared Parental Leave (SPL) and pay in relation to the birth or adoption of a child. SPL gives employees and their partners more flexibility in how to share the care of their child in the first year after birth or placement. If both are eligible, a choice can be made about how to split the available leave between both parents and decide to be off work at the same time or at different times.

3. What roles do the employee, line managers, the Council and HR play in this policy?

3.1 Employee Responsibilities

- To notify your line manager and HR as soon as possible of your intention to take SPL, and to be familiar with the requirements of this policy.

3.2 Line Manager Responsibilities

- To countersign the arrangements for SPL and engage with HR as soon as an employee communicates that they are considering SPL.

3.3 HR Responsibilities

- To write to the employee and line manager confirming the SPL arrangements.
- To communicate the arrangements to payroll so the the employee is paid appropriately.
- To enter into MyView any recredited bank holidays during SPL on behalf of the employee, as well as any annual leave.

3.4 Council responsibilities

- To ensure this policy is updated in line with any changes in legislation.

4. Entitlements to leave and pay

4.1 SPL gives employees with caring responsibilities for babies or newly adopted children the opportunity to share up to 52 weeks of leave and 39 weeks of pay with their partner should they wish to do so by committing to end maternity or adoption leave and pay early. That untaken balance of leave and pay

can then be taken as SPL. Parents taking SPL can take leave in separate blocks, returning to work in between blocks, and both parents can be on leave at the same time.

- 4.2 The total amount of SPL available is 52 weeks, less the weeks spent by the child's mother on maternity leave (or the weeks in which the mother has been in receipt of Statutory Maternity Pay (SMP) or Maternity Allowance (MA) if she is not entitled to maternity leave).
- 4.3 Eligible employees are entitled to submit up to three notices to take a period of leave.
- 4.4 To be entitled to SPL, employees must be the mother, father, main adopter of the child or the partner of the main adopter, have or share with the other parent, the main responsibility for the care of the child, have at least 26 weeks' continuous service at the 15th week before the expected week of childbirth (EWC) (which is the week beginning on Sunday of the expected due date) or when the parents are notified of being matched for adoption (together known as the Qualifying Week), still be in continuous employment until the week before any SPL is taken and comply with the relevant statutory notices and evidence requirements.
- 4.5 In addition, the other parent must have at least 26 weeks' employment (in an employed or self-employed capacity) out of the 66 weeks prior to the Qualifying Week and had average weekly earnings of at least £30 during 13 of those weeks
- 4.6 You may be able to claim Shared Parental Pay (ShPP) of up to 39 weeks (less any weeks of SMP or MA claimed by you or your partner) if you have at least 26 weeks' continuous employment with us at the end of the Qualifying Week and your average earnings are not less than the lower earnings limit set by the government each tax year. ShPP is paid by employers at a rate set by the government each year.
- 4.7 You should tell us in your period of leave notice(s) whether you intend to claim ShPP during your leave (and if applicable, for what period). If it is not in your period of leave notice you can tell us in writing, at least eight weeks before you want ShPP to start.

5. Shared parental leave arrangements

- 5.1 If you are the birth parent you cannot start SPL until after the compulsory maternity leave period, which lasts until two weeks after birth. If you are the partner of the birth parent or the main adopter, you should consider using your two weeks' partner leave before taking SPL. Once you start SPL you will lose any untaken partner leave entitlement. SPL is in addition to partner leave entitlement.

Opting In

- 5.2 Not less than eight weeks before the date you intend your SPL to start, you must complete and give to your line manager the written opt-in notice (available here).

Ending your maternity leave

- 5.3 If you are the child's mother and want to opt into the SPL scheme, you must give us at least eight weeks' written notice to end your maternity leave (a **curtailment notice**) before you can take SPL. The notice must state the date your maternity leave will end. You can give the notice before or after you give birth, but you cannot end your maternity leave until at least two weeks after birth. A curtailment notice is binding and can only be revoked in certain circumstances (i.e. you realise either you or your partner are not eligible for SPL or Shared Parental Pay (ShPP), if submitted prior to birth, for up to 6 weeks after birth or if the other parent has died).
- 5.4 The other parent may be eligible to take SPL from their employer before your maternity leave ends, provided you have provided the curtailment notice.

