

Notice of Meeting

Employment Committee

Councillor Leake (Chair),
Councillor Allen (Vice-Chairman),
Councillors Angell, Bhandari, Dudley, Mrs L Gibson, Neil, Porter and
Wade
Councillor Heydon (Non-Voting Co-Optee)

Wednesday 8 December 2021, 7.30 pm
Microsoft Teams Meeting



Agenda

Item	Description	Page
1. Apologies	To receive apologies for absence and to note the attendance of any substitute members.	
2. Declarations of Interest	<p>Members are asked to declare any disclosable pecuniary or affected interests in respect of any matter to be considered at this meeting.</p> <p>Any Member with a Disclosable Pecuniary Interest in a matter should withdraw from the meeting when the matter is under consideration and should notify the Democratic Services Officer in attendance that they are withdrawing as they have such an interest. If the Disclosable Pecuniary Interest is not entered on the register of Members interests the Monitoring Officer must be notified of the interest within 28 days.</p> <p>Any Member with an affected Interest in a matter must disclose the interest to the meeting. There is no requirement to withdraw from the meeting when the interest is only an affected interest, but the Monitoring Officer should be notified of the interest, if not previously notified of it, within 28 days of the meeting.</p>	
3. Minutes from previous meeting	To approve as a correct record the minutes of the advisory meeting of the Committee held on 7 July 2021.	3 - 4
4. Urgent Items of Business	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	
5. Update from the Chairman of the Local Joint Committee	A verbal update from the Chairman of the Local Joint Committee.	
6. HR/OD Workforce Update		5 - 12

EMERGENCY EVACUATION INSTRUCTIONS

If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.

	To receive an update presentation on the HR/OR Workforce.	
7.	HR Policy Review - Managing Absence and Equality & Dignity at Work	13 - 56
	To receive a report on the HR Policies Review.	
8.	Health and Safety Assessment Report	57 - 70
	To receive a report on display screen equipment assessments, home working assessments and BAME vulnerable groups analysis.	

Sound recording, photographing, filming and use of social media is permitted. Please contact Hannah Harding, 01344 352308, hannah.harding@bracknell-forest.gov.uk, so that any special arrangements can be made.

Published: 30 November 2021

EMERGENCY EVACUATION INSTRUCTIONS

If you hear the alarm, leave the building immediately. Follow the green signs. Use the stairs not the lifts. Do not re-enter the building until told to do so.



EMPLOYMENT COMMITTEE – ADVISORY MEETING 7 JULY 2021 6.00 - 6.45 PM

Present:

Councillors Leake (Chairman), Allen (Vice-Chairman), Angell, Bhandari, Dudley, Neil, Porter and Tullett

4. Declarations of Interest

There were no declarations of interest.

5. Minutes from previous meeting

The minutes of the meetings held on the 4 and 10 February 2021 and the Annual meeting of the Committee held on 28 April 2021 were approved as a correct record.

6. Urgent Items of Business

There were no urgent items of business.

7. Update from the Chairman of the Local Joint Committee

The Chairman update the Committee that Local Joint Committee had been held earlier in the afternoon and had covered the items that were on the Employment Committee agenda. There were no particular issues raised.

8. Minutes of Sub Groups

The minutes of the Local Joint Committee held on 10 February 2021 were noted.

9. Workforce and Organisational Development Strategy 2021 - 2024

Paul Young, Head of HR and Contracted Services presented an overview of the revised Workforce and Organisational Development Strategy 2021 – 2024.

The previous HR/OD workforce plan had run from 2018 to 2021 and had supported the priority workforce areas of the Council during this period.

The revised Workforce and Organisational Development Strategy had been developed to identify the key themes required to support the Council over the next three-year period. From this, a set of 11 objectives had been identified and were detailed in the presentation.

A Workforce Board would monitor the work activities and two Learning and Development Groups had also been established one to cover social care and the second to cover all other development needs across the Council.

Arising from the presentation, the following points were made:

- The progress and implementation of the model would be measured. There were aspects that would be complicated to measure and some areas that would be easier, the key performance data would be identified and monitored by the Workforce Board, however it was still at the very early stage of implementation.
- There would be data recorded from staff turnover, sickness absence data and also feedback from staff surveys.
- It was requested that an update be provided later in the year on the progress.
- Officers and Members undertook a survey as part of the Equalities Working Group earlier in the year, a meeting was taking place next week to ensure that the Workforce and Organisational Development Strategy work was aligned. There were members of the team that also sat on the Equalities working group.
- There was much equalities work taking place which was interlinked, and there would be equalities champions put in place across the workforce.
- The activities that were being planned through the Equalities Working Group would be interlinked with the work of the OD Strategy.
- The career pathway would be developed and enhanced. This was an area that needed to be developed and looked at across the Council.
- The pathway would be discussed with Managers to how it should look like and was still under development.
- Recognition and support given across the Council was built into the programme and had been in place for some time, but it wasn't always well advertised.
- A new Occupational Health contract had been procured which had additional benefits to staff.
- It was important that staff had a whole reward package, which was attractive for recruitment.

CHAIRMAN

HR/OD Workforce Strategy

5

Update

November 2021

3. Objectives

Our workforce are key to transforming how we work, matching agile processes and systems to the delivery of our strategic ambitions directed by a diverse and inclusive workforce who have the skills, behaviours and mindsets supported by high quality people managers and inspiring leaders.

The strategy has been developed by analysing and reviewing the significant workforce and cultural insights collected over the last three years. The HR and OD team have synthesized this data and defined the following **11 objectives:**

Ensure the right infrastructure and investment in the HR /OD function and skills building in increasing agility over the next 3-year period.HRO1

Ensuring that we continue to deliver a high-quality, high performing workforce who understand their contributions to the communities of Bracknell Forest. HRO2

Person centred people managers who create the conditions for high performance, innovation and growth. HRO3

Policies and procedures that enable us to be agile and empowering at every level and fit for the future.HRO4

The organisation has clear direction, values and behaviours, which are understood and adopted by everyone, at every level. They inform our decision making and activities.HRO5

There is an inclusive culture of openness, honesty and respect for individuality, diversity, and wide-ranging perspectives focused on people and relationships including across Members and Officers . HRO6

Leaders and managers role model and lead the values and behaviours - they drive a positive and supporting culture where individuality is valued and embraced. HRO7

Learning and development is recognised as a continuous cycle of improvement, ensuring everyone is invested in and supported to develop new skills and share the expertise we have. HRO8

Resourcing is agile and flexible, driven by a greater focus on outcomes, activities and results providing great opportunities for our communities where we can. HRO9

Reward and pay schemes reflect our unique needs whilst being robust, fair and transparent. HRO10

Risk is managed, understood and is balanced with greater agility. HRO11

HR and OD Priorities 2021-24



HR Delivery and Transformation

- 1.1 Organisational change
- 1.2 Management practice
- 1.3 Health and Wellbeing
- 1.4 Pay and Reward
- 1.5 Developing the HR Service
- 1.6 Employee Relations



1

HR Development

- 2.1 Workforce intelligence
- 2.2 Workforce planning
- 2.3 Resourcing and Recruitment
- 2.4 Policy review and development
- 2.5 Onboarding & Induction
- 2.6 Apprenticeships and Kickstart



2

Organisational Development

- 3.1 Review our VVB
- 3.2 Employer Branding and EVP
- 3.3 Leadership and Management
- 3.4 Performance Appraisal
- 3.5 Success & Talent Management
- 3.6 Organisational Design
- 3.7 Equality and Inclusion
- 3.8 Employee Engagement



3

Learning and Development

- 4.1 Skills Assessment
- 4.2 Centralised L&D budget
- 4.3 Digital Learning
- 4.4 L&D Strategy and procurement
- 4.5 Performance Coaching
- 4.6 Maximising the Levy
- 4.7 Developing a learning culture



4

HR Delivery and Transformation



- Pay and Reward
 - Reducing reliance on agency spend
 - Review JE approach
- - Review branding
- HR Management Practice – sessions held targeting need (recruitment and retention)
- Health and wellbeing
- HR front door review

HR Development



- Streamline recruitment – new platform from January 2021
- Targeted recruitment campaigns – Community Care Live/
Lexicon
- Policy Review
- Apprenticeships



Organisational Development



10

- Values and Behaviours
- Equality and Diversity
- Bracknell Forest Manager framework
- Leadership and management development



Learning and Development



- Learning and Development plan
- Skills analysis
- Mandatory and Statutory training
- Training procurement
- Budget control

This page is intentionally left blank

To: Employment Committee
8 December 2021

HR POLICY REVIEW – MANAGING ABSENCE AND EQUALITY & DIGNITY AT WORK Executive Director of Resources

1 Purpose of Report

- 1.1 The Human Resources team are undertaking a review of the policies with a view to update and, where applicable, rationalise the number required. A schedule has been established to undertake this work resulting in revisions to the Managing Attendance Policy together with a new Equality and Dignity at work policies.

2 Recommendations

2.1 That Employment Committee review and agree:

- i) the revised policy for Managing Attendance – therefore superseding the former Absence Management policy, procedure and guidance
- ii) the policy for Equality and Dignity at Work Policy – therefore superseding the Fair Treatment Policy

3 Reasons for Recommendations

- 3.1 To enable revised policies to be provided to assist managers throughout the Council in effectively managing and, where necessary, support their workforce and to comply with legal requirements and best practice.

4 Alternative Options Considered

- 4.1 To retain the existing policy for Absence Management as it does fulfil legal requirements but has proved difficult to navigate in some instances. This revised policy should assist more effective management of absence cases throughout the Council.

5 Supporting Information

- 5.1 It is recognised that the HR policies require review to ensure they remain up to date, follow best practice, effectively support managers in dealing with often complex cases and cover the Council's legal duties. As a result, a schedule has been established to review the current HR policies some of which have not been reviewed for some time.
- 5.2 The revised schedule has been established to prioritise those policies where there have been challenges to implement or where there has been a clear business case to do so. The Organisational Change and Agile Working policies are two which have recently been updated. In future, all new HR policies will include review times and the change history to ensure there is a regular programme of review and updates can be made as appropriate.
- 5.3 The process for reviewing the policies has included engagement with stakeholders across the Council and trade unions. The future development for this activity will include establishing a sub-group of the Workforce Board to facilitate engagement

across the Council so the pressures and challenges of each subject area can be considered.

5.4 The Managing Attendance Policy has evolved from the one titled Sickness Absence Management and includes the procedure and sample letters in one place where it was previously covered in three separate documents. Other changes include:

- Statement added for managers responsibilities.
- Equality statement has been added
- Recognition that absences resulting from menopause and Covid may need to be considered outside the standard absence triggers.
- Sickness Pay - strengthening the employers right to act prior to the allowance being exhausted.
- Strengthening the wording under redeployment and suitable alternative roles.
- Further linking absence through menopause for consideration under the Equality Act.

5.5 The Equality and Dignity at Work Policy will supersede the Fair Treatment Policy and will further support the Council's approach to equalities. There is currently no separate policy document on equalities alone as the duties have been included in all other HR policies where the responsibilities under each are clearly defined. This approach will continue but given the profile of this work across the Council it is felt that this clear statement important. The main points to note in the policy are:

- Incorporating the role of the Equality Allies
- Greater emphasis to the Council values and behaviours
- Incorporating links to employee support arrangements

5.6 It is recognised that the policy and procedure alone does not provide the confidence and competence to manage workforce situations. The HR/OD Team will be supporting the effective management of these procedures through a programme of development for managers. This will complement the training programmes for inclusive conversations and Mindful and Compassionate Management.

5.7 The next procedures for review are the ones for Grievance and Disciplinary.

6 Consultation and Other Considerations

Legal Advice

6.1 As a responsible employer it is incumbent upon the Council to ensure that it has in place policies and procedures which provide a framework for enabling it to discharge its legal responsibilities in the field of employment law. These responsibilities are framed around a need to ensure employees have access to fair and transparent processes HR processes.

