

## Notice of Meeting

### Employment Committee

Councillor Pickering (Chair),  
Councillor Gillbe (Vice-Chair),  
Councillors Allen, M Forster, Frost, McLean, O'Regan, P Thompson  
and Watts

**Wednesday 7 February 2024, 7.30 pm**  
**Council Chamber - Time Square, Market Street, Bracknell, RG12**  
**1JD**



### Agenda

*All councillors at this meeting have adopted the Mayor's Charter  
which fosters constructive and respectful debate.*

Item	Description	Page
1.	<b>Apologies</b>	
	To receive apologies for absence and to note the attendance of any substitute members.	
2.	<b>Declarations of Interest</b>	
	<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.	<b>Minutes from previous meeting</b>	3 - 4
	To approve as a correct record the minutes of the meeting of the Committee held on 18 December 2023.	
4.	<b>Urgent Items of Business</b>	
	Any other items which, pursuant to Section 100B(4)(b) of the Local Government Act 1972, the Chairman decides are urgent.	
5.	<b>Update from the Chairman of the Local Joint Committee</b>	
	A verbal update from the Chairman of the Local Joint Committee.	

### **EMERGENCY EVACUATION INSTRUCTIONS**

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6.	<b>Minutes of Sub Groups</b>	5 - 6
	The Committee is asked to note the minutes of the Local Joint Committee held on 18 December 2023.	
7.	<b>Pay Policy Statement</b>	7 - 38
	To review and agree the Pay Policy Statement for 2024/25. <b>Reporting:</b> Paul Young, Assistant Director: Human Resources and Organisational Development	
8.	<b>HR Policy Review</b>	39 - 108
	To review and agree the following revised policy and procedures:  <ul style="list-style-type: none"> <li>a) Disciplinary Procedure</li> <li>b) Lone Working Policy</li> <li>c) Performance Improvement/Capability Procedure</li> <li>d) Time off for Public Duties Procedure</li> <li>e) Time off for Dependents and Carer's Leave Policy</li> </ul> <b>Reporting:</b> Paul Young, Assistant Director: Human Resources and Organisational Development, Alison Beswick, HR Advisor	
9.	<b>Armed Forces Covenant</b>	109 - 132
	To seek agreement for the council to reaffirm its pledge to the Armed Forces community by signing the Armed Forces Covenant Pledge and to commit to attaining the Defence Employer Recognition Scheme (ERS) Silver Award in 2024.  <b>Reporting:</b> Harjit Hunjan, Abby Thomas, Assistant Director: Chief Executive's Office, Paul Young, Assistant Director: Human Resources and Organisational Development	

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Published: 30 January 2024

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**EMPLOYMENT COMMITTEE  
18 DECEMBER 2023  
7.30 - 7.55 PM**

**Present:**

Councillors Pickering (Chair), Gillbe (Vice-Chair), Allen and McLean

**Present Virtually:**

Councillors Forster, Thompson and Watts

**11. Declarations of Interest**

There were no interests declared.

**12. Minutes from previous meeting**

**RESOLVED** that the minutes of the meeting of the Committee held on 08 February 2023 were approved.

**13. Urgent Items of Business**

There were no urgent items of business

**14. Update from the Chairman of the Local Joint Committee**

The Committee was advised that the Local Joint Committee had discussed item 7 on the agenda. There had been questions on what work was being done to review and analyse the relatively high percentage of BAME leavers within the workforce. There had also been a request to amend the Grievance, Disciplinary and Capability graph within the report so that each year was shown incrementally.

The Committee was also advised that the trade unions had raised an ongoing incident at a Bracknell Forest Council primary school. The trade unions had raised concerns over the impact of this incident on staff and urged the Bracknell Forest Council to take legal action, as well as requesting a meeting between the school in question and Bracknell Forest Council.

**15. Minutes of Sub Groups**

The Committee received and noted the minutes of the Local Joint Committee held on 05 July 2023.

**16. Monitoring the Council's Workforce - 2022/23**

The Committee considered the Council's Annual Workforce Monitoring Report. There had been difficulties in getting a complete set of data from the workforce particularly

around disabilities where 49% off staff had not disclosed their disability status. Furthermore 10% off the workforce had not identified their ethnicity. HR would be undertaking work in the subsequent months to try and identify why staff members were not comfortable providing this data.

The data and analysis produced in the Annual Monitoring Report would be shared with the Equalities Group as well as each departments management team, from which an action plan would be produced. An area which had particularly been identified as an area for action was leavers in the first year of employment, with a particular focus on BAME leavers. Progress on this action plan would be brought before the Employment Committee in 2024.

Since the previous Workforce Monitoring Report, a new system had been implemented of HR touch in periods after the 1<sup>st</sup>, 4<sup>th</sup> and 8<sup>th</sup> month of employment. At each of these stages' employees have been receiving questionnaires on their experiences thus far at Bracknell Forest Council. Furthermore, there had been work undertaken to try and get more detailed responses within exit questionnaires, particularly when the reason given for leaving employment was personal reasons. Following the Committees comments and questions, the following points were made:

- It was difficult to draw analysis from the data on employees with disabilities due to such a sizeable percentage off the workforce not disclosing this information.
- The drop in numbers of staff from ethnic minorities in the top 5% only accounts for around 3 members of staff due to it being from such a small group of employees. However, this would continue to be monitored and progress would be reviewed against the action plan.
- Whilst an anonymous survey on disabilities could provide some data, it wouldn't allow the Council to register this information against employees which required for the Workforce Monitoring Report.
- Despite attempts over the previous few years to encourage staff to disclose whether they have any disabilities, there has only been minimal improvements, with a rise in around 4% in the previous 3 years.
- Any dismissals for poor health must be in accordance with the Council's HR policies, which would have involved a thorough process with multiple stages which would include; supporting the individual, looking for redeployment opportunities and ill health retirement, with any dismissal for ill health only ever having been used as a last resort. Bracknell Forest Council has not had any recent appeals over a dismissal which suggests the system is robust.
- Each individual department's action plan would include break downs of staff by ethnicity, so action can be taken if performance varies significantly between departments.

**RESOLVED** that the Workforce Monitoring Report 2023/23 is reviewed and agreed for publication.

**CHAIRMAN**



**LOCAL JOINT COMMITTEE  
18 DECEMBER 2023  
4.00 - 4.22 PM**

**Present:**

Councillors Allen and Pickering  
David Allais, UNISON  
David McMullen, GMB  
Angie Rolfe, UNISON  
Keith Roberts, GMB

**Apologies for absence were received from:**

Councillors Gillbe

**6. Declarations of Interests**

There were no Declarations of Interests.

**7. Minutes from Previous Meeting**

The minutes of the meeting held on 05 July 2023, were approved as a correct record.

**8. Urgent Items of Business**

There were no urgent items of business

**9. Employment Committee: Agenda and Related Matters**

The Assistant Director: Human Resources & Organisational Development, Paul Young, briefed members on the Workforce Monitoring Report 2022/23 which would be brought before the Employment Committee to be approved for publishing. It was highlighted to the Committee that a large percentage of staff had not declared their ethnicity or whether they had a disability. There had been previous attempts to encourage staff to disclose this information, however more work would be done to try and get this information.

The report showed a high percentage of BAME staff leaving in the first year and second year of employment. A more detailed piece of work was underway on this that would be presented to the Local Joint Committee and the Employment Committee in 2024.

The report would be taken to the Equalities Board which would help produce an action plan that would be presented to the Local Joint Committee and Employment Committee in 2024.

Following the Committees comments and questions, the following points were made:

- Work was underway to better understand why staff were leaving for personal reasons. HR had begun a scheme of check-ins with staff in the 1<sup>st</sup>, 4<sup>th</sup> and 8<sup>th</sup> month of employment to better understand their initial experiences at Bracknell Forest. Work was also underway to get managers to be more precise in exit interviews and not simply put personal issues as the reason for leaving.
- The targets in section 5.5 off the report were local Bracknell Forest targets.
- The graphic on Grievance, Disciplinary and Capability in page 46 off the agenda would be amended to show years in incremental order. **(Action Paul Young)**

10. **Matters to be Raised by Trade Unions**

The trade union representatives raised concerns about an incident that has been occurring at a primary school in a Bracknell Forest school. After concerns that staff were considering resigning the NEU had taken an indicative ballot on strike action.

The trade union representatives requested that Bracknell Forest Council took all possible legal action. They also requested a meeting between staff at the school and Bracknell Forest Council to discuss concerns.

Paul Young confirmed all possible legal routes continued to be explored and that there was ongoing wellbeing and HR support for staff at the school including an education psychologist. Paul agreed to speak with the Assistant Director: Education and Learning to look into arranging a meeting between Bracknell Forest Council and the teachers at the school **(Action Paul Young)**

**CHAIRMAN**

To: **EMPLOYMENT COMMITTEE**  
**7 February 2024**

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## **Annual Update of The Council's Pay Statement Executive Director: Resources**

### **1 Purpose of Report**

- 1.1 Since 2012, and in accordance with the 2011 Localism Act, the Council has been required to publish an annual Pay Statement. The Statement is also aligned with the requirements of the Transparency Regulations. The pay statement is applicable for the financial year 2024/25 and should be agreed at Council for final adoption in March 2024.

### **2 Recommendation**

- 2.1 That Employment Committee review and agree the Pay Policy Statement for 2024/25.**

### **3 Reasons for Recommendation**

- 3.1 To comply with the Department of Communities and Local Government (DCLG) guidance and 2014 Transparency Code requirements.
- 3.2 To Highlight the Councils commitment to transparency and equity in pay.

### **4 Alternative Options Considered**

- 4.1 None. It is a legal requirement to produce and publish the statement.

### **5 Supporting Information**

- 5.1 The 2024/25 Pay Policy Statement is attached. As the statement confirms how the Council will apply the pay arrangements, this should be produced prior to the financial year in which it applies. The production of this statement will enable that to be introduced.
- 5.2 Once agreed through Employment Committee, the statement will be taken to Full Council.

### **6 Consultation and Other Considerations**

#### Legal Advice

- 6.1 Legal Advice 6.1 Section 38 (1) of the Localism Act 2011 requires local authorities to produce a pay statement to be agreed by Members before the beginning of each financial year. The Act does not apply to local authority schools. This document meets the requirements of the Act for the Bracknell Forest Council. This Pay Policy Statement presents the expected position at 1 April 2022. The provisions of the Localism Act require that local authorities are more open about their own local policies and how their local decisions are made. The Code of Recommended Practice for Local Authorities on Data Transparency enshrines the principles of transparency and asks Authorities to follow three principles when publishing data they hold: responding to public demand, releasing data in open 31 Agenda Item 8

formats available for re-use, and, releasing data in a timely way. This includes data on senior salaries and the structure of the workforce.

#### Financial Advice

- 6.2 There are no financial implications arising from the report.

#### Other Consultation Responses

- 6.3 None, though the statement will be discussed at the Local Joint Committee and Employment Committee.

#### Equalities Impact Assessment

- 6.4 Discussed across the document.

#### Strategic Risk Management Issues

- 6.5 Failure to explicitly respond to guidance on the content of published information will run the risk of challenge from the DCLG.

#### Climate Change and Ecological Impacts

- 6.6 The recommendations in Section 2 above are expected to have no impact on emissions of CO<sub>2</sub>.

The reasons the Council believes that this will have no impact on emissions are the fact that this is a statement of pay policy and remuneration of staff.

#### Health & Wellbeing Considerations

- 6.7 Ensuring a transparent pay system is in place should ensure staff feel valued and recognise the mechanism for staff remuneration.

#### Background Papers

None

#### Contact for further information

Paul Young, Assistant Director HR and Organisational Development, Resources

[Paul.young@bracknell-forest.gov.uk](mailto:Paul.young@bracknell-forest.gov.uk)



**Bracknell Forest Council**  
**PAY STATEMENT FOR THE**  
**FINANCIAL YEAR 2024/25**

## **INTRODUCTION**

### **Source and scope of pay statement**

This Pay Statement has been produced in accordance with Sections 38 to 43 of the Localism Act 2011 (the Act), which, from 2012 onwards, require local authorities to publish an annual statement of their approach to pay for the relevant financial year in relation to:

- The remuneration of their most senior employees (which the Act defines as the head of paid service (Chief Executive), the Monitoring Officer, the Assistant Directors (or Directors), and the Deputy Assistant Directors (i.e. managers who report directly to a Director));
- The remuneration of their lowest-paid employees; and
- The relationship between the remuneration of the most senior employees and that of other employees.

The statement is for the financial year 2024/25. Data on existing salaries, job roles and statistics contained within the statement are based as at 1 December 2023.

The Secretary of State has produced guidance on the Act's provisions relating to openness and accountability in local pay, which local authorities must have regard to in preparing and approving their annual pay policy statements and the Council's statement takes full account of this guidance to date as well as the provisions of the Act.

It also takes account of:

- Local Government Transparency Code 2014
- Guidance issued by the Joint National Council (JNC) for Local Authority Chief Executives on pay policy statements, published in November 2011
- Guidance under section 40 of Localism Act 2011, published by DCLG
- Employment and equalities legislation affecting local authority employers, where relevant.

To aid transparency, this statement also contains or refers to information which the Council is already required to publish under other legislation, i.e.

- Information on the actual level of remuneration paid to senior managers, as required by The Accounts and Audit (Amendment No. 2) (England) Regulations 2009
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government Pension Scheme, as required by Local Government Pension Scheme Regulations
- Policies on the exercise of its discretions over payments upon termination of employment under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as required by Regulation 7 of those regulations.

The Government's guidance on the Localism Act's pay provisions states that it is open to Councils to include in this Statement their policies on the remuneration of employees who

are neither the most senior officers nor the lowest paid. Accordingly, this Policy Statement also gives details of:

- The policies applied to employees earning in excess of £50,000, as required by Local Government Transparency Code 2014
- Elements of remuneration which apply to all employees, regardless of their pay level, status or grading within the Council.