Ending your partner's maternity leave or pay

- 5.5 If you are not the birth partner, but the birth parent is still on maternity leave or claiming SMP or MA, you will only be entitled to SPL once they have either:

- (a) returned to work;
- (b) given her employer a curtailment notice to end her maternity leave;
- (c) given her employer a curtailment notice to end her SMP (if she is entitled to SMP but not maternity leave); or
- (d) given the benefits office a curtailment notice to end her MA (if she is not entitled to maternity leave or SMP).

Booking SPL

- 5.6 Having opted into the SPL system, you must book your leave by giving us a period of leave notice available on the intranet. This may be given at the same time as the opt-in notice or later, provided it is at least eight weeks before the start of SPL.
- 5.7 The period of leave notice can either give the dates you want to take leave or, if the child has not been born or placed yet, it can state the number of days after birth/placement that you want the leave to start and end. This may be particularly useful if you intend to take paternity leave starting on the date of birth or placement and wish to take SPL straight afterwards.
- 5.8 Leave must be taken in blocks of at least one week.
- 5.9 If your period of leave notice gives a single continuous block of SPL you will be entitled to take the leave set out in the notice. If your period of leave notice requests split periods of SPL with periods of work in between, we will consider your request in line with the procedure for requesting split periods of SPL below.
- 5.10 You can give up to three period of leave notices. This may enable you to take up to three separate blocks of SPL (although if you give a notice to vary or cancel a period of leave this will in most cases count as a further period of leave notice).

Procedure for requesting split periods of SPL

- 5.11 In general, a period of leave notice should set out a single continuous block of leave. We may be willing to consider a period of leave notice where the SPL is split into shorter periods with periods of work in between. It is best to discuss this with your line manager and HR in good time before formally submitting your period of leave notice. This will give us more time to consider the request and hopefully agree a pattern of leave with you from the start.
- 5.12 If you want to request split periods of SPL, you must set out the requested pattern of leave in your period of leave notice. We will either agree to the request or start a two-week discussion period. At the end of that period, we will confirm any agreed arrangements in writing. If we have not reached agreement, you will be entitled to take the full amount of requested SPL as one continuous block, starting on the start date given in your notice (for example, if you requested three separate periods of four weeks each, they will be combined into one 12-week period of leave). Alternatively, you may:

- (a) choose a new start date (which must be at least eight weeks after the date you submitted the notice requesting split periods of leave), and tell us within five days of the end of the two-week discussion period; or
- (b) withdraw the notice and tell us within two days of the end of the two-week discussion period (in which case it will not be counted as a period of leave notice, and you may submit a new one if you choose).

Changing the dates or cancelling your SPL

- 5.13 You can cancel a period of leave by notifying us in writing at least eight weeks before the start date in the period of leave notice.
- 5.14 You can change the start date for a period of leave by notifying us in writing at least eight weeks before the original start date or the new start date, whichever is earlier.
- 5.15 You can change the end date for a period of leave by notifying us in writing at least eight weeks before the original end date or the new end date, whichever is earlier.
- 5.16 You can request that a continuous period of leave be split into two or more discontinuous periods of leave, with periods of work in between. Since this will involve a change to the start date or end date, see paragraph 5.14 and **Error! Bookmark not defined.**5.15 above which set out how much notice is required for the request.
- 5.17 A notice to change or cancel a period of leave will count as one of your three period of leave notices, unless:
 - (a) it is a result of your child being born earlier or later than the EWC;
 - (b) you are cancelling a request for discontinuous leave within two days of the end of the two-week discussion period under paragraph 5.12;
 - (c) it is at our request; or
 - (d) we agree otherwise.

Premature Birth

- 5.18 Where the child is born early (before the beginning of the EWC), you may be able to start SPL in the eight weeks following birth even though you cannot give eight weeks' notice. The following rules apply:
 - (a) If you have given a period of leave notice to start SPL on a set date in the eight weeks following the EWC, but your child is born early, you can move the SPL start date forward by the same number of days, provided you notify us in writing of the change as soon as you can. (If your period of leave notice already contained a start date which was a set number of days after birth, rather than a set date, then no notice of change is necessary.)
 - (b) If your child is born more than eight weeks early and you want to take SPL in the eight weeks following birth, please submit your opt-in notice and your period of leave notice as soon as you can.