The updated policies provide a framework for decision making which (when followed) will mitigate the risk of successful legal challenges in relation to the management of sickness absence and in the context of discrimination law.

Financial Advice

6.2 Not required for this paper

Other Consultation Responses

- 6.3 The policies have been through a consultation exercise with trade unions. Any comments or suggestions received have either been incorporated into the policy or an explanation provided as to why it was felt inappropriate to do so.

Groups across the Council have had the opportunity to consider and comment on the policies including the Equalities Group.

Equalities Impact Assessment

- 6.4 The performance of these policies is monitored and included with the annual workforce monitoring report.

Strategic Risk Management Issues

- 6.5 Both policies being presented can have a significant impact on the Council where either poor people management or failure to follow due process could present legal challenges. This is aside the personal impact this can have on either individuals or wider teams where these important areas are not addressed well.

Climate Change Implications

- 6.6 The recommendations in Section 2 above are expected to have no impact on emissions of CO₂.

The reasons the Council believes that this will have no impact on emissions are the fact that these are employment procedures in place to support attendance and fair treatment for staff at work.

Background Papers

Managing Attendance Policy and Equality and Dignity at Work Policy Attached.

Contact for further information

Paul Young, Resources – 01344 354060
Paul.young@bracknell-forest.gov.uk

This page is intentionally left blank



Equality and Dignity at Work Policy

Document Control

Document Ref:	1.1	Date Created:	October 2021
Version:	1.1	Date Modified:	
Revision due	The service would aim to review policies and procedures every 2 years to ensure documents are up to date		
Owning Service	Human Resources		

Approvals (if required)

Date Employment Committee gave authorisation for changes (where necessary)

Change History

Version	Date	Description	Changes made by
1.1	October 2021	Creation of a new Equality Policy incorporating the previous Fair Treatment Policy	

BRACKNELL FOREST COUNCIL'S EQUALITY & DIGNITY AT WORK POLICY

POLICY STATEMENT

At Bracknell Forest Council we are committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued. We believe in treating all employees fairly and equitably and improving the working lives of all staff (full time, part time or job share, regardless of gender, race, disability, sexual orientation and gender identity/gender expression, age or personal circumstances)

The aim is for our workforce to be truly representative of all sections of society and our customers, creating the conditions where each employee feels respected, can perform at their best, are treated as individuals and celebrated for their uniqueness.

We believe that all employees have the right to work in an environment where dignity, courtesy and respect are permanently maintained. The Council will not tolerate behaviour which is regarded as unwelcome or unwarranted and has a detrimental effect on employees. This Policy will inform and guide good practice in promoting dignity at work on the understanding that all employees have a right to be treated with justice and equality and outline the means for dealing with unfair treatment, such as bullying, harassment, victimisation or discrimination, with fairness and sensitivity.

The Council - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

PURPOSE

- Acknowledge that unfair treatment of any nature is always unacceptable and could also result in high levels of stress, reduced job performance and increased staff turnover.
- Heighten awareness of the need for fair treatment and dignity at work, for individuals to be able to raise their concerns about bullying, harassment, victimisation or discrimination and have these concerns dealt with fairly and empathetically
- Provide equality, fairness and respect for everyone who works for the Council in any capacity
- Not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex and sexual orientation
- Oppose and avoid all forms of unlawful discrimination. This includes pay and benefits, terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities

PRINCIPLES

At the Council we recognise that the key to a healthy high performing workforce and working environment is trust, quality relationships and open, honest communication between colleagues, councillors and line managers. Every interaction should be based on mutual respect and professionalism. We work hard to ensure that everyone feels they have the support, conditions and tools to do their very best work. However, we recognise that there are occasions where colleagues feel they have been treated disrespectfully and/or in an undignified manner. This policy is in place to deal with those instances either informally or through a formal process.

Every employee has the right to determine what behaviour they find unacceptable. An employee who feels that they have been unfairly treated or has their dignity compromised has the right to have the incident(s) investigated and resolved in the most appropriate manner. The Council will take seriously all complaints of unacceptable behaviour by fellow employees, councillors, customers, suppliers, visitors, the public and any others in the course of the Council's work activities

The Council recognises that employees may sometimes be reluctant to report unfair or unequal treatment, but the Council is committed to taking breaches of this Policy seriously and ensuring they are dealt with sensitively, fairly, and where appropriate, confidentially. Appropriate action will be taken against those who victimise an employee who brings a complaint under this Policy.

If an employee makes a formal complaint that they are being treated unfairly the incident will be formally investigated regardless of whether other parties may view it as serious or harmless, intentional or innocent. Irrespective of whether the complaint results in Grievance Proceedings, a manager may initiate a Disciplinary Hearing in accordance with the formal procedure contained within this policy.

Cases of unfair treatment or undignified behaviour may be dealt with through the Council's Disciplinary Procedure, depending on the outcome of the investigation; serious cases may be considered as gross misconduct and could result in suspension or dismissal.

Sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

All parties are subject to fair treatment and dignity at work under this policy. Any party initiating a false complaint for malicious reasons will be dealt with under the Council's Disciplinary Procedure.

It should be noted that if tribunal proceedings are initiated by any harassed employee, such proceedings may be taken against both the employer and the alleged 'harasser'; any award may be significant and may be made against both the employer and the 'harasser' personally.

The organisation commits to:

- Encourage equality, diversity and inclusion in the workplace as they are good practice and make business sense
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued. This commitment includes training managers and all other employees about their rights and responsibilities under this Policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination.
- Ensuring that all staff understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public
- Make opportunities for training, development and progress available to all staff, who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation.
- Make sure that decisions concerning staff are based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
- Monitor the make-up of the workforce regarding information such as age, sex, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality, diversity and inclusion, and in meeting the aims and commitments set out in this Policy. Monitoring will also include assessing how the equality, diversity and inclusion policy, and any supporting action plan, are working in practice, reviewing them annually, and considering and taking action to address any issues.

This Policy is fully supported by senior management and has been agreed with trade unions.

Details of the organisation's Grievance and Disciplinary Policies and Procedures can be found on the intranet. This includes with whom an employee should raise a grievance – usually their line manager.

SCOPE

This policy applies to all staff working for Bracknell Forest Council in any capacity, excluding school-based staff who have their own policies in relation to dignity at work.

Any complaint involving a Councillor(s) will be referred through the Member/Officer Protocol and the Council's Standards Committee

DEFINITIONS

Bullying and harassment is behaviour that makes the recipient feel intimidated or offended. Under the Equality Act 2010, Harassment is unlawful.

Bulling and harassment can happen; face to face, by letter/email, by phone or any medium which results in an adverse effect on the individual's personal safety, well-being or job performance. Acts of bullying and harassment may be regarded as being imposed by one person or a group of people; they can be a one-off event or a series of incidents.

Harassment is unwanted behaviour related to any one of the following characteristics:

- Sex
- Race
- Age
- Disability
- Gender reassignment
- Pregnancy and Maternity
- Religion or belief
- Sexual orientation
- Marriage and Civil Partnership
- Personal characteristics
- Position in the organisation
- Or any other material factor

Examples of the type of behaviour which may be regarded as bullying/harassment are:

- Exclusion or victimisation
- Being treated less favourably – unfair treatment
- Misuse of power or position
- Comments or abuse based on any of the personal factors listed above
- Unwelcome sexual advances, verbal, physical or emotional, e.g., touching, invasion of personal space, displays of offensive materials, etc.
- Unwanted or patronising comments and/or innuendo
- Ridiculing or demeaning comments or behaviour
- Deliberately picking or undermining someone, sometimes referred to as gas lighting
- Making unreasonable work demands or subjecting them to constant unwarranted criticism
- Spreading malicious rumours or insults
- Unreasonably obstructing an individual's progress at work by blocking promotion or training opportunities
- Being impolite and or unprofessional in order to undermine another

Please note, this list is not exhaustive and other actions may constitute bulling/harassment.

We recognise that such behaviour is not always intended and there will be occasions where the impact of a person's behaviour is not what was intended, and we want every colleague to feel that they can raise poor behaviour directly with the perpetrator as it occurs in a non-confrontational manner. To achieve this the Council will make clear the expected behaviours and ensure everyone has the training and knowledge to understand this policy and their responsibilities with in it.

ROLES AND RESPONSIBILITIES

Senior Leaders and Councillors

It is the responsibility of the Council's senior leadership team and councillors to set the expectations and strategy for equality and diversity.

They should role model the principles set out in this policy and ensure that it is clear what is expected of others. Aligned to our values and behaviours here at Bracknell Forest Council the senior leadership ensure that our workforce demographic matches the diversity and individuality of our communities.

They must ensure that pay, support, recognition, reward and opportunities at work are fair, transparent and consistent.

Line Managers

It is the responsibility of line managers to ensure that they provide the conditions and support for team members to do their very best work regardless of their individuality.

They must ensure that they take all the necessary steps to ensure that every team member understands their responsibilities in respect of equality, diversity and dignity at work.

Where an issue arises, they must seek to deal with it at the earliest opportunity, taking a mediative approach where possible. In instances where this requires a formal approach, line managers must ensure that they follow the appropriate steps and actions as set out below.

Line managers should regularly communicate and role model the expected behaviours and ensure that the appropriate training has been received so that everyone understands equality, diversity and dignity in the workplace.

Equality Allies (EA)

We understand that in some cases, employees who experience some form of unwanted behaviour may want to talk it through with another colleague. The Council's EA's are trained to act as a 'listening ear' to signpost and educate colleagues on all matters relating to equality, diversity and inclusion at work.

They are trained and knowledgeable to help where an employee may want further information, understand the Council's Policy or refer to a HR Advisor in the event of seeking further informal or formal action. For information about the EA in your team or Directorate please visit their dedicated pages at [Equalities \(sharepoint.com\)](#)

Employees

In line with this Policy, every employee and councillor regardless of their level and position must act in accordance with the values and behaviours agreed. We expect the highest level of professionalism from every member of staff together with behaviour that is mindful and compassionate.

We understand, however that there are occasions where a person's intention is not to cause offense or upset, but the perceived or actual impact is negative and detrimental towards another individual. Where appropriate, the recipient of the alleged behaviour is encouraged to discuss this directly with the colleague but, should this not be appropriate, this may be addressed to the line manager.

As set out in this policy employees can speak informally to an EA, their line manager, seek advice from HR or have the matter dealt with formally through procedure below.

All staff must ensure that they have completed the available training on Equality, Diversity and Inclusion in the workplace and take positive steps and action to treat everyone with respect, dignity and professionalism regardless of their individuality.

Human Resources

The HR team are responsible for ensuring that the Council's Policy on equality, diversity and dignity at work are clear, communicated and accessible to all. Ensuring that the process for dealing with issues that are related are dealt with following the correct procedure in partnership with managers and leaders.

They are responsible for ensuring that Equality, Diversity and Inclusion in the workplace training is available, relevant and up to date with the latest legal framework under the Equalities Act 2010.

HR provide advice and guidance on any issues related to equality, diversity and dignity at work. They are responsible for working with managers to formally investigate any issues of bullying, harassment, unfair treatment, discrimination or victimisation in the workplace, whether this is intended or not.

PROCEDURE FOR DEALING WITH ISSUES

INFORMAL PROCEDURE

In the first instance, if the employee feels able to, they should attempt to resolve the problem informally.

Suggestions to resolving informally are:

- If you feel able to, talk to the person causing offence and explain how it is making you feel. Make it clear that you consider that the person's behaviour is unacceptable and that you wish it to stop.
- If you feel unable to do this yourself, you could consider asking someone you trust to raise the issue on your behalf. The offending behaviour may be unintentional, and the person may be unaware of the effect of their behaviour on you.
- You may feel that it would be helpful to talk the incident/situation over with someone else first. This could be with a work colleague, your line manager, and/or an Equality Ally, HR Advisor, or Trade Union Representative who can act either as a "listening ear" or give advice on measures which can be taken to resolve the situation.