As such, this Statement draws together all the relevant existing policies and can therefore be seen as a comprehensive document covering all relevant aspects of pay and remuneration within the Council.

### **Status of pay statement**

In line with the requirements of the Localism Act, the Pay Statement will be reviewed on an annual basis, with a new version approved at the start of each subsequent financial year, which will need to be complied with during that year.

The Pay Statement can also be amended during any financial year, but only by a resolution of the full Council. If it is amended during the year to which it relates, the revised version of the statement will be published as soon as reasonably possible after the amendment is approved by the Council.

### **Transparency and autonomy**

It is important to recognise that, whilst producing national legislation relating to their pay policies, the Government also explicitly recognises that each local authority remains an individual employer, and, as such, has the autonomy to make decisions on pay that are appropriate to local circumstances and deliver value for money for local taxpayers.

## **SECTION 1: REMUNERATION OF STATUTORY AND NON-STATUTORY DIRECTORS, ASSISTANT DIRECTORS, MONITORING OFFICER AND OTHER SENIOR POSTS**

### **1.1 REMUNERATION COVERED IN THIS SECTION OF THE POLICY**

This section covers the Council's policies in relation to the remuneration of its senior employees, including:

- Its Chief Executive;
- Its Executive Directors and Assistant Directors who report to and are directly accountable to the Chief Executive – this includes both statutory and non-statutory Executive Directors;
- Its Assistant Directors, who report to and are directly accountable to Executive Directors;
- Its Section 151 Officer (the Executive Director of Resources), who is also an Executive Director and remunerated as such;
- Its Monitoring Officer (the Borough Solicitor, who is the officer responsible for ensuring the Council's compliance with the law in all its activities) is also an Assistant Director and is remunerated as such.

## 1.2 CONTEXT

These senior employees are responsible for working with elected politicians to determine the overall strategic direction of the Council, to develop the scale, nature, efficiency and effectiveness of all the services provided by the Council, and to provide day-to-day leadership and management of those services.

In relation to other organisations in all sectors across the UK, the Council is a large, complex organisation providing a very diverse range of services. Many of those services are vital to the wellbeing of individuals and groups of residents in the local community and are delivered in very challenging circumstances, taking account of levels of need and the availability of resources to meet them.

The Council's senior employees are responsible for:

- 2703 employees (equivalent to 2164.87 full-time equivalent (FTE) employees). These numbers are as at 1 December 2023 and include LA schools
- Services to an estimated 124,600 residents within the local community (source: ONS Population and Household Estimates: Census 2021)
- The following services to the local community:
  - Adult social services
  - Children and families social services
  - Countryside and open space management and maintenance
  - Education and schools
  - Elections and local democracy
  - Environmental including pest control
  - Environmental Services, including refuse collection, recycling, street cleaning and waste disposal
  - Housing and welfare
  - Housing and Council tax benefits
  - Leisure and Arts provision
  - Libraries
  - Planning
  - Roads, transport, street lighting and car parking
  - Youth and Community Services
  - Public Health
  - Regeneration and economic development
  - Community Safety
- The following facilities:
  - 23 LA schools (including one Pupil Referral Unit and one special school) and 13 Academies
  - Two respite services (overnight and daytime)
  - 4 Family Hubs
  - 9 libraries
  - Over 80 park sites totalling over 1,000 acres of land
  - 24 play areas, plus wheeled sports areas, tennis courts, soccer pitches, a baseball diamond and a sports pavilion
  - 14 community centres
  - One town centre office and the commercial centre plus offices at Waterside Park and New Hope.

- The Council:
  - Is responsible for the education of around 18,900 children
  - Deals with around 1,100 planning applications per year
  - Manages and maintains around 456 kilometres of roads, 700+ kilometres of paths and cycleways, 200+ bridges, underpasses and other structures
  - Manages and maintains cutting almost 2.5 million square metres of grass and manages and maintains approximately 625,000 square metres of woodland
  - Is responsible for around 155 looked-after children
  - Licences 255 premises and clubs and 296 taxis
  - Currently has over 1,680 open cases on adults and provided long term services to over 1,064 people.

The Council must compete with other employers in the area (and, in many cases, in the country) to recruit and retain managers and staff who are capable of meeting the challenges of delivering this diverse range of services to the required standards. This has an important bearing on the levels of remuneration it offers which has been kept under review on a regular basis by the Employment Committee. At the same time, the Council is under an obligation to secure the best value for money for its residents and tax-payers in taking decisions on pay levels. In recent years the Employment Committee has sought to strike a fair balance between these competing pressures.

### 1.3 RESPONSIBILITIES OF SENIOR ROLES

To give further contextual information for remuneration levels, the main accountabilities of the Chief Executive and Directors are set out below.

- **Chief Executive**

The Chief Executive is the Council's most senior employee who leads and takes responsibility for the work of the Council. It is a full time appointment and post holders are selected on merit, against objective criteria, following public advertisement.

The role of Chief Executive is complex with ultimate responsibility for managing expenditure of 263.9 million of public funds, serving around 122,549 people in the Council's area.

As head of the paid service of the Council's employed staff, the Chief Executive is a non-political post. Whilst the elected councillors provide the policies, Council paid employees put them into practice. The Chief Executive is responsible to and accountable to, the Leader of the Council, the Executive and the whole Council in delivering their political and policy objectives.

The Chief Executive works closely with elected councillors to deliver:

**Leadership:** to ensure strong and visible leadership and direction, encouraging and enabling managers to motivate and inspire their teams;

**Strategic direction:** ensuring all staff understand and adhere to the strategic aims of the organisation and follow the direction set by elected councillors;

**Policy advice:** acting as the principal policy adviser to the elected councillors to lead the development of workable strategies which will deliver the political objectives set;

**Partnerships:** leading and developing strong partnerships across the local community to achieve improved outcomes and better public services for local people;

**Operational Management:** overseeing financial and performance management, risk management, people management and change management within the Council.

Staff under indirect management responsibility: 2702

- ***Executive Director – People***

This post has a statutory role in relation to both adult and children's social care, and is responsible and accountable for assessing local needs and ensuring the availability and delivery of a full range of services, and ensure that children and young people achieve the best possible outcomes for their lives through education

The directorate provides advice and information about the range of services that may be available to support individuals or families. Practitioners will work with individuals and their carers to identify needs for care and support and/or housing and how those needs can be met. If people are not eligible, the department can give them information about other ways of accessing support and organisations where they could go to get help. There is joint work with Children's Services to ensure support is in place when the young person reaches 18 years of age.

The focus of support is to enable people to maximise their ability and retain their independence, which will mean people can stay in their own homes for as long as possible. Support may be needed for a crisis or a longer period, and the directorate will generally commission this. Depending on assessed needs, a range of services could be provided in partnership with other organisations to meet the social care needs of adults and older people. Services include home support, day opportunities, the provision of equipment for daily living and residential and nursing care. The Directorate also has a responsibility to ensure that the needs of "informal" carers (usually family or friends) are identified, and appropriate support is offered to enable them to continue in their caring role, should this be what they wish.

The post is also responsible for ensuring the provision of Housing Advice and Homelessness Prevention as well as the provision of Housing and Council Tax Benefits.

The Welfare and Housing Service aims to maximise customers' income and independence. The Welfare Service provides national and local welfare payments to households in the Borough and provides advice to households so that they can maximise their income including budgeting advice and employment opportunities. The Housing service provides advice to households so that they can resolve their housing need, provides advice and if necessary, accommodation for homeless households and overall helps customers secure a home that meets their needs. The Forest care service provides an emergency and re-assurance service to its customers so that they can maintain their independence in their home and feel safe and secure in the knowledge that if an emergency occurs there is help to call upon.

Its duties include specific support for the following:

**Children's Social Care**

- Child Protection / Family Safeguarding
- Looked After Children
- Specialist Support
- Youth Offending Service

### **Adult Social Care**

- Adult Community Team (ACT)
- Learning Disabilities
- Safeguarding

### **Mental Health and Out of Hours**

- Mental Health
- Emergency Duty Team
- Forestcare
- Drug and Alcohol Services (DAAT)

### **Early Help and Communities**

- Housing
- Community Safety
- Early Help

### **Education and Learning**

- School Advisory team
- School Sufficiency and Commissioning
- Community Learning
- Governor Services
- Education Centre and Education Library Service
- Special Educational Needs Service incl Ed Psychology
- Education Property, Places and Admissions
- Early Years

### **Commissioning**

- Operational Finance
- Strategic Commissioning
- Safeguarding
- Quality Assurance
- Data Insights & Performance

Budget responsibility: £68.8 million per annum

Staff under direct or indirect line management responsibility: 727 (excluding schools)

- ***Executive Director – Delivery***

The directorate is responsible for the strategic planning and operational delivery of services covering a wide range of functions and activities. It targets its services to meet the high standards residents, local businesses and visitors expect. Some of these services are delivered directly, others in partnership with the voluntary and charitable sectors and some through contracts with private companies. The directorate operates with 5 service divisions as follows:

- Digital, Customer Focus and ICT
  - Digital Change & Service Improvement
  - Customer Services
  - ICT

- Legal Services
- Democratic Services
  - Registration & Councillor Services
  - Scrutiny & Democratic Services
  - Corporate Complaints
- Contract Services
  - Environmental services
  - Climate change
  - Parking Management & Leisure
  - Cemetery and crematorium
- Property Services
- Libraries, Arts and Heritage

The Director also acts as Statutory Overview & Scrutiny Officer

Budget responsibility: £17.6 million per annum

Staff under direct or indirect line management responsibility: 184

- ***Executive Director – Place, Planning and Regeneration***

This post is responsible and accountable for the effective planning and delivery of the regeneration, development and future infrastructure of the Borough, within the statutory policy guidelines and planning framework agreed by the Council. The directorate targets its services to meet the high standards residents, local businesses and visitors expect.

The directorate operates with 7 service divisions including:

- Town and country planning
- Building Control and land charges
- Transport Development
- The Look Out Discovery Centre
- Highway Asset Management
- Parks and countryside management
- Regeneration and economy
- Public Health – Local Team
- Public Health – Shared Team

Budget responsibility: £9.7 million per annum

Staff under direct or indirect line management responsibility: 204.

The Directorate includes the Bracknell Forest Public Health Team. Public Health work aims to improve the health and wellbeing of the population, tackle health inequalities and reduce premature mortality. The team commissions a range of services including health visiting and school nurses, stop smoking support, weight management, health checks, sexual health, falls prevention, mental health and substance misuse treatment. The team also provides support and advice on health matters direct to the community via campaigns, events and social media, as well as providing support to other professional agencies on issues such as infectious disease control or patterns of health and healthcare outcomes within the local population. Collaboration is central to work of the Public Health team, particularly with colleagues in social care, the NHS and the voluntary sector. In addition to the Bracknell Forest

Public Health team, the Directorate also hosts the Berkshire-wide 'Shared' Public Health team which provides strategic, contracting and data support to the six unitary authority Public Health teams across the county. This team is led by the Strategic Director of Public Health.

- ***Executive Director – Resources***

This role fulfils the statutory obligations of the Chief Financial Officer, as set out in Section 151 of the Local Government Act 1972, Sections 112, 113 and 114 of the Local Government Finance Act 1988 and the Accounts and Audit Regulations 2015, in order to ensure that the financial affairs of the Authority are properly administered. This role is the prime adviser to the Council on financial matters including the development and monitoring of financial strategies, policies, programmes and procedures. This role is also responsible for the strategic implementation of Organisational Development and Human Resources to support the Council Plan, Service Plans and associated budgets.

Areas of responsibility include:

- Accountancy
- Audit
- Finance & Business Services
- Procurement
- Revenue Services
- Human Resources
- Organisational Development

Budget responsibility: £6.5 million per annum

Staff under direct or indirect line management responsibility: 95



## **1.4 OVERALL POLICY ON REMUNERATION FOR SENIOR ROLES**

The Council's overall approach to remuneration for its senior employees is based on:

Compliance with equal pay, discrimination and other relevant employment legislation, plus recognition of the demanding nature of the challenges which the Council faces, and the requirement to offer competitive remuneration in relation to the rest of the local government and public sectors, in order to secure the most talented managers. This means that, on the advice of the Employment Committee, the Council has always taken account of:

- pay levels in the local area, including neighbouring public sector employers
- the relative cost of living in the local area, particularly housing costs
- the responsibilities and accountabilities of posts which may be exceptionally demanding.

The Council seeks to maintain this overall approach by carefully monitoring pay data provided by the Joint National Councils (JNCs) for Chief Officers and Chief Executives, the Local Government Association/Employers, and other relevant pay surveys.

In terms of pay differentials, the Council recognises that the role of Chief Executive leads the organisation's workforce and has the greatest level of accountability, and so warrants the highest pay level in the organisation.

At Executive Director level:

- The Council recognises that all its Executive Directors have a collective and corporate responsibility for contributing to and delivering the overall strategy of the organisation, however the size and scope of their responsibilities differ and therefore an appropriate grade from the senior salaries structure is determined through a job evaluation conducted by Korn Ferry.

At Assistant Director level:

- The Council recognises that certain roles are more demanding than others and has identified those with a greater level of accountability through job evaluation, (which provides a careful analysis of job demands) and offers them higher remuneration than other Assistant Director posts. Evaluation is based upon the Hay system and evaluations are carried out independently by the Korn Ferry Group including the Director of Public Health.

Below Assistant Director level, the Council recognises that the demands on and accountabilities of different management roles vary considerably and seeks to align pay levels with the relative importance and responsibilities of jobs, using a process of job evaluation, and including Market Premia, where applicable, to match certain posts with the market rate for similar jobs. There are, additionally, some posts which are on different national pay-scales such as the teaching pay-scales, NHS pay-scales or Soulbury conditions.