6. Pension Contributions

- 6.1 During periods of paid Maternity Leave, the employee will continue to make pension contributions based on the amount the employee is actually paid, whilst the Council will make contributions based on Assumed Pensionable Pay, which is what an employee would have earned, but for the maternity leave. Any employees who wish to explore the option of paying additional contributions when they are in a period of unpaid maternity leave, they should contact payroll@lancaster.gov.uk at the earliest opportunity.

7. Annual Leave

- 7.1 Annual leave continues to accrue as normal throughout SPL and due to the length of SPL, most maternity periods of leave are likely to fall between two annual leave years. Although it is encouraged to try and take all annual leave in the leave year, SPL may often mean this is not possible, so any outstanding leave can be carried over, and it is permissible to use this to extend the period of paid leave following the birth or placement of a child. Employees may wish to supplement their SPL with annual leave immediately before or after and they are encouraged to discuss their holiday plans with their line manager.
- 7.2 Any carried over leave must be taken or pre-booked within 2 months of the return from the last period of SPL. If the carried over leave is pre-booked, this can be booked at any time in that leave year; the requirement is only to ensure that all carried over leave is either taken, or booked (for a later date) in the first two months following the employees' return. Line managers will engage in a return-to-work conversation with employees, and work with them to use annual leave effectively.
- 7.2 Bank holidays that fall during any period of maternity absence will be recredited to the employee, on a pro-rata basis in line with their existing working pattern, and subject to any bank holidays already taken during the relevant leave year.

8. Contact during SPL

- 8.1 LCC acknowledges how important the bonding process is during SPL, and how exhausting it can be, so contact will be kept to a minimum, and only where necessary to inform employees about changes at work and ahead of the employees' return to work date (unless of course the employee would like to have a more frequent dialogue with their line manager or colleagues).
- 8.2 Except for in the first 2 weeks of maternity leave (which is compulsory prior to SPL in cases where the employee has given birth), an employee can carry out up to 20 shared parental "keeping in touch" (SPLIT) days without bringing shared parental leave to an end. They are optional and must be agreed between both parties. A SPLIT day is used to carry out usual work duties or training. SPLIT days do not extend the period of SPL and will be paid at the usual rate of pay for the hours worked in addition to the SSPP. If all 20 SPLIT days are used during SPL, any further work performed would mean that a weeks' ShPP is lost for any week in which work is performed.
- 8.3 The 20 SPLIT days available during SPL are in addition to the 10 KIT days available during Maternity and Adoption Leave.

9. Returning to work

- 9.1 If you want to end a period of SPL early, you must give us 8 weeks' written notice of the new return date. If you have already given us three period of leave notices you will not be able to end your SPL early without our agreement.
- 9.2 If an employee returns to work immediately after a period of SPL, which together with any statutory maternity/adoption leave taken to care for the same child, was 26 weeks or less, the employee will return to work in the same job.
- 9.3 If an employee returns to work from a period of SPL, which together with any maternity/adoption leave

taken to care for the same child, was more than 26 weeks, the employee will normally be entitled to return to the job in which they were employed before the absence. If that is not reasonably practicable, for instance due to a general reorganization, a similar role will be offered on no less favourable terms and conditions.

- 9.4 If your role is affected by a genuine redundancy situation occurring during your leave or have returned to work from a period of at least six consecutive weeks of shared parental leave and are within an additional protected period of 18 months from the child's date of birth, you shall be given first refusal on any suitable alternative vacancies that are appropriate to your skills. Similar protection applies to employees who have notified us of their pregnancy or are on, or have recently returned from, a period of maternity leave or adoption leave.

10. Flexible working requests

- 10.1 LCC understands that having a child *may* necessitate a desire to work differently, for any number of reasons. Full consideration will be given to requests from employees who, upon their return from maternity leave, wish to change their working commitment. Employees should submit their requests as far in advance of their scheduled return date as possible, to allow adequate time for the request to be considered, and where appropriate, the necessary arrangements to be put in place.

11. When will this policy be reviewed?

- 11.1 This policy will be reviewed every two years or earlier in the event of changes in legislation.

Document Control:

Version no.	Effective Date	Reason	Review due
1.0	03.02.2015	New policy agreed by Personnel Committee	03.02.2017
2.0	02.08.2017	Revised policy	02.08.2019
3.0		Reformatting and rebranding agreed by People & OD Committee	

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