Employee Support

We recognise that being the victim of unfair treatment, such as bullying and harassment, can be difficult for the recipient. In addition to the support provided by line managers, HR, etc, there is the additional option of contacting the Council's employee assistance/counselling service. This is a confidential service which can be accessed 24/7. Further information can be accessed here [Staff counselling service \(sharepoint.com\)](#):

Informal Action: Responsibility of Managers:

- The action required of a manager may vary depending on both how the situation is brought to their attention and what actions the employee wishes to take. An incident may be raised by the employee themselves, the colleague of an employee, an Equality Ally, a Trade Union Representative, HR Advisor, or the manager may witness an incident themselves.
- In all cases the manager should speak to their employee to ensure they are aware of this Policy and understands the steps to take.
- If an employee does not wish to make a formal complaint, the matter must be kept confidential, but it is advisable that the manager monitors the situation to ensure there is no repetition.

If you do not feel that you can resolve the issue informally, or attempts to do so have not been successful, then you can talk to your: Manager, An Equality Ally, HR or Trade Union representative about progressing to the formal procedure.

If you feel you have been the victim of harassment or bullying it is important that you make a written record of what was said and/or what happened as soon as possible after the incident. This can then be referred to if there is a subsequent repetition or you decide to raise the matter formally.

FORMAL PROCEDURE

If attempts to resolve an allegation of unfair treatment have been unsuccessful or if the allegation may constitute misconduct then the employee should proceed to the formal procedure by raising a [Grievance](#).

Where a manager believes that an incident constitutes a potential disciplinary offence, the manager may initiate an investigation in accordance with the [Disciplinary](#) Procedure.

Where disciplinary action results from a Grievance Hearing, the Disciplinary Procedure may commence at Stage 1, or Stage 2 as appropriate as investigations will already have been carried out as part of the Grievance Procedure. The process in accordance with the Disciplinary Procedure should be followed from this stage.

During any stage of a formal Disciplinary/Grievance Procedure it may be necessary to minimise contact between the parties. Where possible, changing duties, work patterns, line management or location for either the perpetrator or the complainant should be considered.

Managing Attendance Policy

Document Control

Document Ref:	1.2	Date Created:	1998
Version:	1.2	Date Modified:	October 2021
Revision due	The service would aim to review policies and procedures every 2 years to ensure documents are up to date		
Owning Service	Human Resources		

Approvals (if required)

Date Employment Committee gave authorisation for changes (where necessary)

Change History

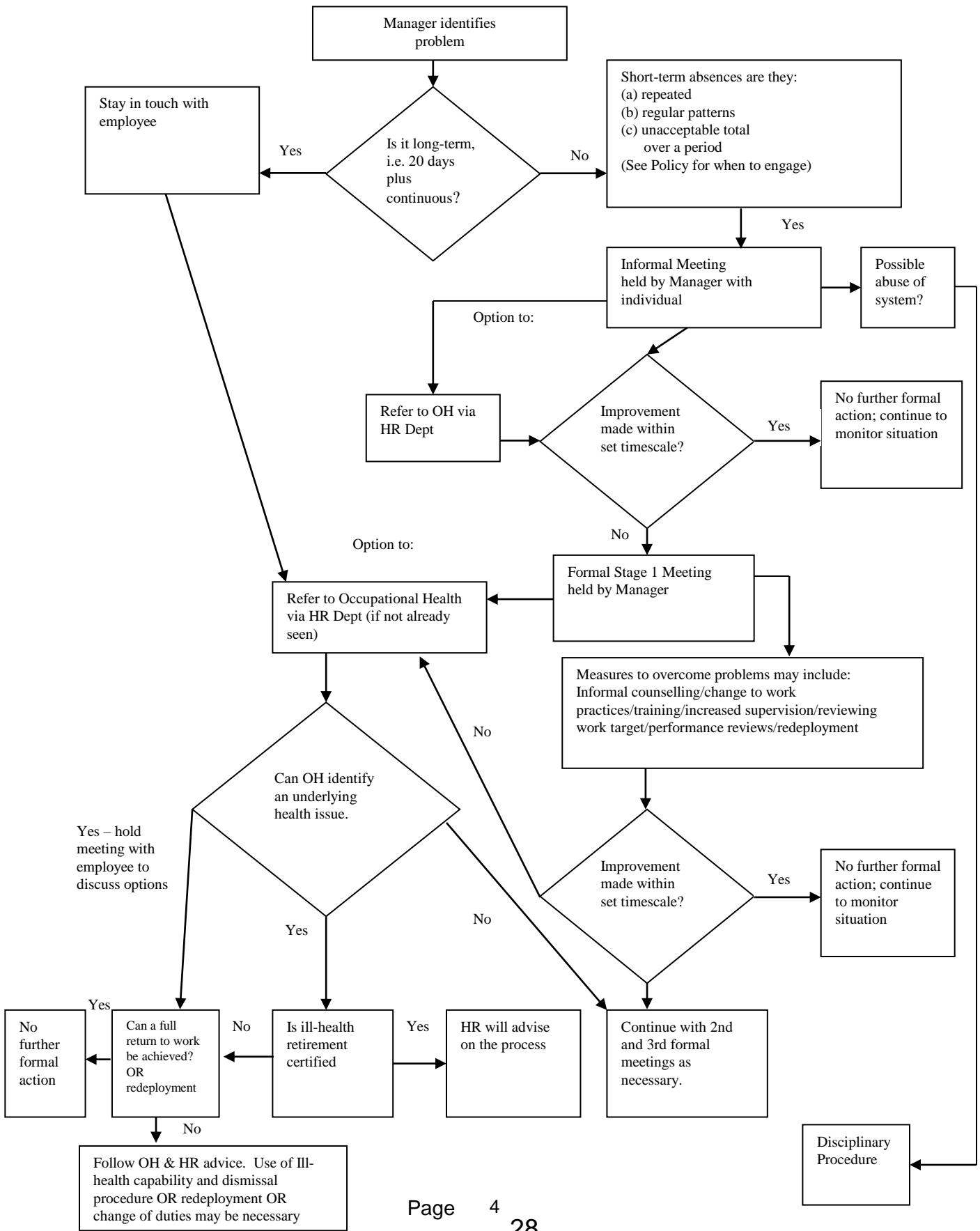
Version	Date	Description	Changes made by
1.1	March 2019	Updated to include links to additional guidance	Melissa Berry
1.2	October 2021	Amalgamated all information related to managing sickness absence into one document	Sarah Darby/ Pauline Meredith

MANAGING ATTENDANCE

SICKNESS ABSENCE - FLOW CHART.....	4
1 INTRODUCTION	5
2 EQUALITY	5
3 PRINCIPLES.....	5
4 CONFIDENTIALITY	6
5 SCOPE	6
6 NOTIFYING ABSENCE	6
6.1 Notification Procedure	6
6.2 Fit Note	7
6.3 Accidents at Work	7
7 RETURN TO WORK INTERVIEW.....	7
8 MANAGING ABSENCE	8
8.1 Informal Action	8
8.2 Managing Short Term Absence.....	8
8.2.1 Informal Meeting	9
8.2.2 Formal Stage 1 Meeting.....	10
8.2.3 Formal Stage 2 Meeting.....	11
8.3 Managing Long Term Absence	11
8.3.1 Four Point Options Meeting	11
8.3.2 Redeployment	12
9 THE OCCUPATIONAL HEALTH SERVICE	13
10 RETURN TO WORK PROGRAMMES.....	13
11 EQUALITIES ACT - DISABILITY	14
12 DATA PROTECTION LEGISLATION.....	14
13 SICKNESS PAY.....	14
14 GENERAL ADVICE AND GUIDANCE	14
APPENDIX A - FORMAL STAGE 2 MEETING PROCEDURE	15
APPENDIX B - ILL HEALTH CAPABILITY AND DISMISSAL HEARING PROCEDURE	16
APPENDIX C - RIGHT OF APPEAL TO DIRECTOR - PROCEDURE.....	18
APPENDIX D - RIGHT OF APPEAL TO A MEMBER APPEALS PANEL PROCEDURE	20
SAMPLE LETTER 1 - INVITE TO FORMAL STAGE 1 MEETING	22
SAMPLE LETTER 2 - OUTCOME FORMAL STAGE 1 MEETING	23
SAMPLE LETTER 3 - INVITE FORMAL STAGE 2 MEETING	24
SAMPLE LETTER 4 - OUTCOME FORMAL STAGE 2 MEETING	25
SAMPLE LETTER 5 - INVITE LONG TERM SICKNESS ABSENCE REVIEW MEETING	26
SAMPLE LETTER 6 - OUTCOME LONG TERM SICKNESS ABSENCE REVIEW	27
SAMPLE LETTER 7 – INVITE ILL-HEALTH CAPABILITY & DISMISSAL HEARING .	28

SAMPLE LETTER 8 – OUTCOME ILL HEALTH CAPABILITY & DISMISSAL HEARING	29
SAMPLE LETTER 9 – OUTCOME ILL HEALTH RETIREMENT DISMISSAL.....	31

SICKNESS ABSENCE - FLOW CHART



MANAGING ATTENDANCE

1 INTRODUCTION

This policy is recommended to Council staff as a guide to improve attendance and where necessary, to effectively manage absences.

The aim of this policy is to enable employees to attend work in line with their contractual obligations and to assist managers to reduce levels of absence among staff in a fair and consistent way. The policy aims to balance two considerations; the need for the Council to deliver high quality services, and the interests and rights of individual employees.

It is the responsibility of all managers to ensure they attend relevant training and awareness sessions to enable them to manage attendance in a mindful and compassionate manner, and for all managers and staff to promote wellbeing throughout the Council. Managers must be mindful of the impact to employee wellbeing of the new ways of working and of different working arrangements.

The policy contains separate sections covering managing repeated or frequent short term absences and managing long term absences of 20 days or more.

Where an employee is at work but is finding it hard to fulfil their hours or duties due to ill health, please refer to the Performance Improvement and Capability Procedure.

2 EQUALITY

At Bracknell Forest Council we are committed to encouraging equality, diversity and inclusion among our workforce, and eliminating unlawful discrimination. We want everyone that works for us to feel that their individuality is respected, and their unique contributions are valued.

The aim is for our workforce to be truly representative of all sections of society and our customers, and for each employee to feel respected and able to give their best.

The organisation - in providing goods and/or services and/or facilities - is also committed against unlawful discrimination of customers or the public.

3 PRINCIPLES

Each case will be treated on an individual basis. Individual employees have a duty to attend work in line with their contract, and consequently must take all reasonable steps to protect their own welfare, and to assist in the promotion of a healthy workplace. This policy should be considered alongside the Council's Agile Working Policy as this provides greater opportunity to explore options where work is performed.

The impact of absence is significant, e.g. the impact on the service and the cost of absence to the Council. For these reasons maximising attendance for all employees is very important to enable the Council to provide consistent and high quality services.

Each case will be dealt with sensitively and with due fairness, and with regard to the interests of both the individual and the Council.

This policy should be used in conjunction with other relevant policies such as:

- Stress at Work
- Substance Misuse
- Domestic Abuse
- Agile working

4 CONFIDENTIALITY

Sickness, medical procedures and personal situations which may result in sickness absence should be dealt with confidentially. Conversations between manager and employee should therefore be undertaken in a meeting room. Similarly, telephone or video conversations to employees who are off sick, should not be held in an open plan office as this may breach confidentiality.

Whilst it is recognised that co-workers are interested in the well-being of their colleagues, managers must not discuss the reason for absence with staff unless pre-agreed with the member of staff.