## **1.5 SPECIFIC REMUNERATION OFFERED TO SENIOR EMPLOYEES**

At Chief Executive, Executive Director and Assistant Director level, the Council offers only an annual salary and access to the Local Government Pension Scheme. No other cash benefits or benefits in kind are offered - except any benefits purchased by the employee under the Council's Flexible Benefits scheme under which all employees may purchase

benefits from a range offered to all staff. The only one of these benefits which gives an opportunity to increase income is the selling of annual leave, which is available to most employees but not to those at Assistant Director level and above (see section 4).

Geographical/location allowance (local weighting) is not payable to the Chief Executive, Executive Directors or Assistant Directors.

The Chief Executive, Executive Directors and Assistant Directors are not eligible to participate in the Council's flexible leave scheme whereby employees are able to "buy and sell" annual leave within certain parameters (See section 4, below).

### **Annual salaries**

Annual salary levels for senior employees are fixed in accordance with the overall principles set out in section 1.4. At Chief Executive, Executive Director and Assistant Director level and for other senior managers, they consist of a grade range which is determined locally by the Council. This grade range consists of several incremental salary points.

### **Remuneration of senior employees on recruitment**

The Council's policy is that any newly appointed senior employee will normally commence employment at the lowest pay point in the pay range for their job, other than when taking account of the successful applicant's current salary and the market requirements. Any decision to appoint a senior employee on a higher pay point within the relevant pay range would be made by the Appointments Committee.

### **Pay progression**

Pay progression within a specific grade is by annual increment, payable from 1 April, until the employee reaches the top pay point of their grade.

### **Pay awards**

The salaries of senior employees are reviewed annually in line with any pay award agreed in the Joint National Councils (JNCs) for Chief Executives/Chief Officers, the National Joint Council (NJC) for Local Government Services, NHS or Soulbury conditions, as appropriate for the contracts of the senior managers. Periodic reassessments will benchmark the grades against market rates for similar roles in the region.

### **Bonuses**

The Council does not pay bonuses to any of its employees.

### **Local Government Pension Scheme (LGPS)**

The Council offers all its senior employees' access to the Local Government Pension Scheme, in accordance with the statutory provisions of the scheme, on the same basis as all its employees. Any pension payments made to its senior employees on termination of employment either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of ill health are made within the statutory terms of the LGPS.

- The employer's contribution rate for senior employees who join the scheme is the same as for all other employees, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**"
- The discretions which the Council can apply under the scheme upon termination of employment are the same for senior employees as for all other employees who are LGPS members and are set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**".

### **Payments on Termination of Employment**

Other than payments made under the LGPS, the Council's payments to managers whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in Section 4 "**POLICIES COMMON TO ALL EMPLOYEES**".

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination payments to its senior employees. The only exception to this, which is very rarely used, is where it has received specific legal advice to the effect that a payment is appropriate to settle proceedings in an Employment Tribunal or court of law or may be required to eliminate risk of claims against the Council.

### **Election fees**

Election fees are paid separately. Returning Officer fees for national elections are set by central government. Local election fees are paid in accordance with a scale of fees which is based on national election rates and agreed locally.

## **1.6 RE-ENGAGEMENT OF SENIOR MANAGERS**

### **Re-engagement of Chief Executives, Executive Directors and Assistant Directors who have left Bracknell Forest Council with a severance or termination payment**

#### ***Re-engagement as employees***

(1) Subject to any relevant provisions in employment and equalities legislation, the Council's policy is not to re-employ *in any capacity* any former Chief Executive, Executive Director or Assistant Director who was in receipt of a severance or termination payment for any reason other than compulsory redundancy, for a period of three years from the date of termination of employment.

(2) Where a Chief Executive, Executive Director or Assistant Director's employment has been terminated compulsorily on grounds of redundancy, they will not be re-employed in the same or a similar post for a period of three years following the date of termination of employment. If they are re-employed in another post within four weeks after the effective date of redundancy, they will lose their right to a redundancy payment, including any enhancements under the provisions of the LGPS or the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. Any re-employment will be subject to the Council following the strict application of the normal process of competitive selection for employment.

(3) Any former Chief Executive, Executive Director or Assistant Director who is employed by the Council who has previously received a severance, termination or redundancy payment from this or any other Council or related body will not have previous service counted when determining any further entitlements to notice periods, sickness payments, annual leave or other benefits/entitlements based on continuous service.

#### ***Re-engagement under a contract for services***

The Council's policy is not to re-engage under a contract for services any former Chief Executive, Executive Director or Assistant Director who left the Council for any reason

and was in receipt of a redundancy, severance or termination payment, for a period of three years from the cessation of employment.

**Policy variation**

This re-engagement policy may be varied only in exceptional circumstances and then subject to the agreement of the Employment Committee.

**Employment of those in receipt of an LGPS pension**

**General:**

Policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

**Flexible retirement:**

The LGPS regulations permit the Council to offer flexible retirement to employees (including Chief Executive, Executive Directors, Directors and Assistant Directors) aged 55 or over, so that they can reduce their hours of work, and receive a pension in respect of the proportion of full-time hours they are no longer required to work. This policy is set out in Section 4 **POLICIES COMMON TO ALL EMPLOYEES.**

**1.7 PUBLICATION OF DETAILS OF EMPLOYEE REMUNERATION**

In accordance with 39 (5) of the Localism Act, this policy will be published on the Council’s website.

The Council is also required to publish information about the remuneration of senior officers under The Accounts and Audit (Amendment No. 2) (England) Regulations 2009, and the Local Government Transparency Code 2015.

For ease of reference, remuneration data for posts identified under these Regulations is set out below, individual annual salaries for staff in post can be found on the Council’s website.

The table below indicates the grades at 1 December 2023.

Chief Executive	£180,355 - £196,457
Executive Director - People	£150,628 - £174,850
Executive Director - Delivery	£126,406 - £146,224
Executive Director - Resources	£126,406 - £146,224
Executive Director: Place, Planning and Regeneration	£126,406 - £146,224
Director of Public Health	£98,880 - £115,395
Asst Director: Adult Social Care	£98,880 - £115,395
Asst Director: Children’s Social Care	£98,880 - £115,395
Asst Director: Early Help & Communities	£98,880 - £115,395
Asst Director: Education and Learning	£98,880 - £115,395
Asst Director: Commissioning	£98,880 - £115,395
Borough Solicitor	£98,880 - £115,395
Assistant Director: Mental Health & Out of Hours	£98,880 - £115,395
Asst Director: Contract Services	£98,880 - £115,395
Asst Director: Digital, Customer Focus & ICT	£92,752 - £98,266

Asst Director: Property	£92,752 - £98,266
Consultant in Public Health	£92,752 - £98,266
Assistant Director: HR and OD	£85,877 - £92,752
Assistant Director: Chief Executives Office	£85,877 - £92,752
Assistant Director: Special Projects	£85,877 - £92,752
Assistant Director: Highways and Transport	£85,877 - £92,752
Assistant Director: Planning	£85,877 - £92,752
Chief Accountant	£85,877 - £92,752
Head of Finance and Business Services	£85,877 - £92,752
Assistant Director: Democratic & Registration	£85,877 - £92,752

Figures as at 1 December 2023 and are inclusive of supplements and/or market premia where payable. Teaching staff not included.

## **SECTION 2: REMUNERATION OF LOWEST PAID EMPLOYEES**

This section sets out the Council's policies in relation to the remuneration of its lowest-paid employees, as defined in this Pay Policy Statement.

### **2.1 ORGANISATIONAL CONTEXT**

The Council considers it is important that its policy with regard to the remuneration of its lowest paid employees is seen within the broader organisational context, in particular the range and diversity of services for which it is responsible, either directly or indirectly, the number of residents within the local community, the level of its financial responsibilities and the numbers of staff directly employed.

### **2.2 OVERALL REMUNERATION POLICY: LOWEST PAID EMPLOYEES**

#### **Aims, Objectives and Key Principles**

The Council aims to develop, implement and maintain fair and equitable remuneration arrangements which enable it to recruit, retain, motivate and develop staff with the skills and capabilities necessary to ensure the continued provision of high-quality services and which are cost effective and provide value for money.

The Council's remuneration policy complies with all equal pay, discrimination and other relevant employment legislation.

When setting pay levels for specific posts the Council takes account of both internal differentials, as measured by job evaluation, and external relativities, as measured against the relevant employment market. The Council aims to ensure its pay rates for specific posts are set at a level which enables it to recruit and retain staff with the appropriate knowledge, skills and capabilities necessary for the role.

### **2.3 DEFINITION OF LOWEST PAID EMPLOYEES**

The definition of the "lowest-paid employees" adopted by the Council for the purposes of this statement is as follows:

The lowest paid employees within the Council paid on the Council's lowest hourly pay rate.

The current annual full-time equivalent value of this pay level, based on a 37-hour standard working week and including local weighting, is £23,055.

## **2.4 REMUNERATION OF LOWEST PAID EMPLOYEES**

### **Pay structure**

The Council's lowest paid employees are on a grade range derived from the national pay spine, as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service. This grade range consists of a number of incremental salary points through which employees may progress until the top of the grade is reached.

### **Pay Progression**

Pay progression is normally by annual increment, payable from 1 April.

Pay progression is based on the period the employee has served in that grade, subject to satisfactory performance. Directors may accelerate incremental progression within the grade for employees who are considered to have demonstrated exceptional performance.

### **Annual Pay Review**

The basic pay of the Council's lowest paid employees is reviewed annually at a national level, with any cost-of-living, or other, increase normally applied on 1 April in each year.

Any increase will normally be applied in accordance with that agreed by the National Joint Council for Local Government Services.

### **Pension Provision**

The Council's lowest paid employees may participate in the Local Government Pension Scheme in accordance with the statutory terms of that scheme.

Contributions are made to this scheme in respect of each participating employee as set out in Section 4, **Policies Common to all Employees**.

Any increases in or enhancements to the pension entitlement of the Council's lowest paid employees would be made in accordance with the discretions available to it under the statutory provisions of the Local Government Pension Scheme, as exercised by the Council and set out in the relevant policy statement (see Section 4 of this Pay Policy Statement, **Policies Common to all Employees**).

### **Termination or Severance Payments**

Any termination or severance payments made by the Council to its lowest paid employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme or under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, as set out in the relevant policy statement (see Section 4 of this Pay Policy Statement, **Policies Common to all Employees**).

Other than payments pursuant to the LGPS (including the exercise of the Council's discretions) or payments in accordance with the Council's policies under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006, the Council's policy is not to make any other termination or severance payments to its lowest paid employees, other than where it has received specific

legal advice to the effect that a payment may be necessary to eliminate risk of claims against the Council.

**Other elements of remuneration**

The other elements of remuneration which it is the Council's policy to offer to its lowest paid employees (where applicable) are listed below and are as set out in section 4, "Policies common to all employees":

***Recruitment/retention payments***

***Reimbursement of removal/relocation costs/mortgage subsidy on appointment***

***Geographical/location allowance (local weighting)***

***Car allowances/mileage rates***

***Payment of professional subscriptions or membership fees***

***Subsistence or other expenses allowance***

***Provision of mobile telephones/personal devices***

***Honorarium/acting up/additional responsibility payments***

***Payment for reduced leave entitlement***

In addition, the Council's lowest paid employees may have access to the following payments where patterns of work make them appropriate:

### ***Working arrangements***

Employees on national conditions, who are required to work beyond the Council's normal full-time equivalent working week of 37 hours and/or work other non-standard working patterns, as listed below, will receive payment in accordance with the provisions of the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service for:

- Additional hours
- Saturday and Sunday working
- Night work
- Public and Extra Statutory holidays
- Sleeping-in duty

### ***Standby and/or call-out payments***

Employees who are required to be on standby at times which are outside their normal working week and/or who may be called-out to attend to an issue at the Council's premises or other location may receive an additional payment in accordance with the provisions of the relevant Council policy.

## **2.5 OTHER TERMS AND CONDITIONS**

The other terms and conditions which apply to the Council's lowest paid employees are as set out in the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, as amended and/or supplemented by any local agreements which may apply.

## **2.6 REMUNERATION OF EMPLOYEES WHO ARE PAID MORE THAN THE LOWEST PAID EMPLOYEES BUT WHO ARE NOT ASSISTANT DIRECTORS**

The Council's policy and practice with regard to the remuneration of employees who are paid more than its lowest paid employees but who are not Assistant Directors is the same as that which applies to its lowest paid employees, other than where any differences are indicated in this policy statement. Some specific groups of employees are paid on nationally determined Soulbury Conditions or Teachers Pay Agreement.

## **2.7 EMPLOYEES WHO ARE PAID LESS THAN THE COUNCIL'S LOWEST PAID EMPLOYEES, AS DEFINED IN THIS PAY POLICY STATEMENT**

The following categories of employees *may* be paid less than the Council's lowest paid employees, as defined in this Pay Policy Statement:

- Apprentices
- Some casual workers, who are not included in this statement

The Council may apply a lower pay rate and/or different remuneration arrangements to these categories of employees, which reflects the nature and/or duration/frequency of their employment.



### SECTION 3: PAY RELATIONSHIPS

This section sets out the Council's overall approach to ensuring pay levels are fairly and appropriately dispersed across the organisation, including the current pay multiples which apply, and its policy toward maintaining acceptable pay multiples in the future.

The Council believes that the principle of fair pay is important to the provision of high quality and well-managed services and is committed to ensuring fairness and equity in its remuneration practices. The Council's pay policies, processes and procedures are designed to ensure that pay levels are appropriately aligned with and properly reflect the relative demands and responsibilities of each post and the knowledge, skills and capabilities necessary to ensure they are undertaken to the required standard, as well as taking account of relevant market considerations. This includes ensuring that there is an appropriate relationship between the pay levels of its senior officers, as defined in this Pay Policy Statement, and of all other employees.