5 SCOPE

This policy applies to all employees of Bracknell Forest Council, with the exception of:

- School based staff (see separate School policy)
- Employees serving a probationary period
- For individuals undertaking casual work

The procedures in this policy cover situations of absence only. If an employee is attending work but is unable to carry out their role satisfactorily due to ill-health then the Performance Improvement & Capability procedure should be used.

6 NOTIFYING ABSENCE

6.1 Notification Procedure

Employees who are absent from work are required to follow the reporting procedure set out below:

The employee should contact their manager on the first day of sickness, outline the reason for the absence and give an estimate of the duration of their illness. Where the manager is not available the employee should contact another senior manager or named officer in the team. Local arrangements may apply where shift and rota patterns are in place. In these circumstances the employee must notify the Shift Leader of the absence.

If the employee is seriously ill and unable to contact their Manager/Shift Leader, they should ask a family member or friend to do so as soon as it is possible.

The Manager should log into the employee record on iWork@BFC and input the start date and reason for the absence. For further information please see the [Guidance for recording absence.](#)

6.2 Fit Note

If the employee is absent for more than seven calendar days (including non working days), they must obtain a Fit Note from their doctor and forward a copy to the manager. The employee should retain the original of the Fit Note. Failure to submit a Fit Note (or failure to notify sickness absence) may result in sickness payments being stopped or suspended. It is important for the employee to keep the manager up to date on the likely return to work date. Repeated failures to notify absence correctly or failure to produce sickness certificates may lead to disciplinary action.

The Fit Note may indicate the employee would be able to return to some sort of work with certain restrictions. If the manager is unsure about whether they can comply with the recommendation then Occupational Health can provide additional advice. If the recommendations cannot be accommodated the employee is treated as unfit to return to work.

if the employee does not return to work on expiry of the first Fit Note, further Fit Notes are required to cover the period of absence. If an employee wants to return before the Fit Note expires the manager should discuss this with the employee and should either ask the employee to obtain a further Fit Note from their GP which shows they are fit to return or refer the employee to OH to obtain OH advice about their fitness to return.

6.3 Accidents at Work

All injuries, accidents, illnesses or diseases arising from work activity must be reported, regardless of the severity, to the manager as soon as possible after the incident. The manager must then follow the Health and Safety procedures to report the incident. Further information can be found at <https://bfcouncil.sharepoint.com/SitePages/Report-an-accident-or-incident.aspx>

7 RETURN TO WORK INTERVIEW

The supportive Return to Work Interview should take place for every occasion of absence. The purpose of the interview includes:

- To welcome the employee back and to check on their health and wellbeing. The manager should discuss with the employee any help or support they may require on their return to work.
- To check they are well enough to resume duties, focus on their value to the service and update them on any changes.
- To give the Manager opportunities to enquire what was wrong and possibly explore any problems (e.g. domestic, work) which may have contributed to the absence. To establish if anything can be done to prevent recurrence.
- To show the employee that the absence has been noted.
- To complete the self certification form.
- Where appropriate, to discuss the impact of the absence on the service or the team.
- A copy of the fit note should be taken by the manager and the original returned to the employee

- In cases where there is room for improved attendance, an employee must be told what is expected and the likely consequences if this does not happen.

A written record should be made of return to work interviews on the form provided on the intranet.

8 MANAGING ABSENCE

Please note that pregnancy related absences do not count towards sickness absence triggers and, depending on the individual circumstances, this may also be the case for absence resulting from conditions such as menopause and Covid.

The Council operates agile working arrangements and, where appropriate, employees may be well to undertake work duties virtually. This is one tool in supporting attendance in work. An example of this may be considered where an employee is fit to work but is infectious and attendance in the workplace is not recommended. Where virtual working can be applied this should be considered.

8.1 Informal Action

Formal action in relation to sickness absence should not be taken until all informal measures have been explored and support provided for improvement. Part of the accepted responsibilities of good management is to ensure that supervisory processes which fall short of formal action are observed before entering into formal review meetings. This can be done through the return to work interviews or during other informal meetings. It is recommended that file notes are made of informal actions as they may need to be presented as evidence if any future formal actions are taken.

8.2 Managing Short Term Absence

Short term absence will generally occur where there is no independent evidence of a medical condition. After the informal process has been exhausted and where the frequency, pattern or reasons for absence continue to cause concern, it is important that the Manager sets up a review meeting to discuss the problems with the employee.

Short term absence will usually be defined as follows, and could trigger review meetings:

- Time lost over a period (as a guide, 3 separate absences in 6 months; or 8 working days absence made up of short-term repeated absences in a 12 month period. NB any single period of absence over 20 days is considered long-term and should be considered under the Long Term Absence procedure further down in this document)
- Patterns emerging (e.g. regular Mondays/Fridays or sickness after a holiday)
- Combination of odd days, longer periods and patterns of absence emerging which cause the Manager concern.

These are guidelines only; for example, the particular circumstances surrounding the absence pattern may cause concern before a threshold number of days is met, in which case the manager should still hold a review meeting.

8.2.1 Informal Meeting

For repeated short term absences the manager should hold an informal meeting with the employee, with the following objectives:

- Drawing the employee's attention to any concerns the Manager may have about their attendance record while being respectful and sensitive to their medical reasons. Enquiring about domestic or work-related pressures which may offer some explanation of absence problems and any help and advice necessary to support the employee, including and temporary change to their duties, location of work, etc.
- To review the attendance record of the employee with them, ensuring that it is up to date and accurate, and stressing the detrimental impact of these absences on the Section/Department.
- To discuss with the employee the extent of and reasons for their periods of absence, and how the level of absence can be reduced.
- To discuss with the employee the improvement that is expected, the course of action to be taken, the possible consequence if no improvement is made and to give a period within which an improvement should be made. The level of expected improvement will be on a case by case basis. A date should be fixed on which the next review meeting will take place. The Manager should confirm these points in writing.
- During the review period, the employee's attendance should be closely monitored. If there is cause for concern, the Manager can deal with it at any time before the end of the review period.

The employee is not entitled to union representation during the informal stage but may seek advice and guidance from their union representative in preparation for the meeting with their manager.

A review meeting should be conducted at the end of the review period, to either refer to the first formal stage, extend the review period or conclude the process should attendance meet the required levels. The review meeting will:

- Assess attendance in the period since the informal meeting
- Assess the action that was agreed in the informal meeting
- Decide on any appropriate additional action.

Depending on the circumstances of each individual case, appropriate additional action at this time may include:

- Referral to the Occupational Health Service for an opinion on the underlying cause of the absence. The form to be used is an Occupational Health Management Referral form which is available on the intranet: [Occupational health \(sharepoint.com\)](http://Occupational health (sharepoint.com))
- If it is evident that there has been abuse of the system, it should be treated as a disciplinary issue rather than capability, and it should therefore be referred to the Designated Officer for disciplinary action.

If there has been a clear improvement which meets expected standards then the employee should be told that no further action will take place as long as the improvement is maintained, but that failure to maintain a satisfactory level of attendance will result in a

further review meeting or further action. The Manager should not cancel the meeting simply because attendance has improved.

If no improvement or insufficient improvement has taken place then the Manager should conduct a Formal Stage 1 Meeting. The employee should be notified of the outcome in writing.

8.2.2 Formal Stage 1 Meeting

If an employee's sickness absence levels have not improved despite being addressed informally, and the employee has reached the trigger points, the manager will invite the employee to a Formal Stage 1 meeting.

The manager will agree a date with the employee and will confirm the invitation in writing giving the employee at least 5 working days' notice. See sample letter 1 below. The employee is not entitled to union representation during the Formal Stage 1 but may seek advice and guidance from their union representative in preparation for the meeting with their manager.

The manager should prepare for the meeting by ensuring that they have clearly identified the employee's sickness absence levels and the support that has been provided.

The Formal Stage 1 meeting will be conducted by the manager, who will:

- Explain the concern about the absence level and reasons for that concern, such as the operational difficulties caused
- Listen to the reasons for absence and respond appropriately
- Consider whether to refer the case to Occupational Health, if not already done
- State that sustained improvement in attendance is required
- Identify any support required, and review what support has already been provided and the effect of that support
- State that sustained improvement in attendance is expected and set an appropriate monitoring period, agree targets for improvement and set a date and time for the next meeting. Targets will be set on a case by case basis and should be SMART where possible.
- Confirm the support available
- Explain that continued failure to improve attendance to the specified level may lead to further action
- Confirm the outcome of the meeting in writing. See sample letter 2 below.
- A full record of the meeting should be made

If the employee reaches an acceptable level of improvement during the monitoring period, monitoring should revert back to informal arrangements. The employee should be told that no further formal action will take place as long as the improvement is maintained, but that failure to maintain a satisfactory level of attendance will result in a further review meeting or further action.

If the employee has made insufficient or no improvement by the end of the monitoring period set at the Formal Stage 1 meeting or they have breached any targets before the end of the monitoring period the manager will refer the case to the Designated Officer to attend a Formal Stage 2 meeting.

8.2.3 Formal Stage 2 Meeting

This meeting will be carried out by the Designated Officer. It continues to follow a formal procedure and carries with it the right to representation and appeal (see sample letter 3 below). The Formal Stage 2 procedure in Appendix A outlines the necessary procedures to follow for this meeting.

Outcomes from this meeting may include formal warnings up to and including a final written warning (see sample letter 4 below). The Designated Officer may, if appropriate, repeat this Stage as necessary.

The Designated Officer will decide when to initiate this stage, which should be after sufficient time has been given for actions agreed in the Formal Stage 1 to be carried out and improvements to be made and reviewed. Where the problem is clearly persisting the situation will be discussed with the employee and the Designated Officer may choose to hold the Formal Stage 2 Meeting sooner. An HR Adviser will advise on individual cases as appropriate.

If the employee reaches an acceptable level of improvement during the monitoring period, monitoring should revert back to informal arrangements. The employee should be told that no further formal action will take place as long as the improvement is maintained, but that failure to maintain a satisfactory level of attendance will result in a further review meeting or further action.

If the employee has made insufficient or no improvement by the end of the monitoring period set at the Formal Stage 2 meeting or they have breached any targets before the end of the monitoring period the Designated Officer will normally arrange an Ill-health Capability Hearing which may lead to dismissal. See details of this process in Appendix B.

If an action short of dismissal is taken, and the problem persists, meetings at this or the preceding level may be repeated as appropriate at a future date.

8.3 Managing Long Term Absence

Long term absence cases are those where an employee has been absent continuously for a period of twenty working days or is likely to be absent for this period. If an employee is absent from work long term, the manager should keep in regular contact with the employee. Records should be kept of employee contact in long term absence cases.

Where the employee's recovery period is uncertain or the absence is likely to go significantly beyond twenty working days, the case should be referred to the Occupational Health Service for a medical opinion of the case. This will include requesting information regarding the present health of the employee and the likely date of return to work. Once Occupational Health's report has been obtained, the manager, in consultation with HR, will consider whether and when the employee is likely to return to work and the operational impact of continuing absence. Further appointments with the Occupational Health Service may be necessary.

8.3.1 Four Point Options Meeting

If the medical evidence is giving no clear prognosis or return to work within a reasonable period such as three months, the Manager will arrange a meeting with the employee formally. Having taken advice from the Occupational Health Service and HR, part of this discussion may be to discuss the options available.

The manager will agree a date with the employee and will confirm the invitation in writing. See sample letter 5 below.

During the meeting the following discussions will take place:

- When the employee considers they will be fit to return to work/any support needed;
- Any Occupational Health advice received;
- If the employee is unfit to perform his/her current duties but is capable of carrying out other work, suitable alternative work will be considered. However the Council will be under no obligation to create a job for the employee

It should also be explained to the employee that possible outcomes of the meeting are as follows:

- No further action (where the employee will be fit to work within a determined period, or there is a long term condition, for example, cancer, menopause or other conditions covered by the Equality Act, where a longer period of monitoring is needed)
- Considering adjustments or suitable alternative employment if the employee is temporarily unfit to carry out their normal duties but is capable of carrying out other work. Such changes may be on either a temporary or an indefinite basis as appropriate. If a disability has been identified then reasonable adaptations to the work will be considered, and these may include redeployment to more appropriate work. Searching for redeployment should commence immediately but should only continue for a maximum of 3 months.
- Consider retirement on grounds of ill health in accordance with the appropriate pension scheme, if a recommendation has been made by the Occupational Health Service. Criteria for ill health retirement are quite stringent and it will not always be possible for the Occupational Health Service to recommend this even where return to the same job is unlikely in the medium to long term.
- Where the employee is unfit for work and the above options are not applicable, and the job can no longer be held open, this may ultimately result in the dismissal of the employee. The Council cannot support indefinite sickness absence as the needs of the service must be considered. The Ill-health Capability and Dismissal Procedure outlined in Appendix B should be followed. Special arrangements should be considered according to the individual circumstances of the case.

After the meeting a letter will be sent to the employee confirming all the details of the meeting. See sample letter 6 below.

8.3.2 Redeployment

The employee will be invited to a personal interview with an HR Advisor, which may also be attended by a Trade Union representative and the manager, where the redeployment process will be explained. The individual's skills, experience and abilities will be explored, and which types of posts may be suitable or unsuitable.

The individual employee has an equal responsibility to play a proactive role in the search for redeployment, and HR will ensure they have access to view all job vacancies across the Council.

Where a post is identified as potentially suitable, the individual should submit an application for the post, making it clear that they are in a redeployment situation. The HR Adviser must be informed that the application has been submitted and will be responsible for ensuring that the recruiting manager is aware of the organisation's policy on redeployment which states that, if the individual appears on paper to meet the essential requirements of the person specification, the manager must shortlist them for interview to investigate their suitability for the post. The manager must give careful consideration to the suitability of the potential redeployee, and then make an appropriate selection decision.

Salary protection for a maximum of 2 grades may apply where an employee is being redeployed due to ill health to a post considered a reasonable alternative role. Further information about this will be provided by HR.

There may be the option for a 28 day trial period to ensure that you and the manager are satisfied that you are capable of carrying out the new role. Further information about this can be provided by HR where appropriate.

The Council cannot indefinitely employ an individual whilst seeking redeployment opportunities. Therefore, the redeployment process will operate for a limited time only, normally up to three months. If no suitable alternative post is found within this timeframe then an Ill Health Capability hearing will be arranged which may result in dismissal (see Appendix B)

9 THE OCCUPATIONAL HEALTH SERVICE

Advice on sickness absence from Occupational Health is intended to help managers reduce sickness absence.

The requirements of the Equalities Act in relation to disability will have an impact on decisions regarding sickness absence management. The Occupational Health Service can advise and, with the HR Section, provide guidance on how the issue should be dealt with (see following section entitled Equalities Act - disability).

The Occupational Health service is there to support both employees and managers, and attendance at an OH appointment is considered a reasonable management request. If the employee refuses to co-operate in providing medical evidence or undergoing an independent medical examination, the employee will be told that decisions will be made on the basis of any information available.

Further information about the Occupational Health Service is available on the intranet.

10 RETURN TO WORK PROGRAMMES

Where appropriate, Occupational Health may recommend a gradual return to work programme after a period of long term sickness. Such a programme would not normally last more than 8 weeks before normal working hours are resumed or pay is reduced accordingly. Should the employee be unable to return to normal work at the end of such an arrangement, further consideration should be given to the situation: light duties or reduced hours cannot be sustained indefinitely.

The manager should consider the recommendations and where possible adhere to them, however this may depend on the specific team or service (for example but not limited to teams where a shift pattern is worked) and some adjustments to the recommendations may be necessary.

After consideration, if the manager has any concerns or operational reasons which hinder the recommendation being actioned, they will consult with HR and the member of staff on alternatives. Ultimately if the OH recommended return to work cannot be supported or sustained by the manager and or department, the member of staff will not be allowed to return to work until a suitable return to work has been investigated and agreed

11 EQUALITIES ACT - DISABILITY

The Equalities Act 2010 requires managers to consider whether an illness is either caused by a long term disability or has created one.

A disability is defined as “a physical or mental impairment that has a ‘substantial’ and ‘long-term’ negative effect on an individual’s ability to do normal daily activities”.

In either case, as well as treating the employee fairly they need to consider whether there is a need to put in place a “Reasonable Adjustment” to the post or working conditions. The application of the Equality Act in respect of redeployment and/or job adjustment for employees is complex and it is essential for your HR Section to be consulted and for them to advise on individual cases.

12 DATA PROTECTION LEGISLATION

The Council processes any personal data collected during the sickness absence process in accordance with its data protection policy. Further details can be found in the Privacy Notice on the Council’s website. Any data collected is held securely and accessed by, and disclosed to, individuals only for the purpose of completing the sickness absence procedure.

13 SICKNESS PAY

Employees are entitled to sickness pay allowance as stated in their contract of employment. The payment entitlement is in place to assist employees who are absent due to sickness but does not imply a right to take the equivalent amount of sick leave nor does it mean the employer is unable to make an employment decision prior to the full allowance being exhausted.

14 GENERAL ADVICE AND GUIDANCE

The management of sickness absence is often sensitive and complex. Where any uncertainty exists on how to approach the issue or what action to take in any individual case, advice and guidance must be sought from HR.

Any right of appeal will be dealt with as detailed under Appendix C of this document and will either be the director of the department where the individual is employed or, where appropriate, a director from another area.

A members appeal panel may be convened to hear appeals from directors and assistant directors.

APPENDIX A - Formal Stage 2 Meeting Procedure

Prior to the Meeting

A letter giving at least 5 working days' notice of the meeting will be sent to the employee outlining the matters to be dealt with at the meeting and reminding the employee of their right to representation and to call witnesses. The employee will also receive copies of any papers which are to be produced by the Designated Officer at the meeting, and the names of any witnesses.

The employee should supply to the Designated Officer, at least 3 working day prior to the meeting, copies of any documents which they intend to produce and indicate which, if any, witnesses are to be called.

The Designated Officer may ask for an HR advisor to be present at the meeting, but this is not compulsory.

At the Meeting

The circumstances as supported by any documentary evidence and witnesses, will be put by the Supervisor/Manager to the Designated Officer and the employee and/or their representative. The Supervisor may call witnesses if appropriate.

The employee and/or their representative will be entitled to ask questions of the Supervisor and witnesses relating to that evidence.

The employee and/or the representative will put their case and be able to call such witnesses as they wish.

The Designated Officer will have the opportunity to ask questions of the employee, their witnesses and the Supervisor.

The parties will have the opportunity to sum up their cases if they so wish.

The parties and their witnesses will withdraw.

The Designated Officer (with the HR representative if attending as adviser), will deliberate in private, recalling the parties only to clear any points of uncertainty on evidence already given. If recall is necessary both parties should return, notwithstanding only one may be concerned with the point in question.

The Designated Officer will announce their findings and the action they intend to take, to the parties preferably immediately or within a reasonable time after the hearing. This will then be confirmed in writing, within 5 working days of the hearing.

The letter will specify the action taken, together with any review arrangements and right of Appeal (See Appendix C).

APPENDIX B - III Health Capability and Dismissal Hearing Procedure

When the appropriate steps outlined above have been taken, the manager or Designated Officer may have to consider proposing the dismissal of the employee on the basis that their continued absence can no longer be sustained. The manager or Designated Officer must be satisfied that they have considered any possible adaptations to the individuals' work and have sought alternative work without success before this stage of the procedure begins. This hearing will be carried out by a Director or Assistant Director and is a formal procedure with the right to representation and appeal.

Special arrangements for the meeting should be considered according to the individual circumstances of the case (e.g. where the individual's health may make it difficult for them to travel to the place of work). Employees should make their best efforts to attend but if this is not possible then the evidence may need to be heard in their absence.

References to Director may also mean Assistant Director.

HEARING BY DIRECTOR / ASSISTANT DIRECTOR - PROCEDURE TO BE FOLLOWED

Prior to the Hearing

A letter giving at least 5 working days' notice of the Hearing will be sent to the employee (see sample letter 7 below), stating that their continued employment is to be considered, and reminding the employee of his/her rights to representation and to call witnesses. The employee will also receive copies of any papers which are to be produced at the hearing, and the names of any witnesses to be called by management.

The employee should supply to the Director/Assistant Director, at least 3 working days prior to the meeting, copies of any documents which they intend to produce and indicate which, if any, witnesses are to be called by the employee.

At the Hearing

The circumstances as supported by any documentary evidence and witnesses, will be put by the Designated Officer to the employee and/or their representative.

The employee and/or their representative will be entitled to ask questions of the Designated Officer and witnesses relating to that evidence.

The employee and/or the representative will put their case and be able to call such witnesses as they wish.

The employee and/or witnesses may be questioned by the Designated Officer.

The Director will have the opportunity to ask questions of the employee and their witnesses and of the Designated Officer and/or his/her witnesses. The Director will wish to be satisfied that all reasonable steps have been taken under the Managing Sickness Absence guidance.

The parties will have the opportunity to sum up their cases if they so wish.

The parties and their witnesses will withdraw.

The Director (with a HR representative attending) will deliberate in private, recalling the parties only to clear any points of uncertainty on evidence already given. If recall is necessary both parties should return, notwithstanding only one may be concerned with the point of issue.

The Director will announce his/her findings and the action he/she intends to take to the parties preferably immediately or within a reasonable time after the hearing. This will then be confirmed in writing within 5 working days of the hearing.

The letter will specify the action taken, and right of Appeal (see Appendix D).

APPENDIX C - Right of Appeal to Director - Procedure

An employee has a right of appeal to a Director against action taken by a Designated Officer. The right of appeal may be for one of the following reasons and will be a complete review of the case:

- where the employee considers that the Designated Officer has unjustly found against them;
- where the employee contends that a matter of fact referred to at the hearing has not been properly taken into account by the Designated Officer in reaching their decision;
- where the employee feels that the action taken by the Designated Officer has been too severe.

The employee must exercise the right of appeal within 5 working days of receiving confirmation of action taken against them. The letter indicating the employee's intention to appeal should be addressed to the Director.

The Appeal will be held within 10 working days of the written notification of intention to appeal. The Head of HR will act as adviser to the Director.

For decisions taken by the Designated Officer the matter will end at this stage - there is no further right of appeal.

Procedure to be followed at Appeal by Director

The Director will give notice in writing to the employee at least 5 working days in advance of the time and place of appeal. All documents relevant to the appeal will be attached to this letter, as well as names of any witnesses.

The employee should supply to the Director, at least 3 working days prior to the appeal, copies of any documents which they intend to produce and indicate which, if any, witnesses are to be called.

The Designated Officer will put the case to the Director in the presence of the employee and their representative (if any) and may call witnesses.

The employee (or their representative) will have the opportunity to ask questions of the Designated Officer and witnesses on the evidence given by them.

The Director may ask questions of the Designated Officer and witnesses.

The employee (or their representative) will put their case in the presence of the Designated Officer and call such witnesses as they may wish.

The Designated Officer will have the opportunity to ask questions of the employee and witnesses on the evidence given by them.

The Director may ask questions of the employee and witnesses.

The Designated Officer and then the employee (or their representative) will have the opportunity to sum up their case if they so wish.

The Designated Officer, the employee and their representative, and the witnesses will withdraw.

The Director together with a representative from HR will deliberate in private only recalling the Designated Officer and the employee to clear points of uncertainty on evidence already given. If recall is necessary, both parties are to return, notwithstanding only one may be concerned with the point in question.

The Director will if possible, announce the decision to the parties immediately or as soon as possible, and confirm in writing within 5 working days.