The Council has adopted several policies and practices to ensure fairness in the overall pay relativities within the Authority. These include:

- Using an analytical job evaluation scheme to determine the grading of all posts below Assistant Director level
- Jobs at Assistant Director level and above are also subject to measurement using a separate job evaluation scheme – evaluated externally
- Applying a clear and objective methodology for evaluating all new and changed jobs to ensure they are properly graded and that pay levels properly reflect their level of responsibility
- Establishing a defined procedure for employees who wish to request a review of their job grade or who wish to appeal against their grading outcome
- Providing for additional payments and allowances, with clearly defined eligibility criteria, to recognise and reward any working arrangements or requirements not reflected in basic pay levels
- Undertaking corporate monitoring of the application of pay progression arrangements to ensure these are applied and operated on a fair and consistent basis across the organisation
- Reviewing the roles and responsibilities of individual posts on a regular basis, for example, as part of the annual appraisal process, when a vacancy arises, as part of any organisational restructuring

Under the provisions of the Code of Recommended Practice for Local Authorities on Data Transparency, issued by the Department for Communities and Local Government under Section 2 of the Local Government Planning and Land Act 1980, the Council is required to publish its "pay multiple", i.e. the ratio between the highest paid salary and median full time equivalent salary of the whole of the local authority's workforce. The current pay multiple, based on full time equivalent earnings in the financial year ending 31 March 2023 including base salary, overtime pay, and any lump sum car allowances is 6.3 (Last year's multiple was 6.5).

The figures are not a direct comparison because of the number of hours actually worked; for example, senior officers do not have a specific number of required work hours/week in their contract of employment and will often work more than the standard 37 hours used in non-senior contracts.

The median salary is the salary value at which 50% of the full-time equivalent salaries which apply to the whole of the Council's workforce are below that salary value and 50% are above it. The lowest pay point in the overall salary range which has been used by the Council in

calculating the median salary is that which applies to its lowest paid employees, as defined in section 2 of this Pay Policy Statement.

If the mean salary is used in the above calculations instead of the median, the pay multiple is 5.5. (Last year's multiple based on mean was 5.8).

The Council considers that the current pay multiple, as identified above, represents an appropriate, fair and equitable internal pay relationship between the highest salary and that which applies to the rest of the workforce and has adopted the following actions to ensure an acceptable level is maintained:

Periodic benchmarking against the market rate for the Chief Executive will continue to take place and changes such as job evaluation outcomes or outsourcing of functions may impact on the median payment levels; both may affect the pay multiple. However, the multiple will be reviewed annually by means of this document to ensure it remains acceptable.

#### **SECTION 4: POLICIES COMMON TO ALL EMPLOYEES**

The following elements of remuneration are determined by corporate policies or arrangements which apply to all permanent employees of the Council (including its Chief Executive, Executive Directors and Assistant Directors), regardless of their pay level, status or grading within the Council:

##### ***Contracts of Employment***

It is the Council's policy to engage all of its permanent employees on standard contracts of employment and to apply Pay As You Earn taxation arrangements to all remuneration under those contracts in accordance with HMRC rules.

##### ***Access to Local Government Pension Scheme***

The Council offers all its employees' access to the Local Government Pension Scheme in accordance with the statutory provisions of the scheme (except where the Teachers' Pension Scheme applies). The employers' contribution rate for employees who join the scheme is currently 17.2% of salary for all employees. The employee contribution rate ranges from 5.5% to 12.5% dependent on salary. All employees, including casuals and those on very short-term contracts, have a right to be in the scheme. Casuals and those on very short contracts are not enrolled automatically but they can opt in if they choose

##### ***Local Government Pension Scheme (LGPS) - discretions on termination of employment***

Any termination or severance payments made by the Council to all its employees, either on grounds of redundancy, in the interests of the efficiency of the service or on grounds of permanent ill-health, will be made in accordance with the statutory terms of the Local Government Pension Scheme, as applicable, and/or in accordance with the discretions available to it under that Scheme.

The Council's policies on the exercise of these discretions under the LGPS are set out in the policies it has published under the requirements of the Local Government Pension Scheme Regulations. These are shown in Appendix A1.

##### ***Payments on Termination of Employment***

Other than payments made under the LGPS, the Council's payments to any employee whose employment is terminated on grounds of redundancy or in the interests of the efficiency of the service will be in accordance with the policy the Council has adopted for all its employees in relation to the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006. This policy has been

published in accordance with the requirements of Regulation 7 of these regulations and, in summary, is:

- Actual weekly pay is used in all redundancy calculations
- Those with immediate access to pension are paid in accordance with the statutory number of weeks' pay
- Those with no immediate access to pension are paid 1.75 times the statutory number of weeks' pay

### ***Employment of those in receipt of an LGPS pension***

Subject to the administering authority's policy, pension benefits built up under regulations in force prior to 1 April 2014 (i.e., final salary benefits) may be subject to abatement where an individual in receipt of such a pension is re-employed. However, the policy of the administering authority to the Berkshire Pension Fund is not to abate pensions in these circumstances.

The only occasion where a re-employed pensioner may suffer some abatement to their pension is where they have previously been awarded compensatory added years in accordance with regulations 16 or 19 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England & Wales) Regulations 2000.

### ***Flexible retirement***

The LGPS regulations permit the Council to offer flexible retirement to employees aged 55 or over, so that they can reduce their hours of work, and draw a pension in respect of the proportion of full-time hours they are no longer required to work. The Council uses this discretion in the same way for all employees. The Council will consider requests for flexible retirement on a case-by-case basis. Approval will be sought through the Corporate Management team where all costs and benefits will be explicit; requests with carry no costs to the Employing Authority will be dealt with by officers.

### ***Market Premia***

The job evaluation scheme does not recognise market pay rates when determining the grade for a job. If Directors identify market scarcity through difficulty with recruitment and/or a lack of success with advertising, they may discuss the need for a market premium with the Assistant Director: HR and Organisational Development who will seek approval through CMT or Employment Committee as appropriate.

### ***Recruitment/retention payments***

Recruitment payments are a recruitment incentive which can be used for positions where there is a nation/regional/local shortage of qualified persons. They are used to induce an individual to take up employment within the Council and are in the form of a one-off lump sum. These are infrequently used and are repayable on a sliding scale if the individual leaves within 3 years of appointment.

Key staff retention payments may be given where it is important to retain the services of an employee to the end of a specific project. The period of tie in will not normally exceed three years and any lump sum payment will not be made if the employee leaves before the relevant date. Employees in some children's social work teams are currently in receipt of retention payments as part of strategies to retain these key staff in a recruitment shortage area.

***Geographical/location allowance (local weighting)***

The Council applies London and Fringe Area Allowances in accordance with the provisions of and rates agreed by the National Joint Council for Local Government Services National Agreement on Pay and Conditions of Service, or Soulbury or Youth and Community Conditions as appropriate. There are certain employees whose pay is determined locally who do not receive this type of allowance, and it is not payable to the Chief Executive, Executive Directors or Assistant Directors.

***Reimbursement of removal/relocation costs on appointment***

The Relocation Scheme provides assistance to people moving house in order to take up an appointment with the Council. The scheme will not necessarily cover the full expenses of moving and is not intended to do so. The maximum amount payable under the relocation scheme is £8,000, plus mortgage subsidy where appropriate. The scheme does not apply to all advertised roles, only to those where there is less likelihood of recruiting suitable staff locally.

***Honorarium or ex gratia payments/acting up/additional responsibility allowances***

The Council pays honoraria or *ex gratia* payments to employees only in accordance with its corporate scheme for such payments, and all such payments are made only with the express approval of the relevant Executive Director. Where employees are required to “act-up” into a higher-graded post or take on additional responsibilities beyond those of their substantive post for a temporary/time-limited period, they may receive an additional payment. Merit payments are like honoraria payments but are generally paid as a “one off” sum. They can be for a variety of reasons including examination success or for a particularly demanding or meritorious piece of work.

***Car provision – employees using their own cars on Council business***

The Council compensates:

- Employees who are required to use their own car on Council business paying an Essential Car User payment of £963pa plus mileage at below the HMRC rate; and
- Employees who are otherwise authorised to use their own car on Council business by paying a casual user mileage rate based on the HMRC rate.

***Payment of professional subscriptions or membership fees***

The Council will pay one professional subscription or membership fee on behalf of any employee where the subscription or membership is appropriate to the duties of the post.

***Subsistence or other expenses allowance***

The Council reimburses expenditure on meals and overnight accommodation and any other expenses necessarily incurred by employees on Council business, in line with the Council’s Expenses policy.

***Flexible benefits***

The Council offers a range of flexible benefits which enable employees to elect to buy certain benefits from their salary. The only part of the range which enables employees to increase their pay is a flexible leave scheme whereby employees can “buy and sell” annual leave within certain parameters. Under this scheme, employees may be able to receive a day’s additional pay for each day of leave they “sell” to the Council and agree to work. Assistant Directors and above may not participate in this scheme, although they may elect to buy other flexible benefits in the range. The maximum number of days that can be sold is 5 (pro rata for those working less than 5 days per week.)

### ***Provision of mobile telephones and personal devices***

Chief Executive, Executive Directors and Assistant Directors are issued with mobile phones and are required to be on an emergency duty list, other staff are issued phones in accordance with their workstyle in order to be more effective. The council funds the phone.

All employees working flexibly are issued with a softphone and a business case needs to be made if a mobile phone/device is required in addition to this.

## **SECTION 5: CONTRACTORS AND OTHER ORGANISATIONS WORKING FOR THE COUNCIL**

There may be occasions where the Council procures, commissions or contracts-out one or more of the services for which it is responsible. This section sets out the Council's approach to and policies on the pay policies of contractors, partners and other organisations who may undertake work for, or on behalf of, the Council.

The terms and conditions of employment by contractors of their workers are non-commercial matters, so we are required to procure without reference to them (S17 (1) and (5) LGA 1988).

Where any of the Council's services are contracted-out or re-tendered or where a previously outsourced service returns to the Council, any matters relating to the remuneration of the transferred employees will be managed, as appropriate, in accordance with the relevant provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006 as amended by the Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.

Any payments to agency workers who may undertake work for the Council will be made in accordance with the terms and conditions of the contract between the Council and the relevant agency provider, having due regard to the relevant provisions of the Agency Workers Regulations 2010 and any other relevant employment legislation.

## **SECTION 6: DECISION MAKING ON PAY**

The Council recognises the importance of ensuring openness, transparency and high standards of corporate governance, with clear lines of accountability, in its pay decision-making processes and procedures. Any pay-related decisions must be capable of public scrutiny, be able to demonstrate proper and appropriate use of public funds and ensure value for money. The arrangements adopted by the Council are designed to reflect these requirements, as well as ensuring compliance with all relevant legislation and other statutory regulation.

The Council has agreed that the following roles and responsibilities about decision-making in remuneration matters will apply within the Authority as follows:

**Full Council:** consideration and approval of the annual Pay Policy Statement, as required under the Localism Act 2011. Approval of both the senior salary pay structure, within which senior appointments are made, and the severance policy, within which severance payments are made. Approval of any salary or severance payment over £100,000 which is not consistent with these policies.

**Employment Committee:** responsible for decisions relating to changes to terms and conditions of employment other than those dictated by employment law/statute, including scrutiny of this statement.

The provisions of this Pay Policy Statement will apply to any determination made by the Council in the relevant financial year in relation to the remuneration or other terms and conditions of senior officers of the Authority and of its lowest paid employees, as defined in this statement, and other employees who are paid more than the lowest paid employees but who are not senior officers.

The Council will ensure that the provisions of this Pay Policy Statement are properly applied and fully complied with in making any such determination.

This Pay Policy Statement has been approved by full Council.

The full Council will approve the appointment or dismissal of the Chief Executive (Head of Paid Service) following the recommendation of such an appointment by a Committee or Sub-Committee of the Council, which will include at least one Member of the Executive. Council will resolve that the post is remunerated in accordance with the Senior Salary Pay Structure.

For Executive Director posts, unless otherwise directed by the Council, a Committee or Sub-Committee of the Council, the Council will appoint. The Committee or Sub-Committee will include at least one Member of the Executive. Council will resolve that the post is remunerated in accordance with the Senior Salary Pay Structure.

For Assistant Director posts, the Chief Executive or his nominated representative, with the relevant Executive Member or members and the Leader of the Council, may determine whether any appointment to an Assistant Director post is to be made exclusively from the Council's existing officers. Where the Chief Executive or his or her nominated representative, determines that it is to be made from existing Officers, the appointment may be made by the Chief Executive or his/her representative. Where a recruitment process is undertaken involving external candidates, a Committee or Sub-Committee will be appointed to interview the shortlisted candidates and make the final appointment. That Committee or Sub Committee will include at least one member of the Executive.

The above arrangements ensure that the Council meets the requirement of the Localism Act that any proposal to offer a new appointment on terms and conditions which include a total remuneration package of £100,000 or more, including salary, bonuses, fees or allowances which would routinely be payable to the appointee and any benefits in kind to which the officer would be entitled as a result of their employment (but excluding employer's pension contributions), will be referred to the full Council for approval before any confirmed offer is made to a particular candidate, if they fall outside the scope of the agreed senior salary pay scales.

## **SECTION 7: AMENDMENTS TO THIS PAY POLICY STATEMENT**

This Pay Policy Statement relates to policy for the financial year 2024/25.

The Council may agree any amendments to this Pay Policy Statement during the financial year to which it relates in accordance with the decision-making arrangements set out in the introduction to this document.

## **SECTION 8: PUBLICATION OF AND ACCESS TO INFORMATION**

The Council will publish this Pay Policy Statement on its website as soon as is reasonably practicable after it has been approved by the Council. Any subsequent amendments to this Pay Policy Statement made during the financial year to which it relates will also be similarly published.

The information advised to be published by the Council in accordance with the requirements of the Local Government Transparency Code 2014 and in accordance with the requirements of the Accounts and Audit (Amendment No. 2) (England) Regulations 2009, as referred to in this Pay Policy Statement, is also available on its website.