APPENDIX D - Right of Appeal to a Member Appeals Panel Procedure

A Director or Assistant Director has a right of appeal to a Member Appeals Panel against action taken by a Director. The right of appeal may be for one of the following reasons and will be a complete review of the case:

- where the employee considers that the Director has unjustly found against them;
- where the employee contends that a matter of fact referred to at the hearing has not been properly taken into account by the Director in reaching their decision;
- where the employee feels that the action taken by the Director has been too severe.

The employee must exercise the right of appeal within 5 working days of receiving confirmation of action taken against him. The letter indicating the employee's intention to appeal should be addressed to the Assistant Director: Human Resources.

The Appeal will be held within 20 working days of the written notification of intention to appeal. The Assistant Director: Human Resources will be the officer appointed as Secretary to the Appeals Panel.

Procedure to be followed by a Member Appeal Panel

The Assistant Director: Human Resources will give the employee at least 5 working days' notice of the time and place of hearing. All documents relevant to the hearing will be attached to this letter, as well as names of witnesses.

The employee should supply to the Assistant Director: Human Resources, at least 3 working days prior to the appeal, copies of any documents which they intend to produce and indicate which, if any, witnesses are to be called.

The Director will put the case to the Appeals Panel in the presence of the employee and their representative (if any) and may call witnesses. The Designated Officer and/or Supervisor/Manager will be available to assist the Director as necessary.

The employee (or their representative) will have the opportunity to ask questions of the Director and witnesses on the evidence given by them.

The Appeals Panel may ask questions of the Director and witnesses.

The employee (or their representative) will put their case in the presence of the Director and call such witnesses as they may wish.

The Director will have the opportunity to ask questions of the employee and witnesses on the evidence given by them.

The Appeals Panel may ask questions of the employee and witnesses.

The Director and then the employee (or their representative) will have the opportunity to sum up their case if they so wish.

The Director, the employee and their representative, and the witnesses will withdraw.

The Appeals Panel (together with the Assistant Director: Human Resources who is Secretary to the Panel) will deliberate in private only recalling the Director and the employee to clear points of uncertainty on evidence already given. If recall is necessary, both parties are to return, notwithstanding only one is concerned with the point in question.

The Chairman, on behalf of the Appeals Panel, will if possible, announce the decision to the parties immediately, or as soon as possible and confirm in writing within 5 working days.

The decision of the Appeals Panel will be final.

SAMPLE LETTER 1 - INVITE TO FORMAL STAGE 1 MEETING

Date

Dear

SHORT TERM ABSENCE: FORMAL STAGE 1 MEETING

You will be aware from the various discussions we have had, that I am concerned about your overall absence record. I would like to invite you to attend Formal Stage 1 meeting on.....at.....in.....

This meeting is to be held as the first formal part of the Council's Managing Attendance Policy and will give us the opportunity to formally look at your attendance record, discuss any problems you may be experiencing with your health and explore options which may help you improve your attendance.

Please confirm to me that you will be attending this meeting, by (date).

Yours sincerely,

(Manager)

cc: HR File

Encl: Managing Attendance Policy

SAMPLE LETTER 2 - OUTCOME FORMAL STAGE 1 MEETING

Date

Dear

SHORT TERM ABSENCE: OUTCOME OF FORMAL STAGE 1 MEETING

Thank you for coming to meet with me on (date) to discuss your overall absence record. Please find attached the notes from the meeting detailing the discussions that took place.

At the meeting the following improvement in your attendance record was agreed:

(Insert expected improvement)

This improvement will be reviewed (insert how often it will be reviewed) with a final review meeting to be held on (date)

We also discussed what support will be available to you during this period:

(Insert support)

I need to make you aware that if the expected improvement is not made this may lead to a Formal Stage 2 meeting which will be conducted by a Designated Officer.

Please do not hesitate to contact me if you have any queries.

Yours sincerely,

(Manager)

cc: HR File

SAMPLE LETTER 3 - INVITE FORMAL STAGE 2 MEETING

Date:

Dear

SHORT TERM ABSENCE: INVITE TO FORMAL STAGE 2 MEETING

In line with the Managing Attendance Policy, you attended a Formal Stage 1 meeting on (date) to discuss concerns about your absence record. You were subsequently sent a letter stating that your attendance record would be monitored for X months.

This monitoring period has now been completed and unfortunately the expected improvement in your attendance has not been reached. I would therefore like to invite you to attend a Formal Stage 2 meeting on.....at.....in.....

At this meeting we will discuss progress made since the first meeting, your current position (including your views on your health in relation to your work) and further options which can be investigated in order to help you improve your attendance. I do need to make you aware one possible outcome of the meeting is that you will be issued with a final written warning to improve your attendance.

You are entitled to be accompanied at this meeting by a trade union representative or work colleague.

Please confirm to me that you will be attending this meeting, by (date).

Yours sincerely

(Designated Officer)

cc: HR File

SAMPLE LETTER 4 - OUTCOME FORMAL STAGE 2 MEETING

Date

Dear

RE: SHORT TERM ABSENCE: FORMAL STAGE 2 OUTCOME

Thank you for coming to meet with me on (date) to discuss your absence record at a Formal Stage 2 meeting. I have decided to issue you with a **final written warning (or state alternative outcome)**. This warning will remain on your file for a period of one calendar year.

Please find attached the notes from the meeting detailing the discussions that took place.

At the meeting the following improvement in your attendance record was agreed:

(Insert expected improvement)

This improvement will be reviewed (insert how often it will be reviewed) with a final review meeting to be held on (date)

We also discussed what support will be available to you during this period:

(Insert support)

I need to make you aware that if the expected improvement is not made this may lead to an Ill-Health Capability and Dismissal hearing being convened and this could ultimately result in your dismissal from your post on the grounds of ill-health.

You have a right of appeal against this formal warning, if you wish to appeal please put your reasons in writing to me within 5 working days of the receipt of this decision.

Please do not hesitate to contact me if you have any queries.

Yours sincerely,

(Designated Officer)

cc: HR File

SAMPLE LETTER 5 - INVITE LONG TERM SICKNESS ABSENCE REVIEW MEETING

Date:

Dear

SICKNESS ABSENCE: LONG TERM SICKNESS ABSENCE MEETING

I am sorry to hear you continue to be unwell and due to this have been unable to return to work. You have been absent from work since (date). Your latest Occupational Health appointment was on (date).

As I am sure you understand your absence from work creates some difficulties for the school and the service being provided. Whilst we are as anxious to be as supportive as we can in such circumstances, unfortunately this absence cannot continue indefinitely. Therefore it is now appropriate to invite you to a meeting to discuss the situation with you, in accordance with the Managing Attendance Policy. I enclose a copy of the policy for your information.

I have arranged a meeting to discuss your absence and seek your views of your health in relation to work. You are therefore requested to attend this meeting at (insert location or whether by telephone or video) on (insert date) at (insert time). You are entitled to bring a trade union representative or work colleague to the meeting.

Please confirm to me that you will be attending this meeting, by (date).

Yours sincerely

(Manager)

cc: HR File

Encl: Managing Attendance Policy

SAMPLE LETTER 6 - OUTCOME LONG TERM SICKNESS ABSENCE REVIEW

Date

Dear

RE: SICKNESS ABSENCE: LONG TERM SICKNESS ABSENCE MEETING OUTCOME

Thank you for meeting with me on (date) to talk about your continued absence due to ill-health. Please find attached the notes from the meeting detailing the discussions that took place.

As discussed at the meeting the advice received from Occupational Health states

At our meeting we also discussed whether you were fit for any alternative work and if there were any redeployment opportunities within school

Ill-health retirement is currently not an option as confirmed by

In light of the above information, I have decided to invoke the Ill-Health Capability and Dismissal procedure. A meeting will be arranged and you will be written to separately regarding this.

You will be entitled to be accompanied at this meeting by a trade union representative or work colleague. The options at this meeting will be to:

- a) Allow you further time to recover
- b) Consider redeployment opportunities
- c) Consider whether ill health retirement is an option
- d) Dismissal on the grounds of ill-health

Please do not hesitate to contact me if you have any queries in relation to this letter.

Yours sincerely,

(Manager)

cc: HR File

SAMPLE LETTER 7 – INVITE ILL-HEALTH CAPABILITY & DISMISSAL HEARING

Date

Dear

RE: INVITE LETTER ILL-HEALTH CAPABILITY & DISMISSAL HEARING

Further to the meeting held on (date) when we/your manager discussed your (short term absences / long term absence), I have decided it is now appropriate to invite you to attend a meeting to consider your continued employment as a (job title). The meeting will be held on (date) at (time) at (location) (*NOTE: if the employee is unable to attend in person due to ill health then the option to hold this online could be offered*).

I have to inform you that one possible outcome of this hearing is that your employment could be terminated on the grounds that you are unfortunately unable to fulfil the duties required of your role due to your ill-health and continued absence/s.

I will conduct the hearing and an HR Adviser will be in attendance to ensure the correct process is followed. X will also be in attendance to present the management case to me.

You have the right to be represented or accompanied by a representative from your Trade Union or a work colleague of your choice, you may also call witnesses at the hearing if you wish.

The procedure to be followed is in accordance with the ill-health capability and dismissal procedure (see paragraph 6.4.2 of the managing sickness absence policy).

Included are the documents to be considered at the meeting. I would be grateful if you could provide me with any documents you may wish to present at the hearing and let me know of any witnesses you may wish to bring, by x (two working days before the hearing).

I would be grateful if you could confirm your attendance at this hearing by calling (name) on (telephone number).

Should you have any queries in the meantime please contact me on x.

Yours sincerely,

(Designated Officer)

cc: HR File

Encl: Managing Attendance Policy

SAMPLE LETTER 8 – OUTCOME ILL HEALTH CAPABILITY & DISMISSAL HEARING

Date

Dear

RE: ILL-HEALTH DISMISSAL HEARING OUTCOME

I am writing to confirm that, following the meeting held on **XXXX**, it was decided that your employment with Bracknell Forest Council should be terminated on the grounds of ill-health capability.

The reason for this decision is that you have been absent from your post since **date** and you have been unable to return to work since that date.

Unfortunately, having considered the medical evidence carefully including the information from you about your health circumstance and including the possibility of alternative employment, Bracknell Forest Council cannot continue to employ you as there is no indication that you will be able to return to this role.

You have the right to appeal against your ill health capability dismissal. If you wish to appeal, you must submit your appeal in writing to **XXXX**, Assistant Director of HR & OD, within 5 working days of receipt of this letter. You should state the grounds for your appeal in full. Lodging an appeal will not delay the dismissal taking effect, but if you are subsequently reinstated any lost pay will be reimbursed.

The following arrangements apply with immediate effect (but may be varied or revoked in the event of a successful appeal).

- a) Your dismissal is effective immediately and your final day of employment is therefore **XXXX**
- b) You shall receive **XX** weeks' pay in lieu of notice, in accordance with your contract of employment, subject to the normal deductions for tax and National Insurance contributions
- c) You must return any property issued to you by the Council, this includes, but is not restricted to; laptop, mobile phone, ID badge, locker key, confidential documents, in good condition
- d) Your final salary payment will be made in the **XXXX** payroll, subject to normal deductions for tax and NI contributions.

You have **XX** days outstanding holiday entitlement, for which you shall receive payment in lieu as part of your final payment of salary. This shall be subject to normal deductions of tax and National Insurance contributions.

PERIOD OF NOTICE

You are entitled to receive **XX** weeks' notice from the Council, but as you are on sick leave and therefore unable to serve out your notice period, this will be paid in lieu of notice, which means you do not have to work your notice period. This payment will be made through the normal payroll system in **MONTH**.

For information, pay in lieu of notice is subject to Tax and National Insurance deductions.