The Council's policies in relation to the exercise of discretions under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 and under the Local Government Pension Scheme Regulations 2013, are set out in this policy statement.

For further information about this Pay Policy Statement, please contact the Council as follows:

**Paul Young**  
**Assistant Director: HR and Organisational Development**  
[paul.young@Bracknell-forest.gov.uk](mailto:paul.young@Bracknell-forest.gov.uk)

## EMPLOYER DISCRETIONS

### **PART A – Formulation of COMPULSORY policy in accordance with Regulation 60 of the Local Government Pension Scheme Regulations 2013**

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#### **Regulation 16 – Additional Pension Contributions**

The Scheme employer may resolve to fund in whole or in part any arrangement entered into by an active scheme member to pay additional pension contributions by way of regular contributions in accordance with **Regulation 16(2)(e)**, or by way of a lump sum in accordance with **Regulation 16(4)(d)**.

The Scheme employer may enter into an APC contract with a Scheme member who is contributing to the MAIN section of the Scheme in order to purchase additional pension of not more than the additional pension limit (£6,500 from 1<sup>st</sup> April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

The amount of additional contribution to be paid is determined by reference to actuarial guidance issued by the Secretary of State.

Consideration needs to be given to the circumstances under which the Scheme employer may wish to use their discretion to fund in whole or in part an employee's Additional Pension Contributions.

#### **Scheme Employer's policy concerning the whole or part funding of an active member's additional pension contributions**

**The Employing Authority has resolved not to adopt this discretion**

---

#### **Regulation 30(6) – Flexible Retirement**

An active member who has attained the age of 55 or over and who with the agreement of their employer reduces their working hours or grade of employment may, with the further consent of their employer, elect to receive immediate payment of all or part of the retirement pension to which they would be entitled in respect of that employment as if that member were no longer an employee in local government service on the date of the reduction in hours or grade (*adjusted by the amount shown as appropriate in actuarial guidance issued by the Secretary of State – separate policy required under Regulation 30(8)*).

As part of the policy making decision the Scheme employer must consider whether, in addition to the benefits the member may have accrued prior to 1 April 2008 (which the member must draw), to permit the member to choose to draw all, part or none of the pension benefits they built up after 31 March 2008 and before 1 April 2014 and all, part or none of the pension benefits they built up after 1 April 2014.

Due consideration must be given to the financial implications of allowing an employee to draw all or part of their pension benefits earlier than their normal retirement age.



### **Scheme Employer's policy concerning flexible retirement**

**The Employing Authority will consider requests for flexible retirement on a case by case basis. Approval will be sought through the Employment Committee where all costs and benefits will be explicit; requests which carry no costs to the Employing Authority will be dealt with by officers and reported back to the Committee.**

---

### **Regulation 30(8) – Waiving of Actuarial Reduction**

Where a Scheme employer's policy under regulation 30(6) (flexible retirement) is to consent to the immediate release of benefits in respect of an active member who is aged 55 or over, those benefits must be adjusted by an amount shown as appropriate in actuarial guidance issued by the Secretary of State (commonly referred to as actuarial reduction or early payment reduction).

A Scheme employer (or former employer as the case may be) may agree to waive in whole or in part and at their own cost, any actuarial reduction that may be required by the Scheme Regulations.

Due consideration must be given to the financial implications of agreeing to waive in whole or in part any actuarial reduction.

### **Scheme Employer's policy concerning the waiving of actuarial reduction**

**The Employing Authority has resolved to examine such issues on a case by case basis.**

---

### **Regulation 31 – Award of Additional Pension**

A Scheme employer may resolve to award

- (a) an active member, or
- (b) a member who was an active member but dismissed by reason of redundancy, or business efficiency, or whose employment was terminated by mutual consent on grounds of business efficiency,

additional annual pension of, in total (including any additional pension purchased by the Scheme employer under Regulation 16), not more than the additional pension limit (£6,500 from 1<sup>st</sup> April 2014 subject to annual increase in line with the Pensions (Increase) Act 1971).

Any additional pension awarded is payable from the same date as any pension payable under other provisions of the Scheme Regulations from the account to which the additional pension is attached.

In the case of a member falling within sub-paragraph (b) above, the resolution to award additional pension must be made within 6 months of the date that the member's employment ended.

### **Scheme Employer's policy concerning the award of additional pension**

The Employing Authority resolves to use the scheme for awarding additional pension in cases of redundancy, efficiency of the service and severance, only in exceptional circumstances.

---

### **Local Government Pension Scheme (Transitional Provisions and Savings) Regulations 2014**

#### **Schedule 2 – paragraphs 2 and 3**

Where a scheme member retires or leaves employment and elects to draw their benefits at or after the age of 55 and before the age of 60 those benefits will be actuarially reduced unless their Scheme employer agrees to meet the full or part cost of those reductions as a result of the member otherwise being protected under the 85 year rule as set out in previous Regulations.

So as to avoid the member suffering the full reduction to their benefits the Scheme employer can 'switch on' the 85 year rule protections thereby allowing the member to receive fully or partly unreduced benefits but subject to the Scheme employer paying a strain (capital) cost to the Pension Fund

### **Scheme Employer's policy concerning the 'switching on of the 85 year rule**

The Employing Authority resolves not to adopt this discretion.

---

## **PART B – Formulation of RECOMMENDED policy in accordance with the**

### **Local Government Pension Scheme Regulations 2013**

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#### **Regulation 9(1) & (3) – Contributions**

Where an active member changes employment or there is a material change which affects the member's pensionable pay during the course of a financial year, the Scheme employer may determine that a contribution rate from a different band (as set out in Regulation 9(2)) should be applied.

Where the Scheme employer makes such a determination it shall inform the member of the revised contribution rate and the date from which it is to be applied.

### **Scheme Employer's policy concerning the re-determination of active members' contribution bandings at any date other than 1<sup>st</sup> April**

The Employing Authority has resolved to make changes to employee contribution rates throughout the year from the effective date of any change in employment or material change to the rate of pensionable pay received.

---

### **Regulation 17(1) – Additional Voluntary Contributions**

An active member may enter into arrangements to pay additional voluntary contributions (AVCs) or to contribute to a shared cost additional voluntary contribution arrangement (SCAVCs) in respect of an employment. The arrangement must be a scheme established between the appropriate administering authority and a body approved for the purposes of the Finance Act 2004, registered in accordance with that Act and administered in accordance with the Pensions Act 2004.

The Scheme employer needs to determine whether or not it will make contributions to such an arrangement on behalf of its active members.

#### **Scheme Employer’s policy concerning payment of Shared Cost Additional Voluntary Contributions**

**The Employing Authority has resolved not to adopt this discretion**

---

### **Regulation 22 – Merging of Deferred Member Pension Accounts with Active Member Pension Accounts**

A deferred member’s pension account is automatically aggregated with their active member’s pension account unless the member elects within the first 12 months of the new active member’s pension account being opened to retain their deferred member’s pension account.

A Scheme employer can, at their discretion, extend the 12 month election period.

#### **Scheme Employer’s policy concerning merging of Deferred Member Pension Accounts with Active Member Pension Accounts**

**The Employing Authority has resolved not to extend the 12 month election period**

---

### **Regulation 100(6) – Inward Transfers of Pension Rights**

A request from an active member to transfer former pension rights from a previous arrangement into the Local Government Pension Scheme as a result of their employment with a Scheme employer must be made in writing to the administering authority and the Scheme employer before the expiry of the period of 12 months beginning with the date on which the employee first became an active member in an employment (or such longer period as the Scheme employer and administering authority may allow).

#### **Scheme Employer’s policy concerning the extension of the 12 month transfer application period**

**The Employing Authority has resolved to examine such issues on a case by case basis**

---

## Regulation 21(5) – Assumed Pensionable Pay

A Scheme employer needs to determine whether or not to include in the calculation of assumed pensionable pay, any 'regular lump sum payment' received by a Scheme member in the 12 months preceding the date that gave rise to the need for an assumed pensionable pay figure to be calculated.

### **Scheme Employer's policy concerning inclusion of 'regular lump sum payments' in assumed pensionable pay calculations**

**The Employing Authority has resolved that "Regular lump sum payments" will always be included in the calculation of assumed pensionable pay**

---

## Regulation 74 – Applications for Adjudication of Disagreements *(see guidance note 9 in employer's guide)*

Each Scheme employer must appoint a person ("the adjudicator") to consider applications from any person whose rights or liabilities under the Scheme are affected by:

- (a) a decision under regulation 72 (first instance decisions); or
- (b) any other act or omission by a Scheme employer or administering authority,

and to make a decision on such applications.

Responsibility for determinations under this first stage of the Internal Disputes Resolution Procedure (IDRP) rests with "the adjudicator" as named below by the Scheme employer:

Name: Susan Halliwell  
Job Title: Chief Executive  
Full Address: Time Square, Market Street, Bracknell  
Post Code: RG12 1JD  
Tel No: 01344 355609

Adjudicator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Or alternatively:

Name: Stuart McKellar  
Job Title: Executive Director of Resources  
Full Address: Time Square, Market Street, Bracknell  
Post Code: RG12 1JD  
Tel No: 01344 355605

Adjudicator's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## **APPENDIX B1 – EMPLOYER DISCRETIONS: INJURY ALLOWANCE**

### **Formulation of COMPULSORY policy in accordance with Regulation 14 of the**

### **Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011**

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#### **Regulation 3 - Reduction in remuneration**

Whilst an employee is receiving reduced pay as a direct result of an injury or disease contracted in the course of carrying out their employment, a relevant employer may consider paying the employee an allowance while the reduction in pay continues.

The relevant employer shall from time to time determine whether the employee should be entitled to continue to receive the allowance.

Any allowance payable must be paid directly by the relevant employer and, when added to the value of the reduced pay being received by the employee, must not be of a value that means the employee receives total pay in excess of the pay that they would normally expect to have received but for their injury or disease.

#### **Employer's policy concerning the award of an allowance due to reduction in remuneration**

**The Employing Authority has resolved to examine such issues on a case by case basis in line with its existing Standing Orders.**

---

#### **Regulation 4 – Loss of employment through permanent incapacity**

Where an employee ceases employment due to permanent incapacity as a direct result of injury or disease contracted in the course of carrying out their employment, a relevant employer may consider paying the employee an allowance not exceeding 85 per cent of the employee's annual rate of remuneration at the point the employment ceased.

The relevant employer shall from time to time determine whether the employee should be entitled to continue to receive the allowance.

Any allowance payable must be paid directly by the relevant employer and, where the employee was receiving no pay or reduced pay at the time the employment ended because of absence, the employer must assess the remuneration on the basis of the pay the employee would have received but for being absent.

The relevant employer may suspend or discontinue the allowance if the (former) employee secures gainful employment (paid employment for not less than 30 hours in each week for a period of not less than 12 months).

#### **Employer's policy concerning the award of an allowance due to loss of employment**

**The Employing Authority resolves not to adopt this discretion.**

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To: **Employment Committee**  
**7 February 2024**

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## **HR POLICY REVIEW** **Executive Director of Resources**

### **1 Purpose of Report**

- 1.1 The Human Resources team have an established programme in place to review/update existing HR policies/procedures and guidance. As part of this process, policies and procedures are being consolidated, wherever possible, and new policies and procedures created to reflect changes to legislation or best practice.

### **2 Recommendation(s)**

- 2.1 That Employment Committee review and agree the following revised policy and procedures:
- a) Disciplinary Procedure
  - b) Lone Working Policy
  - c) Performance Improvement/Capability Procedure
  - d) Time off for Public Duties Procedure
  - e) Time off for Dependants and Carer's Leave Policy

### **3 Reasons for Recommendation(s)**

- 3.1 To ensure relevant and up-to-date guidance is available to assist managers throughout the Council in effectively managing and, where necessary, supporting their workforce, whilst complying with legal requirements and best practice.

### **4 Alternative Options Considered**

- 4.1 To retain the existing content for the policies and procedures listed in section 2.1 above.

### **5 Supporting Information**

- 5.1 It is recognised that the HR policies and procedures require regular reviews to ensure they; remain up to date and meet current legislation, follow best practice, effectively support managers in dealing with associated cases and meet the Council's legal duties. As a result, a schedule has been established to review the current HR policies and procedures. This current cycle of this process has resulted in the review of the policies and guidance documents outlined in section 2.1 above.
- 5.2 The process for reviewing the policies has included engagement with; stakeholders, trade unions, the equalities group and DMTs, as well as checks against current legislation/best practice provided by ACAS and the CIPD.
- 5.3 **The following amendments have been made to the Disciplinary Procedure:**
- Clarification that where allegations are minor no formal investigation is undertaken and instead the matter is dealt with by the manager as a discussion.

- Clarification and amendment to the wording relating to the ability to appeal. The proposed wording is intended to simplify the process
- Section added on the use of CCTV in disciplinary investigations

**5.4 The following amendments have been made to the Lone Working Policy:**

- Overall revision of the policy to expand on the process for risk assessments and more focus on mental health
- A greater focus on home working being a type of lone working.
- Moved to new template
- Equality statement added.

**5.5 The following amendments have been made to the Performance Improvement/Capability Policy:**

- Previously there was an informal stage, formal stage 1, formal stage 2 and formal stage 3 this has now been amended to reduce the number of stages to; Informal, formal stage 1 and formal stage 2
- The appeal process has been amended to mirror the appeals in disciplinary – ie appeals against Director decision is to another Director.

**5.6 The following amendments have been made to the Time off for Public Duties Procedure:**

- Moved to new template,
- Equality statement added,
- Stipulating that time off for public duties can only apply to holding one position of this type, the current policy does not cover people holding more than one position which could lead to high levels of additional time off.
- In addition, added that the days allowed are calculated on a pro-rata basis if the person is part time.

**5.7 The following amendments have been made to the Time off for Dependants & Carers Leave Policy:**

- Moved to new template,
- Equality statement added,
- Inclusion of new legislation relating to Carers Leave which is effective from April 2024 both within the policy and to the title of the policy.
- Changes to terminology which are more inclusive.