I would like to take this opportunity to send you my best wishes and to offer you the Council's thanks for the contribution you have made to the **XXXX** section during your valued service. If I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely

(Director/Assistant Director)

SAMPLE LETTER 9 – OUTCOME ILL HEALTH RETIREMENT DISMISSAL

Date

Dear

RE: OUTCOME LETTER ILL-HEALTH RETIREMENT DISMISSAL HEARING

I am writing to confirm that, following the meeting held on **XXXX**, it was decided that your employment with Bracknell Forest Council should be terminated on the grounds of ill-health capability.

In line with Bracknell Forest Council's Managing Attendance Policy, this decision was based upon the evidence supplied during the Ill Health Capability Dismissal hearing and advice received from the Occupational Health doctor who has recommended that, as you are incapable of discharging the duties of your post, you are ill health retired.

You have the right to appeal against your ill health capability dismissal. If you wish to appeal, you must submit your appeal in writing to **XXXX**, Assistant Director of HR & OD, within 5 working days of receipt of this letter. You should state the grounds for your appeal in full. Lodging an appeal will not delay the dismissal taking effect, but if you are subsequently reinstated any lost pay will be reimbursed.

The following arrangements apply with immediate effect (but may be varied or revoked in the event of a successful appeal).

- e) Your dismissal is effective immediately and your final day of employment is therefore **XXXX**
- f) You shall receive **XX** weeks' pay in lieu of notice, in accordance with your contract of employment, subject to the normal deductions for tax and National Insurance contributions
- g) You must return any property issued to you by the Council, this includes, but is not restricted to; laptop, mobile phone, ID badge, locker key, confidential documents, in good condition
- h) Your final salary payment will be made in the **XXXX** payroll, subject to normal deductions for tax and NI contributions.

LOCAL GOVERNMENT PENSION

As a pension scheme member with more than 3 months service, you are entitled to have access to your pension if a qualified Occupational Health Doctor certifies that you meet the criteria for Ill Health Retirement.

Under the pension regulations, the number of extra years' service you are awarded depends on the extent of your ill-health or disability, i.e., it is not based solely on how long you have been a member of the fund.

Berkshire Pension fund, who administer the Local Government Pension Scheme on behalf of the Council will be notified of your retirement date. The Pension Scheme Manager will write to you directly regarding the actual amount of pension (and lump sum if you joined the pension scheme before April 2008) you will receive.

As our OH doctor says there is no reasonable prospect of you obtaining gainful employment before your normal retirement date, your membership will be increased by the period between your date of leaving and your normal retirement date, and the benefits will be calculated as if you had remained in the Scheme to your normal retirement date.

You are advised to contact the Berkshire Pension Fund who will advise you accordingly about your options.

PERIOD OF NOTICE

You are entitled to receive **XX** weeks' notice from the Council, but as you are on sick leave and therefore unable to serve out your notice period, this will be paid in lieu of notice, which means you do not have to work your notice period. This payment will be made through the normal payroll system in **MONTH**.

For information, pay in lieu of notice is subject to Tax and National Insurance deductions.

P45/SSP1

Your P45 Tax Form will be sent to Berkshire Pension Fund.

The SSP1 form will be sent to you by payroll and your last medical certificate for you to take to the Department of Work and Pensions who will be able to tell you if you are now entitled to any benefit.

I would like to take this opportunity to send you my best wishes and to offer you the Council's thanks for the contribution you have made to the **XXXX** section during your valued service. If I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely

(Director/Assistant Director)

To: **EMPLOYMENT COMMITTEE**
8 DECEMBER 2021

COVID-19: Health & Safety Assessment Report **Executive Director: Delivery**

1. Purpose of Report

- 1.1. As a result of COVID 19 and the changes with working arrangements, this report summarises the results of completions of the following eLearning package Display Screen Equipment, Home Working Assessments, Returning to the Office Assessment and BAME Vulnerable Assessments, which have been undertaken since January 2021.

2. Recommendation

- 2.1 That all new employees be required to complete a Home Working Assessment prior to commencing employment.
- 2.2 That completing a Home Working Assessment be mandatory for all existing employees.
- 2.3 That all employees be required to review their Home Working Assessments if their personal circumstances change.
- 2.4 That all new employees be required to undertake a Display Screen Equipment Assessment, and the eLearning package Display Screen Equipment as part of their induction process.
- 2.5 That completing a Display Screen Equipment Assessment and the eLearning package be mandatory for all existing employees.
- 2.6 That all employees, including new starters, be required to complete a Returning to the Office Assessment, prior to returning to any office environment.
- 2.7 That all Executive Directors be required to ensure that new members of staff complete a Display Screen Equipment Assessment, Home Working Assessment and Returning to the Office Assessment by the end of June 2022 and provide the data to Health and Safety, highlighting any changes or issues with individuals home working arrangements since ICT equipment has been made available for home working.
- 2.8 That all Executive Directors be required to review existing risk assessments for staff with potential work-related exposure to COVID-19 by the end of June 2022 and provide the data to HR and OD highlighting any concerns raised by managers and staff.
- 2.9 That HR and OD provide an annual report on issues/concerns highlighted in the risk assessments for staff with potential work-related exposure to COVID-19.
- 2.10 That the Health & Safety Assessment Report be produced annually, to provide comparative data.

3. Reasons for Recommendation

- 3.1. The council has a duty of care under the Health and Safety legislation for ensuring the wellbeing of staff. All staff have had to change their working environments and ways of working, therefore, the council are required to update everyone's risk assessments. For those who use computers as part of their work, these staff also had to undertake Display Screen Assessments (DSE). Finally, for home and remote workers, their risk assessments needed to be updated, to reflect the increased time working away from the main office and the new requirements for the protection of customer data while away from the office.
- 3.2. According to the NHS' Equality and Health Inequality hub, the coronavirus pandemic has widened the health inequalities across the country, "*disproportionately impact on many who already face disadvantage and discrimination*". Evidence shows this has had a particularly negative effect on BAME communities. Therefore, it is important that the council is informed of how this may impact the workforce and puts in place actions to mitigate these impacts.

4. Alternative Options Considered

- 4.1. No alternative actions proposed.

5. Key findings

- 5.1. The purpose of the report is to ensure compliance with the Health and Safety (Display Screen Equipment) Regulations 1992 (as amended in 2002) when working at home and in the office.

We received the following from 1123 employees:

- BAME/Vulnerable Assessment: **128**
- DSE e-learning: **835**
- New Home Assessments: **175**
- Returning to the Office Assessment: **358**

More detail can be found within the report.

The assessments can be found at:

<https://bfcouncil.sharepoint.com/SitePages/Risk-assessment-guidance.aspx>

6. Proposed next Steps

- 6.1. The recommendations in Section 2 are intended to ensure that the Council has an effective framework for ensuring compliance with best practice in terms of work environment, in the interests of staff well being.

7. Consultation and Other Considerations

Legal Advice

- 7.1. The recommendations in this report are underpinned by the Council's duties as an employer both in common law and under statute to take reasonable care in ensuring a safe work environment (which extends to home working) and safe systems of work for its staff.

Financial Advice

- 7.2. There are no financial implications.

Assistant Director: HR and OD

- 7.3 No comments received.

Equalities Impact Assessment

- 7.4 This paper is provided to summarise information related to health equalities and coronavirus. The proposed actions aim to encourage positive actions related to equalities.

Environment and Climate Implications

- 7.5 Not applicable.

Strategic Risk Management Issues

- 7.6 The council has reviewed its workplace risk assessment tool developed to assess working practice of all staff. The tool now enables a particular assessment of BAME staff as well as considering other protected characteristics which might put a member of staff at greater risk from COVID 19.

Background Papers

Appendix A – Health and Safety Report 2021.

Contact for further information

Assistant Director: Property
Kamay Toor: 01344 355183
Kamay.Toor@bracknell-forest.gov.uk

Health and Safety Manager
Doug Brady: 01344 352288
Doug.Brady@bracknell-forest.gov.uk



Health & Safety Assessment Report 2021

9

Homeworking Assessment, Returning to the Office Assessment
and BAME/Vulnerable Group Analysis

Summary



Employee Satisfaction

The analysis shows that responding colleagues are on the whole satisfied with their working from home set up.

3

Value for Money

The outcome for some of the assessment resulted in purchase of equipment to help resolve colleagues issues and concerns. In the long run acting as a protective factor for DSE and homeworking related absences.



Summary of returns:

- Since last year additional Homeworking Assessments have been undertaken by new employees and existing employees with changes to their home working arrangements.
- BAME/Vulnerable Assessments have been completed/reviewed.
- DSE eLearning package was updated April last year.
- All employees who wish to return to any office have been asked to complete a “Returning to the Office Assessment”.

Headline figures used in the Health and Safety Analysis

Health & Safety Questionnaires Returned

- Total BAME/Vulnerable Assessments since 2020: **128**
- DSE e-learning completed: **835**
- New Home Assessments: **175**
- Returning to the Office Assessments: **358**

Employee Numbers

The council employees **1046** individuals

Number of employees per directorate:

- Chief Executives: **44**
- Delivery: **187**
- People: **666**
- Place, Planning and Regeneration: **157**
- Resources: **92**

BAME Employee Numbers

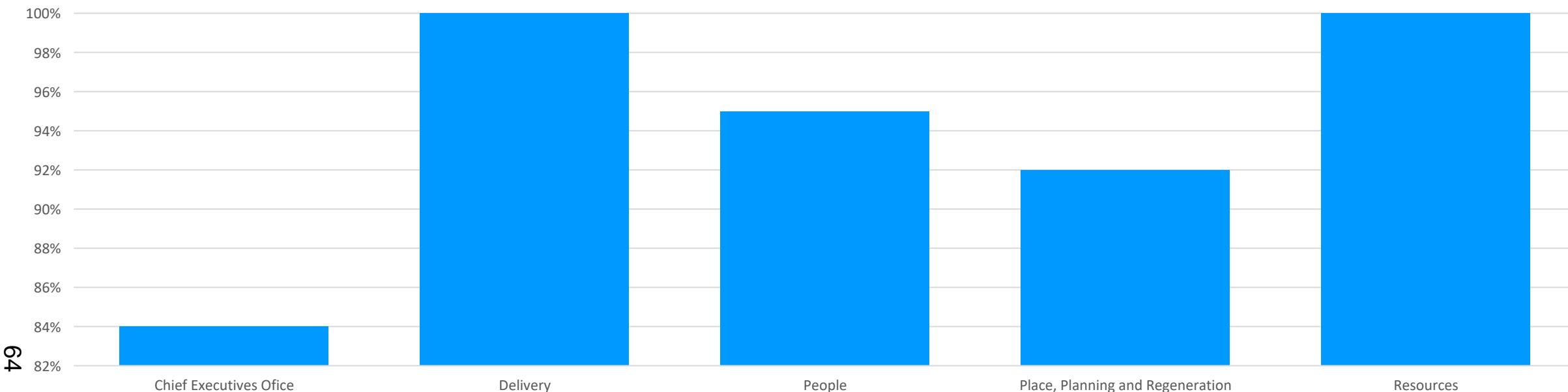
The council employees **128** BAME individuals.