5.8 It is recognised that policy and procedure alone does not provide the confidence and competence to manage workforce situations. The HR/OD Team are supporting the effective management of these policies and procedures, through a programme of manager briefing training sessions and dedicated manager induction sessions.

## **6 Consultation and Other Considerations**

### **6.1 Legal Advice**

As a responsible employer it is necessary for the Council to ensure that it has in place clear policies, procedures and guidelines 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 HR processes. The updated guidance documents provide a



framework for decision making which (when followed) will mitigate the risk of successful legal challenges.

## 6.2 **Financial Advice**

Not required for this paper

## 6.3 **Other Consultation Responses**

6.4 The policies have been through a consultation exercise with trade unions and the equalities team. 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.

## 6.5 **Equalities Impact Assessment**

6.4 An EIA is not required for the guidance documents referred to in this report as there are no significant changes to the content of the guidance documents.

## 6.5 **Strategic Risk Management Issues**

The policies being presented could 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.

## 6.6 **Climate Change Implications**

The recommendations in Section 2 above are expected to have no impact on emissions of CO<sub>2</sub>.

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.

## 6.7 **Health & Wellbeing Considerations**

It is recognised that implementation of these policies can create significant challenges for all staff involved. It is essential that consideration for the health and wellbeing for staff is always considered and the appropriate support is provided including involvement with occupational health.

### **Background Papers Links to Policy:**

Disciplinary Procedure

[Disciplinary procedure FINAL Dec 2023.docx](#)

Lone Working Policy

[Lone working policy December 2023 Final .docx](#)

Performance Improvement/Capability Policy:  
[Performance Improvement Capability - December 2023 Final.docx](#)

Time off for Public Duties Procedure:  
[Time off for Public Duties December 2023.docx](#)

Time off for Dependants & Carer's Leave Policy:  
[Time off for dependants Policy Dec 2023.docx](#)

**Contact for further information**

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## Disciplinary Policy

### Document Control

<b>Current Version:</b>	1.4	<b>Date Modified:</b>	February 2024
<b>Revision due</b>	The service aims to review policies and procedures every two years to ensure documents are up to date		
<b>Owning Service</b>	Human Resources		

### *Approvals (if required)*

<b>Date Employment Committee gave authorisation for changes (where necessary)</b>
13 July 2022

### *Change History*

Version	Date	Description	Changes made by
1.5	February 2024	Clarify where allegations are minor that no formal investigation is undertaken and dealt with by the manager as a discussion Clarification and amendment to the wording relating to the ability to appeal. Added section on CCTV footage	Sam Johnson
1.4	March 2023	Clarification on the process for direct referral to stage 2. Clarification on whether dismissal appeals heard by Director or member panel	Melissa Berry
1.3	Sept 2022	Updates to greater reflect Equality & Dignity at Work policy	Alison Beswick
1.2	June 2022	General update, addition of Equality statement, addition of information about holding hearings	Sarah Darby
1.1	Feb 2019	Amended to remove reference to departmental HR and BORIS – now reads intranet	Melissa Berry

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# FLOWCHART OF DISCIPLINARY PROCEDURE

N.B.  
Time limits apply at all stages of the process

Investigating officer conducts initial investigation & employee interview

N.B in cases of minor misconduct informal process may be appropriate

Report to Designated Officer - is there a case to answer?

Is there evidence of gross misconduct?

**Stage 1 Disciplinary Hearing**  
Designated Officer  
See Appendix A

Minor misconduct proven

Serious Misconduct proven

Gross misconduct

Designated Officer after agreement with Head of HR may suspend

No action needed  
Confirm in writing

Recorded Verbal or Written warning

Possible Dismissal

No  
Range of sanctions may apply

**Stage 2 Disciplinary hearing**  
Convened by Director/AD – see Appendix A

Not proven and no action needed  
Confirm in writing

Serious/Gross misconduct proven

No Dismissal

Range of sanctions may apply

Employee accepts

Consideration of Dismissal

Dismissal

Employee accepts

Employee appeals in writing to Assistant Director: HR  
See Appendix C  
**Decision of Executive Director**

Employee accepts

No  
Employee appeal in writing to Director/AD – See Appendix B

**Decision of AD/Director**

Yes  
Employee appeals in writing to Director – see Appendix B  
**Decision of Director**

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End of Process

End of Process

End of Process

End of Process

End of Process

End of Process

End of Process

# BRACKNELL FOREST COUNCIL'S DISCIPLINARY POLICY

## 1 INTRODUCTION

Bracknell Forest Council expects all its employees to work in accordance with its code of conduct, policies and procedures at all times. This Disciplinary Policy and procedure ensures that employees who breach expected standards of conduct are treated fairly with dignity and respect. This policy sets out the expected standards of conduct in the workplace and the procedures to follow to ensure these standards are adhered to, provide a fair method of dealing with alleged failures to observe them and to ensure corrective action is taken fairly and consistently. This policy and procedure are in line with the ACAS Code of Practice on Disciplinary and Grievance Procedures (March 2015)

## 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. To support our commitment to equality and dignity at work, any incidents of discriminatory behaviour or language will be investigated in line with our disciplinary policy.

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 PURPOSE

It is in everyone's interest to ensure that any disciplinary matter is dealt with quickly, effectively, and above all fairly. Minor faults must be dealt with through normal management practice and may possibly involve coaching, supervision or other intervention from the line manager. Where this has failed to correct a situation, more formal measures may be necessary.

As a formal approach, the main purpose of the Disciplinary Policy is to encourage an improvement in an employee whose standard of work or conduct is unsatisfactory. The Council's policy is to ensure that effective arrangements exist for dealing with disciplinary matters and that, as far as possible, common standards are observed for all employees. It must be seen as an attempt to secure improvement in conduct; to treat staff in a fair and consistent manner; and to provide a procedure so all parties know what to expect.

The Disciplinary Procedure does not cover the initial stages of dealing with poor conduct or poor performance through factors such as ill health or lack of ability to cope with changing demands; this is dealt with initially by separate procedures, such as [Managing Attendance](#), [Performance Improvement/Capability](#), [Stress at Work](#) and [Substance Misuse](#).

## 4 PRINCIPLES

In accordance with the ACAS Code of Practice on Disciplinary and Grievance Procedures (March 2015), the Council's disciplinary procedure is based on the following principles:

- All references in the procedure to "Director" can also mean Executive Director or Assistant Director or other 2nd tier officer who may act in place of the Director.
- The aim is always to assist the employee to improve their standard of conduct or behaviour, and normal management practices such as conversations, support and monitoring should take place where possible before a formal process is invoked.
- No management decisions/disciplinary action will be made until there has been a full investigation of the facts.
- An employee will receive a fair hearing and will always be given a chance to state their case fully.
- Notes should be taken during the hearing either by the Designated Officer or an independent notetaker. The employee may request a copy of the notes after the hearing and it should be made clear to the employee at the outset of the hearing that this option is available to them. Notes do not have to be verbatim. Hearings should not be recorded. The purpose of the notes is for the Designated Officer to be able to refer to them in order to inform their decision and to clearly set out the outcome of the hearing.
- Any employee who is required to respond to allegations under the Disciplinary Procedure will be entitled to be accompanied at the formal hearing by a trade union representative or work colleague of their choice but by no one else. The employee is responsible for organising their own arrangements.
- When an employee is required to attend a disciplinary hearing, there will be advance written notice to them setting out the grounds for the hearing. Any documentary evidence and names of witnesses to be called will, as far as practically possible, be produced with that written notice
- Witnesses may be called by either party. The employee will be expected to disclose the names of their witnesses and provide their own documentary evidence. It may be more appropriate for witnesses to provide a written statement instead of attending the full hearing. If this is the case, the Designated Officer may discuss this with the employee in advance.
- The Council will dismiss without notice for acts of gross misconduct.
- Criminal activities (either inside work or outside if it is likely to affect an employee's work and/or the Council) will be investigated under the Disciplinary Procedure. Awaiting the outcome of any criminal investigation may delay the Council's hearing (guidance may be required from the relevant authority).
- Cases can be taken to appeal for a complete review of all the circumstances of the case and the penalty decided upon. Appeals against the decision of dismissal by a



Director will be heard by another Director. A panel of nominated Councillors will hear any appeals relating to the Chief Executive or Executive Director.

- In line with ACAS guidance, the Disciplinary Procedure will apply to a recognised trade union representative however no disciplinary action beyond an unrecorded verbal warning will take place with an employee who is a recognised trade union official until the circumstances of the case have been discussed by the Designated Officer and Head of HR or Assistant Director: HR with a full-time official or other appointed official of the employee's Trade Union following agreement with the employee.
- Every effort will be made to proceed in a timely manner. Designated Officers should ensure investigations are completed as soon as possible. It is recognised that there may be extenuating circumstances which could create delays, but this should be kept under regular review and attempts to conclude investigations promptly should be prioritised. The timescales are constructed to allow sufficient time for the preparation of a case. A formal request for a deferment of a hearing where further time is needed to prepare, or a Trade Union representative is unable to attend, will not be unreasonably refused provided enough notice is given and the reasons explained. The deferment will be rearranged in a timely manner and, in line with ACAS guidance, will not normally exceed five working days and will not exceed one instance.
- If an employee refuses to attend a disciplinary hearing the Designated Officer will write to the employee concerned explaining that a disciplinary decision may have to be taken in their absence, based on information to hand. If a reasonable reason for non-attendance is forthcoming, the hearing may be deferred (see paragraph above).
- Where an employee raises a grievance about a manager who is involved in a disciplinary case against them, the disciplinary process should be suspended while the grievance is considered. If this should happen, then the matter should be referred to the Assistant Director: HR who will examine the circumstances surrounding the grievance, and if warranted, may substitute another Designated Officer to take over the disciplinary case.
- All Designated Officers and Investigating Officers will have a copy of the Disciplinary Policy and Procedure and should have complete the e-learning packages relevant to their role within the process. There is additional training and guidance available from HR.
- HR staff will be available to Designated Officers for advice and support at every stage of the procedure and will advise on its consistent application. The Designated Officer should monitor the cases' progress and ensure the investigation is completed in a timely manner with no unreasonable delays, as well as keeping all parties updated on the status of the case on a regular basis.
- Should any allegation or concern arise involving suspected misconduct or inappropriate behaviour towards a child, young person or vulnerable adult additional safeguarding procedures apply. It is therefore essential that professional advice is sought immediately from the appropriate [safeguarding team](#) or Local Authority Designated Officer (LADO) before any investigation commences or any decision is made about suspension. Such cases may require the involvement of other agencies (e.g. social services, police) or notification to regulatory bodies, as well as particular care in how witnesses are approached. In situations where the

police are undertaking their own investigation(s), it may be necessary to place an internal investigation under these procedures on hold. The line manager will be responsible for ensuring regular communications are maintained during this period. Please see Appendix E for further information and guidance on safeguarding issues.

## **5 EMPLOYEE SUPPORT**

The Council acknowledges that going through a disciplinary process can be a stressful and unsettling time for all parties, and encourages anyone who feels they need support to seek this through any of these methods:

- trade union representative (if they are a member of a trade union)
- the [Employee Assistance Programme](#) which provides 24/7 telephone counselling
- speaking to their manager for support, or to arrange a confidential buddy
- speaking to an [Equality Ally](#) if there is an equality issue
- speaking to a Mental Health First Aider.

In addition, the Designated Officer should regularly keep the employee updated with the status of the investigation.

## **6 SCOPE - EMPLOYEES COVERED BY THE PROCEDURE**

This procedure applies to all employees of Bracknell Forest Council, except for:

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

## **7 ROLES/RESPONSIBILITIES**

It is important that everyone who comes into contact with this Procedure understands their distinct roles, responsibilities and authority.

### **7.1 INVESTIGATING OFFICER**

- a) The Investigating Officer is appointed by the Designated Officer and investigates any alleged cases of misconduct. They will normally be the line manager of the employee who is to be investigated. There may be occasions when it would be more appropriate to appoint an Investigating Officer from outside the section/department.
- b) The Investigating Officer presents the circumstances surrounding the allegations, and findings of their investigation, including any documentary evidence, to a Stage 1 Disciplinary Hearing convened by the Designated Officer.
- c) The Investigating Officer will act as a witness for management during any subsequent hearings and appeals.
- d) The appointed Investigation Officer should have the capacity to prioritise the investigation to enable completion at the earliest opportunity. It is recognised there

may be extenuating circumstances which could create delays, but this should be kept under regular review and attempts to conclude investigations promptly should be prioritised.

## **7.2 DESIGNATED OFFICER**

- a) The Designated Officer will generally be the Head of Service (or equivalent) of the section in which the employee works. Another Designated Officer may be identified after consultation with HR if appropriate.
- b) The Designated Officer has overall responsibility for the case and can take advice from HR at any step of the process. The Designated Officer must ensure the process is done in a timely manner and should keep the employee regularly updated with the status of the case and informed of any delays and the reasons for them.
- c) The Designated Officer will appoint an Investigating Officer who is immediately available to carry out a full investigation of the case in a timely manner. Once the Designated Officer has received the Management Investigation Report they will decide whether there is potentially a case to answer and if a hearing is required
- d) If, at any stage, suspension is considered, the Designated Officer must seek guidance from the Head of HR or Assistant Director: HR.
- e) It is the role of the Designated Officer to hear any evidence of misconduct, consider the case from the employee and decide whether the alleged breach of discipline has occurred and whether it considered minor, serious or gross misconduct.
- f) If serious misconduct is evident, which is potentially a dismissible offence, or there is a possible case of gross misconduct, the investigation must be referred directly to a Stage 2 Hearing by the Designated Officer.
- g) In the case of a minor or serious breach of discipline falling short of dismissal, the Designated Officer may apply a range of sanctions from a recorded verbal warning to a final written warning.
- h) If the Designated Officer refers the case to a Stage 2 hearing, it is their role to present the circumstances of the alleged serious/gross misconduct at a disciplinary hearing convened by the Director. A Designated Officer may also act as a witness for the Director in an appeal.

## **7.3 DIRECTOR**

- a) The role of the Director is to convene, hear and decide upon the action to be taken in respect of Stage 2 Disciplinary Hearing, to deal with incidences of serious or gross misconduct where a potential outcome is dismissal. These cases will either be referred from the Designated Officer's Stage 1 Disciplinary Hearing or initiated by the Director themselves.
- b) Any appeal against the outcomes of a Designated Officer will be heard by a Director.

- c) Appeals against dismissal, which will have been made by a Director, will be heard by a Director not previously involved in the process.
- d) If the appeal is relating to a case against an Executive Director or the Chief Executive the appeal will be heard by a Panel of elected Members.
- e) There may be occasions where it is appropriate to appoint a Director from another Department to hear the case.

#### **7.4 HUMAN RESOURCES**

- a) The role of HR is to assist Designated Officers and Directors with cases of misconduct in fulfilling the requirements outlined in this policy. In no circumstances will the HR representative decide the outcome of any disciplinary hearing.
- b) The Head of HR or Assistant Director: HR will be consulted by the Designated Officer before a decision is taken that an offence is either one of prima-facie gross misconduct warranting suspension on full pay or serious misconduct which is potentially dismissible.

#### **7.5 COUNCILLORS**

- a) Councillors will be appointed to a Panel of elected Members and will be responsible for hearing appeals against the decision to dismiss a Senior Officer, this includes the Chief Executive or Executive Director.
- b) A Panel of Elected Members may, if appropriate, hear any case against a Senior Officer, and a separate member panel will hear any subsequent appeals.

### **8 THE CONDUCT OF A DISCIPLINARY CASE**

#### **8.1 CARRYING OUT MEETINGS AND HEARINGS REMOTELY**

All hearings should be carried out face to face unless there is a specific reason this is not feasible. Before deciding whether to carry out a meeting or hearing remotely or using a hybrid method, it is important to consider if:

- Everyone involved has access to the technology needed for video meetings, for example the necessary equipment and internet connection, and all parties agree to have their cameras switched on.
- Anyone involved has any disability or other accessibility issues that might affect their ability to use video technology, and whether any reasonable adjustments might be needed.
- It is possible to obtain all the evidence needed for the investigation or hearing, for example records or files that are kept in the office or workplace.
- Any witness statements or other evidence can be seen clearly by everyone involved during an interview or hearing and provided in advance where appropriate.
- It will be possible to fairly assess, and question evidence given by people interviewed during a video meeting.
- It is possible for the person under a disciplinary investigation to be fairly accompanied during the hearing.

- Meetings should not be recorded for any reason.

## **8.2 CCTV FOOTAGE**

If it is determined within the disciplinary process that CCTV footage could aid in determining events or allegations, a request should be made to the Data Protection Officer (DPO) via [DPO@bracknell-forest.gov.uk](mailto:DPO@bracknell-forest.gov.uk). It should be noted that access will not automatically be granted and will be reviewed on a case by case basis.

## **8.3 INFORMAL PROCESS**

In the event of a breach of conduct being minor enough not to warrant a disciplinary hearing, the manager has the jurisdiction to act following an initial fact-finding investigation. It would not be necessary to proceed to a full hearing to give an unrecorded verbal warning. In these situations, the manager may also be the Investigating Officer.

## **8.4 INVESTIGATORY STAGE**

Before any formal disciplinary action is taken, the Designated Officer should appoint an Investigating Officer to conduct a thorough investigation and/or management interview. The Designated Officer should inform the employee of the nature of the alleged misconduct and indicate that the matter is being formally investigated.

This stage is to be regarded as a meeting convened by management and not a Disciplinary Hearing. Therefore, the employee does not have the right to be accompanied at these discussions/interviews, but specific requests can be considered by the Investigating Officer.

## **8.5 DISCIPLINARY PENALTIES**

### **8.4.1 Unsatisfactory conduct/performance**

The Designated Officer may decide that where allegations are minor and are more appropriately dealt with by the manager, and do not need to a formal investigation. In these instances, there may be no need for a formal procedure to be entered into; coaching, supervision or other intervention from the line manager or other relevant parties may be a more satisfactory method of resolving issues than a disciplinary hearing as its aim is to encourage and help the employee to improve their conduct or performance.

A meeting should be set up by the Designated Officer to discuss the result of the investigation, which will involve the employee and their immediate manager. At this meeting, the employee does not have the right of representation.

Shortcomings should be noted and ways of improving explored. The employee must be clear about what needs to be achieved to improve and details of the review period. It must also be made clear that if there is no continued and sustained improvement, it will be necessary to invoke formal disciplinary procedures. If it appears that the meeting is revealing information which warrants a formal disciplinary hearing, the meeting should be adjourned and referred to the formal stage of the process.

If, after an investigation has taken place, the Designated Officer finds that there is no case to answer, then the Designated Officer must meet with the employee to inform them that there

#### **8.4.2 Formal action**

If it is not possible to resolve the case informally, then it should move to Stage 1 of the formal process. If, after considering the allegations, it is believed that serious misconduct (which is potentially dismissible) or gross misconduct has occurred, after consultation with HR, the matter will be automatically referred to Stage 2 of the policy.

- a) A Disciplinary Hearing will be arranged, this is designed to give the employee an opportunity to respond to the allegation(s), enable the Designated Officer to check the evidence to ascertain its seriousness and, if necessary, take disciplinary action. The process in Appendix A should be followed. An employee can only be dismissed following a Stage 2 Hearing.

Where the matter has been referred directly to Stage 2, the Investigating Officer will present the case.

- c) Where a case has been brought against an Assistant Director or Executive Director, the stage 2 hearing will be carried out by a Panel of Elected Members.

### **8 LEVELS OF DISCIPLINARY ACTION**

It is not possible to give a definitive list of penalties which may be awarded for particular offences. Each case has to be considered in the light of its own facts, the nature of the misconduct, the circumstances of the case, previous disciplinary record, post held etc. General guidance notes are given in Appendix D.

In all cases however, a belief needs to be established by the Designated Officer that, based on the balance of probabilities and taking into account all relevant facts, the alleged misconduct by the employee took place.

### **9 SUSPENSION**

There may be situations where the suspension of an employee is necessary whilst an investigation is carried out. However, suspension can leave individuals feeling prejudged, demotivated and devalued. It should therefore only be used after very careful consideration and in the most serious circumstances.

It should always be made very clear that suspension is not an assumption of guilt and is not considered a disciplinary sanction, but a way of proceeding pending possible disciplinary hearings. The individual should be reminded and reassured that a fair procedure will follow in which their point of view will be listened to and fairly considered. Some individuals may find it extremely distressing to be told they are being suspended. This may be the case even if the person does not show any obvious signs of distress. Employers should bear this in mind in deciding when and how to communicate a decision about suspension. It is good practice to encourage a suspended employee to access some immediate support and to offer help to do this. For example, to offer to contact a colleague, friend or relative of their choosing to meet them immediately.

The decision to suspend can only be taken after consultation with the AD:HR or the Head of HR. If an incident occurs outside normal office hours and a Designated Officer

is not available, the most senior manager available will have the authority to suspend. At the earliest opportunity the appropriate Designated Officer will be informed of the suspension and will discuss with the HR Management Team.

Notification of suspension is regarded as a meeting convened by management and not a disciplinary hearing, so the employees right to be accompanied at these discussions/interviews is not available. Suspension will be confirmed in writing, is on full pay and may be for as long as is necessary to allow a proper investigation to take place. Suspension should remain under review. Consideration should be given to temporary redeployment, working from home or alternative location as an alternative to suspension.

A Designated Officer may suspend where there is a serious allegation of misconduct and:

- a) If it is inappropriate for the employee to remain at their place of work whilst the investigation is carried out, e.g.:
  - because of access to records or contact with other employees which is likely to influence the outcome of the investigation
  - to allow investigations to be made which are likely to be inhibited by the presence of the employee such as in allegations of discrimination or harassment, etc.
  - working relationships have severely broken down to the point that there is a genuine risk to other employees, property, customers, or other business interests if the employee remains in the workplace
  - it is considered that there is a reasonable chance that the employee could tamper with evidence, influence witnesses and/or sway the investigation
  - the employee is the subject of criminal proceedings which may affect whether the employee can do their job
  - where an employee is able to commit deliberate acts of sabotage and there is a likelihood that they will do so
  - where the likely actions or behaviour of the employee could bring the Council into serious disrepute
  
- b) Where the nature of the alleged misconduct is such that its future occurrence or re-occurrence could have serious consequences for other employees of the Council or the public, e.g.:
  - dangerous practices
  - Drunkenness/under the influence of non-prescription drugs
  - irregularities in cash handling
  - safeguarding concerns

## **10 DISCIPLINARY RECORDS**

Official records will be kept securely and confidentially. Where departmental copies are kept, they will also be stored securely and confidentially in accordance with the GDPR..

Warnings will be active for the designated period and will normally be disregarded at the end of that specified time if satisfactory conduct or performance has been achieved.

## **11 RESIGNATIONS**

If an employee under investigation resigns before disciplinary action can be taken, the Designated Officer or Director will assess whether to continue or cease the disciplinary process, considering the length of notice to be served. This decision may depend on the allegation. However, if there is an issue which must be investigated and resolved e.g. needs to be reported to a professional body, fraud; or misconduct or inappropriate behaviour towards a child, young person, or vulnerable adult, then the Director will agree for the investigation to continue.

Where it has continued, the individual who has resigned should be informed of the outcome of any investigation and given the right to make any necessary comments. If requested, the outcome of the continued investigation might affect references and may be reported to appropriate regulatory bodies.

## **12 EMPLOYEES WITH LESS THAN SIX MONTHS SERVICE OR IN PROBATIONARY PERIOD OR INDIVIDUALS UNDERTAKING CASUAL WORK**

Employees on a probationary period (or extended probationary period) or individuals undertaking casual work are explicitly excluded from the Disciplinary Procedure. The only exception will be because of discriminatory/inflammatory behaviour or language, in which case suspension may be considered.

In the event of a disciplinary issue arising with someone in these categories, the following three step procedure can be used:

Step One: Following consultation with HR, depending on the nature of the alleged offence, the individual may be invited to attend a meeting with the manager, where the issue will be addressed. There will be the right to be accompanied by a trade union representative or a work colleague.

Step Two: The outcome of the meeting, which could be any action up to and including dismissal with the appropriate period of notice or pay in lieu of notice, will be confirmed in writing.



## **APPENDIX A – PROCEDURE FOR STAGE 1 OR STAGE 2 DISCIPLINARY HEARING BY DESIGNATED OFFICER OR DIRECTOR (STAGE 2)**

### **Prior to the Hearing**

Prior to the hearing it is advisable that the Designated Officer/Director contacts the employee to outline the procedures for the hearing (i.e. face to face or whether there is any reason the hearing should be held remotely), and the suggested date of the hearing. The Designated Officer/Director should also ask the employee if they need any reasonable adjustments for the hearing.

A letter giving at least five working days' notice of the hearing will be sent to the employee by the Designated Officer/Director outlining the matters to be dealt with and reminding the employee of their right to representation and to call witnesses. The employee will also receive copies of any papers to be produced at the hearing. Designated Officer/Director should be mindful when sending letters that may cause distress, ensuring that they are not at the end of a working day when the employee has no access to support.

The employee should supply to the Designated Officer/Director, at least three 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. The employee is responsible for arranging the attendance of their own witnesses and representative.

### **At the Hearing**

- a) The Designated Officer/Director should introduce those present and explain that the meeting is being held to consider whether disciplinary action should be taken in accordance with the Council's Disciplinary Policy. They should also explain the role of the people present at the meeting and outline how the meeting will be conducted.
- b) The Investigating Officer will outline their documentary evidence and findings. The Investigating Officer may call witnesses if appropriate.
- c) The employee and/or their representative will be entitled to ask questions of the Investigating Officer and witnesses relating to that evidence.
- d) The employee and/or the representative will put their case and be able to call witnesses.
- e) The Designated Officer/Director will have the opportunity to ask questions of the employee, witnesses and the Investigating Officer.
- f) The parties will have the opportunity to sum up their cases.
- g) The parties and their witnesses will withdraw.
- h) The Designated Officer/Director (with the HR Advisor), 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

- i) The Designated Officer/Director will announce their findings, and the action they intend to take, to the parties which will be confirmed in writing within five working days of the hearing.

The letter will specify the action taken, together with any review arrangements. The letter will also identify which Senior Officer the employee should submit any subsequent appeal to.

Copies of notes should be made available to the employee if requested. In certain circumstances (for example to protect a witness) the employer might withhold or redact certain information.

## **APPENDIX B – PROCEDURE FOR APPEAL**

An employee has a right to appeal to a Director against action taken by a Designated Officer/Director.

Where the appeal is against a dismissal, it will be heard by another Director.

The right of appeal may be for one of the following reasons and will be a complete review of the case:

- a) where the employee considers that the Designated Officer/Director has unjustly found against them.
- b) where the employee contends that a matter of fact referred to at the disciplinary hearing has not been carefully considered by the Designated Officer/Director in reaching their decision.
- c) where the employee feels that the disciplinary action taken by the Designated Officer/Director has been too severe.

The employee must exercise the right of appeal within five working days of receiving written confirmation of action taken against them. The letter indicating the employee's intention to appeal should be addressed to the Director. This includes appeals against a dismissal but should be a different Director to that who dismissed the employee.

Where possible, the appeal should be held within ten working days of the written notification of intention to appeal, but certainly without unreasonable delay. An HR Advisor will act as adviser to the Director.