BAME employee numbers per directorate:

- Chief Executives: **6**
- Delivery: **18**
- People: **84**
- Place, Planning and Regeneration: **12**
- Resources: **7**

BAME/Vulnerable Assessment Analysis

BAME/Vulnerable Assessments Completed per Directorates



Chief Executives Office 83%

Delivery 100%

People 95%

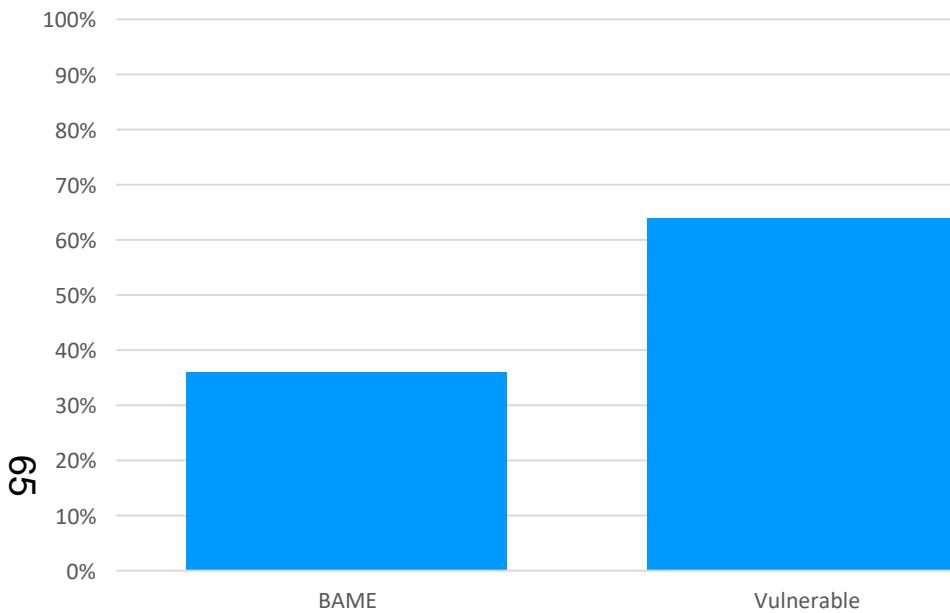
PPR 92%

Resources 100%

Summary

BAME staff represents 12% of the workforce at Bracknell Forest Council. This group are recognised as vulnerable or at an increased risk of Covid-19. As such Public Health advises that extra measures are taken to reduce their risk of exposure to the disease.
Understanding individual's level of risk and seeking to mitigate them is a council priority.
128 assessments were submitted for analysis.

Breakdown of completed BAME/Vulnerable Assessment Analysis

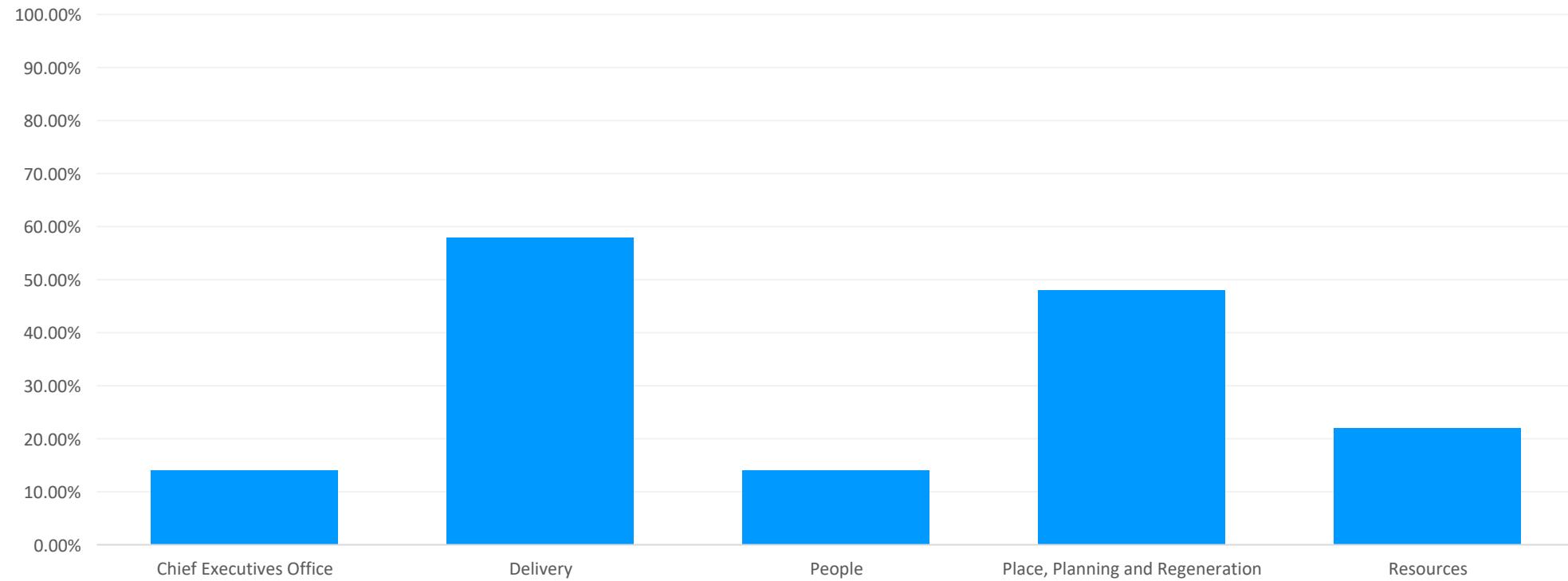


BAME 36%

Vulnerable 64%

Received New Starters Home Working Assessments Ccompleted per Directorate

8



Chief Executives Office 14%

Delivery 58%

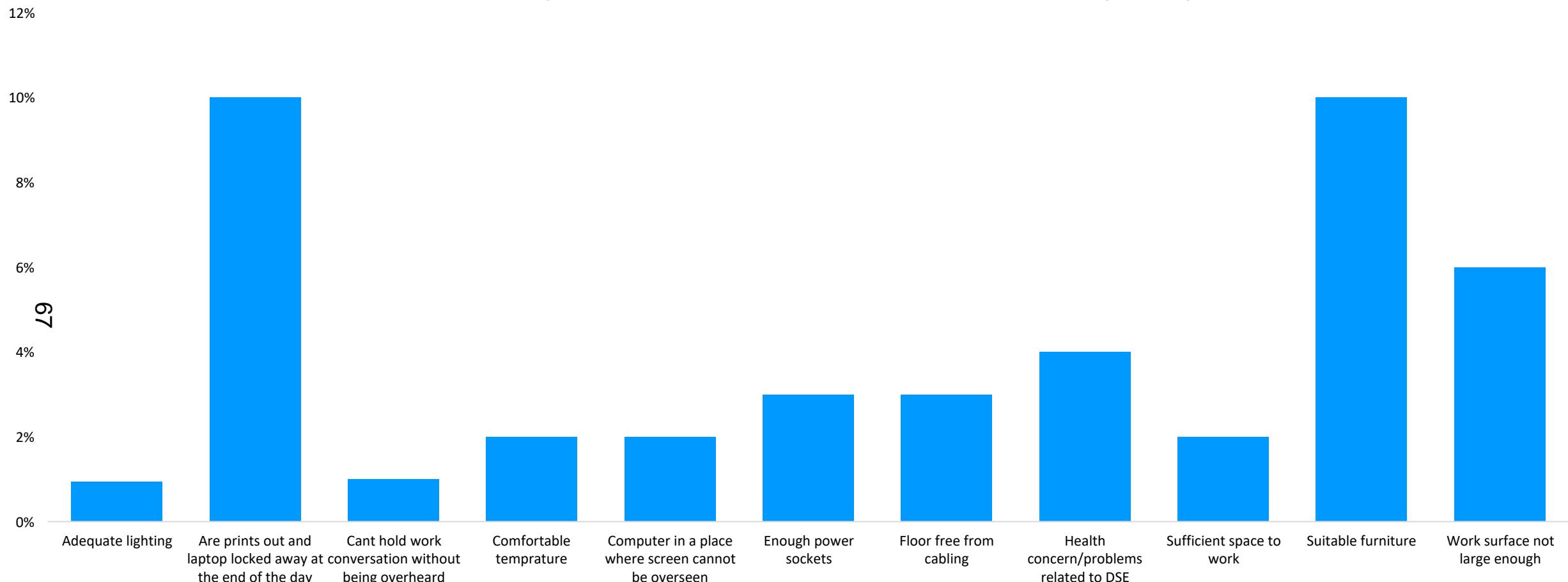
People 14%

PPR 48%

Resources 22%

Areas of Concern Highlighted in the 175 New Homeworking Assessments

% of people expressing concern about different aspects of homeworking arrangements

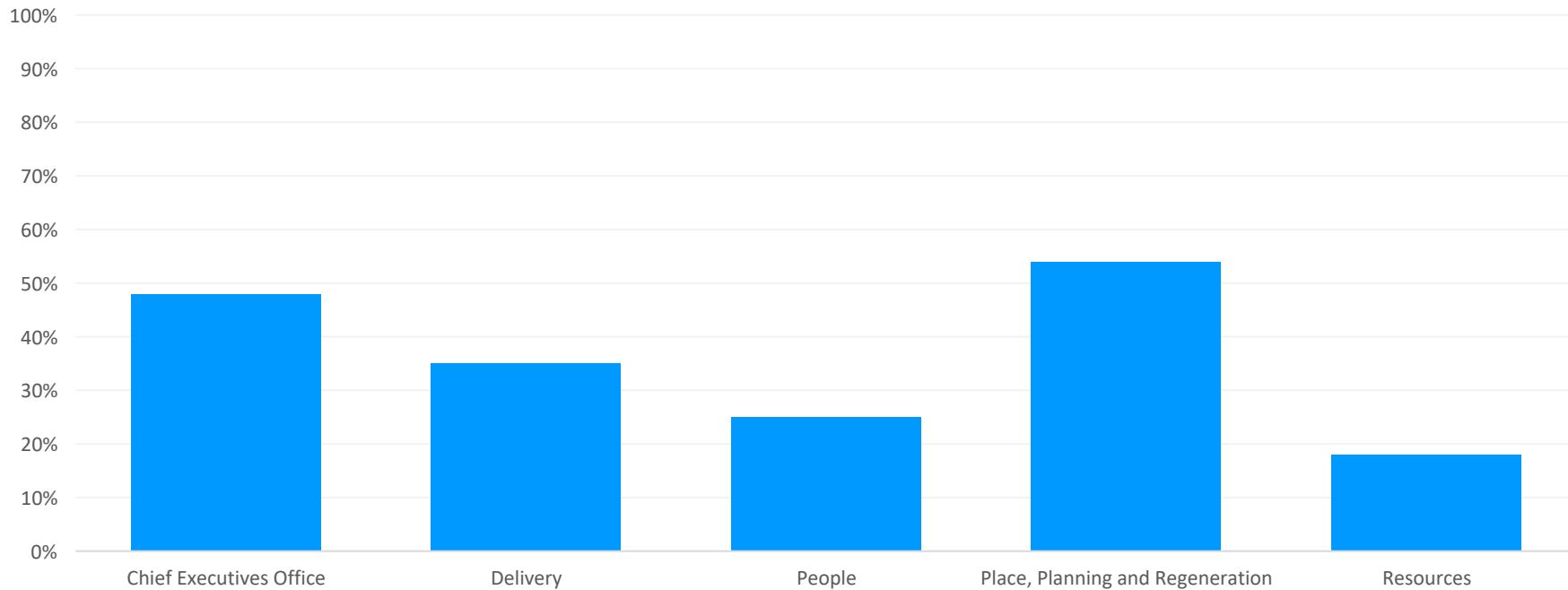


Summary

Not having enough room for suitable home working furniture can result in insufficient working space and a lack of lockable furniture.
Health concerns highlighted were back, neck, wrist discomfort and eye strain.
Lack of electrical sockets will result in the use of extension leads.

Returning to the Office Assessment Completed per Directorate as 31st August

88



Chief Executives Office 48%

Delivery 35%

People 25%

PPR 54%

Resources 18%

Key Findings and Next Steps

8

1

Many colleagues have been provided with office chairs and monitors for homeworking.

2

Some colleagues with furniture's they consider unsuitable for home working tend to answer "yes" to the question about health concern related to DSE equipment.

3

Colleagues overall are satisfied with their home working arrangements.

4

Colleagues should review their home working assessments if their personal circumstances change.

5

There should be clear documentation of actions taken to manage and resolve colleagues concerns by each manager.

This page is intentionally left blank