### **Prior to the Hearing**

The Director will give notice in writing to the employee at least five working days in advance of the time and place of hearing. All documents relevant to the disciplinary hearing will be included with the notification.

The employee should supply to the Director, at least three 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 employee is responsible for arranging attendance of their own witnesses and representative

### **At the Hearing**

- a) The Designated Officer/Director will put the case to the Director in the presence of the employee and their representative (if any) and may call witnesses.
- b) The employee (or their representative) will have the opportunity to ask questions of the Designated Officer/Director and witnesses on the evidence given by them.
- c) The Director may ask questions of the Designated Officer/Director and witnesses.

- d) The employee (or their representative) will put their case in the presence of the Designated Officer/Director and call their witnesses.
- e) The Designated Officer/Director will have the opportunity to ask questions of the employee and witnesses on the evidence given by them.
- f) The Director may ask questions of the employee and witnesses.
- g) The Designated Officer/Director and then the employee (or their representative) can sum up their case if they wish.
- h) The Designated Officer/Director and the employee and their representative and the witnesses will withdraw.
- i) The Director (with the HR Advisor) 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.
- j) The Director will announce their findings, and the action they intend to take, to the parties which will be confirmed in writing within five working days of the hearing.

Copies of records/notes can be made available to the employee if requested. In certain circumstances (for example to protect a witness) the employer might withhold some information.

The decision of the Director will be final.

The table below shows who will hear the appeal at each stage.

Hearing held by	Stage	Who hears the appeal
Designated Officer	Stage 1	Director
Director	Stage 2 (not dismissal)	Different Director
Director	Stage 2 dismissal	Different Director
Executive Director/Chief Executive	Stage 2 (not dismissal)	Different Exec Director
Executive Director/Chief Executive	Stage 2 dismissal	Members Appeal Panel

### Panel of elected Members

Appeals made to a panel of elected Members should be supported by the Assistant Director: HR or nominated representative.

There will be a nominated Chairperson who will announce their decision to the parties, which will be confirmed in writing within five working days of the hearing.

## **APPENDIX C - TYPES OF MISCONDUCT AND LEVELS OF ACTION**

Whilst it is possible to give examples of types of misconduct (Minor, Serious, Gross) it is important that each case is looked at in relation to the type of offence, circumstances, previous record, and type of job. A minor breach of discipline in one job may be viewed more seriously in another because of the nature of the work, for example contact with the public, children, elderly or vulnerable people or responsibility for cash.

It is not possible to give a definitive list of penalties which may be awarded for offences, but there are general guidelines which should be followed. HR can give advice in complex cases, taking account of previous similar cases in the Council as consistency is a principal element in the disciplinary process.

Except in cases of summary dismissal for gross misconduct, employees who are dismissed will receive a period of notice or pay in lieu of notice in accordance with their contract of employment.

Employees would not normally be dismissed for a first breach of disciplinary rules except in the case of Gross Misconduct or specific and/or repeated cases of Serious Misconduct.

### **LEVELS OF MISCONDUCT**

#### **Minor Misconduct**

Minor misconduct does not impact significantly upon the work of the Council, employees or the public provided that it is not a repetition of an earlier similar offence.

(If the impact of the behaviour on the Council is significant on the facts of the case, it may be regarded as serious.)

Some examples would be:

- Poor timekeeping or non-attendance without reason
- Failure to follow instructions/carry out simple tasks
- Minor abuse of flexitime
- Incomplete timesheets
- Smoking/Vaping in a no smoking area

#### Penalties

A recorded verbal or written warning is the accepted penalty for minor misconduct, but the Designated Officer will need to make it clear to the employee that repetition may lead to more serious action. The warning will usually be up to 12 months.

#### **Serious Misconduct**

Serious Misconduct is that which impacts to a significant degree upon the work of the Council, other employees or the public and/or is a recurrence or continuation of conduct which is unacceptable and has been dealt with previously as minor misconduct.

(If the impact of the behaviour is not incredibly significant on the facts of the case, it may be treated as minor misconduct; if the impact is so serious in the case as to make the behaviour intolerable, it may be treated as gross misconduct.)

Some examples would be:

- Improper, disorderly, or unacceptable conduct at, during, or when arriving for work, including offensive language in front of the public.
- A breach of a rule which endangers the safety of another person.
- A breach of confidential information which might have serious repercussions for the Council.
- Neglect of responsibilities.
- Dishonest behaviour (depending on the degree and extent).
- A breach of Standing Orders, contract or financial regulations which falls short of theft/fraud.
- Behaviour (including bullying/harassment/victimisation) which is sexist, racist, or offensive to those of a particular ethnic origin, religion or belief, nationality, or sexual orientation, or relates to a disability.
- Malicious or reckless damage to Council property (depending on the degree or extent).
- Repeated and/or significant misuse of the Council's facilities, e.g. telephones, fax machines, internet, e-mail, including unauthorised entry into the Council's computer systems, the running of computer games and other unauthorised software, sharing of passwords and using proxy access to send emails purporting to be from someone else (depending on the degree and extent).
- Viewing or distributing offensive material whether on the internet, by email or in written form (dependent on the degree and extent this may be treated as Gross Misconduct).
- Participating without the knowledge or consent of the Council in other employment, business or profession which has an adverse impact on work or on the Council
- Working or indulging in other activities while absent from work on sickness absence, which breaches the Managing Attendance Policy.
- Failure to adhere to National Codes of Practice.
- A failure to adhere to or breach of Council policies and procedures/code of conduct.
- Failure to disclose any charge, caution, or conviction (not including fixed penalty notices) which affects or is likely to affect the employee's suitability for the position in which they are employed.

### Penalties

There are a range of penalties available to the Designated Officer including:

- Written warning for a given length of time.
- Final Written warning - used for continued minor offences or failure to achieve the improvements required by a written warning. The warning will generally be for up to 24 months but may, in certain circumstances, be left on file for an unlimited period.
- Other examples of appropriate action are transfer to alternative duties or demotion for a specified period or permanently; withholding of increments; suspension without pay for a specified period - normally not exceeding three months' duration.

Where a judgement is made that an offence may be dismissible (e.g., this may result from failure to heed a final written warning), a referral will need to be made to the Director for a further Hearing.

### **Gross Misconduct**

Gross misconduct is that which is so serious in relation to its impact upon the work of the Council, other employees, or the public that it cannot be tolerated under any circumstances and thus is likely to result in the termination of employment.

Some examples would be:

- Theft, fraud.
- Discriminatory/inflammatory language/behaviour or harassment.
- Serious incapability through alcohol or non-prescription drugs.
- Fighting/physical assault.
- Inappropriate behaviour of a sexual nature towards another employee, Council service user, pupil, or member of the public.
- Serious insubordination, for example, refusing to take lawful and reasonable orders from a Manager/Supervisor.
- Any act which may result in an action against the Council for negligence or serious lack of care of their duties or for breach of the duty of care.
- Using the Council's facilities/resources to conduct a private business
- Bringing the Council into serious disrepute.
- A serious breach of Health & Safety regulations/causing loss, damage, or injury through serious negligence.

This list is not exhaustive.

### Penalty

Dismissal without notice is given in cases of gross misconduct.

## APPENDIX E – PIPOT AND LADO ALLEGATIONS

### Allegations against people working with adults who have care and support needs (Persons in Position of Trust (PIPoT))

The Care Act 2014 requires that the local authority has a clear procedure and reporting process for dealing with allegations against people in positions of trust (PIPoT) who are an employee, volunteer or student working with adults with care and support needs on behalf of or for Bracknell Forest Council.

In line with the Care Act 2014 the Berkshire Safeguarding Adults Boards approved an overarching 'Allegations Management Framework' in 2022. This framework set standards around the management of allegations against people in a position of trust, supported by clear reporting requirements and arrangements across the whole system including information-sharing arrangements and explicit timescales for action.

[framework-for-the-management-of-allegations-against-people-in-positions-of-trust-pipot-v40.pdf \(berkshiresafeguardingadults.co.uk\)](#)

These procedures should be applied where a Council employee, volunteer or student acting in a position of trust has:

- behaved in a way that has harmed or may have harmed an adult or child.
- possibly committed a criminal offence against, or related to, an adult or child.
- behaved towards an adult or child in a way that indicates they may pose a risk of harm to adults with care and support needs.

An individual can be in a position of trust:

- Where they are likely to have contact with adults with care and support needs as part of their employment or voluntary work
- Where the role carries an expectation of trust
- Where the person in trust can exercise authority, power or control over an adults with care and support need

Where such concerns are raised about someone who works with adults with care and support needs, it will be necessary for the Council to assess any potential risk to adults with care and support needs who use their services, and, if necessary, to take action to safeguard those adults. The purpose is to ensure that risks potentially posed by the person are appropriately managed, alongside the specific safeguarding needs of the adult at risk.

Allegations will be investigated promptly in line with any internal or disciplinary investigations undertaken by Human Resources ( [Employment advice \(sharepoint.com\)](#) ) whilst ensuring the control of information in respect of individual cases is in accordance with accepted data protection and confidentiality requirements.



## **Allegations against staff, carers and volunteers working with children (Local Authority Designated Officer (LADO))**

The Local Authority Designated Officer (LADO) provides advice and guidance to employers and voluntary organisations around any concerns relating to adults who work with children and young people.

This includes:

- paid employees
- volunteers
- casual or agency staff
- foster carers
- religious leaders
- school governors
- any other people who have contact with children and young people as part of their role

All agencies that provide services for children have a duty to make arrangements to safeguard and promote their welfare and must have clear policies in place for dealing with allegations made against staff who work with children (Working Together 2018). Any such allegations should be reported immediately to a senior manager within the organisation and to the LADO within one working day.

This also applies to historical allegations that have come to light. The procedure should be consistent with the guidance in [Working Together to Safeguard Children](#) and the [Bracknell Forest Safeguarding Board \(BFSB\) child safeguarding](#).

The process for managing allegations should be used in all cases when it is alleged that a member of staff or volunteer has:

- behaved in a way that has harmed or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates they may pose a risk of harm to children
- behaved or may have behaved in a way that indicates they may not be suitable to work with children

The outcome of a LADO investigation is determined following a police investigation and/or Children's Services investigation. These investigations may run parallel to each other and can also run alongside any internal or disciplinary investigations undertaken by Human Resources.

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# Lone Working Policy

## Document Control

<b>Current Version:</b>	<b>1.2</b>	<b>Date Modified:</b>	<b>February 2024</b>
<b>Revision due</b>	The service aims to review policies and procedures every two years to ensure documents are up to date		
<b>Owning Service</b>	Human Resources		

## *Approvals (if required)*

<b>Date Employment Committee gave authorisation for changes (where necessary)</b>

## *Change History*

<b>Version</b>	<b>Date</b>	<b>Description</b>	<b>Changes made by</b>
1.2	February 2024	Put onto new template. Amended to include stalking and home working, stress and mental health. Included links to training and other useful websites	MB
1.1	February 2021	Original policy	

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# **BRACKNELL FOREST COUNCIL'S**

## **LONE WORKING POLICY**

### **1 INTRODUCTION**

Bracknell Forest Council expects all its employees to work in accordance with its code of conduct, policies and procedures at all times. The Lone Working policy ensures that the Council complies with its legislative requirements to manage any health and safety risks before our employees work alone. This involves the Council ensuring a 'suitable and sufficient' risk assessment of an employee's working environment is carried out and managing any risks before an employee can work alone.

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

### **3 PURPOSE**

The aim of this policy is to outline the Council's responsibilities towards staff working alone by:

- Defining lone working
- Outlining action that can be taken to ensure staff are safe and reduce the risk to employees engaging in lone working
- Ensuring that all employees are aware of their responsibility to use the Council systems that have been introduced to protect lone workers.

Where agile working arrangements apply, it should be recognised there may be occasions when employees are working from home alone and considered to be lone workers. Therefore, where reference is made to work time, this will include occasions where an employee is lone working from home.

## 4 PRINCIPLES

- The Bracknell Forest Council lone working policy reflects the guidance ACAS (Advisory Conciliation and Arbitration Service) and The Health and Safety Executive (HSE) guidance
- The Council has a duty of care to ensure all employees are safe at work, regardless of location or working style and will work with employees who engage in lone working to ensure risk assessments are carried out.

## 5 SCOPE

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

- School based staff (see separate School policy)

Detailed guidelines and working practices consistent with this framework may exist within departments particularly where lone working is common, and this policy should be read in conjunction with these where they exist. In addition, this policy should also be read in conjunction with guidance from the Health and Safety policy:

[Health and safety manual and policy \(sharepoint.com\)](#)

## 6 LONE WORKING IN THE WORKPLACE

### 6.1 Definition

The Health and Safety Executive defines lone workers as those “who work by themselves without close or direct supervision.” They may include:

- People who work separately from others in a building.
- People who work outside “normal” hours.
- People who work away from their fixed base without colleagues, e.g., visiting people in their homes, or site visits.
- People who work at home.

The definition can cover employees in situations with varying degrees and types of risk. It is therefore important to identify the hazards of the work and assess the risks involved before applying appropriate measures.

Some employees may spend most of their working lives working with others, but find themselves working alone occasionally, for example, when working late, these are defined as occasional lone workers. Whilst others will work alone on a daily basis either at home or at different locations and are defined as frequent lone workers.

### 6.2 Potential hazards of Lone Working

The majority of people who work alone will, of course, face the same risks in their work as others doing similar tasks. However, managers should consider all potential risks in accordance with an employee’s individual personal circumstances, which may include:

- Accidents or sudden illnesses occurring when there is no-one to summon help or first aid.

- Violence or the threat of violence or abuse (including discriminatory comments/behaviour, stalking and unwanted attention).
- Stress and impact on mental health or wellbeing.
- A person's medical suitability to work alone.
- Fire.
- Attempting tasks which cannot safely be done by one person alone, e.g., heavy lifting, or use of certain equipment.
- Access/Exiting buildings (e.g., danger of being accidentally locked in).
- Site safety eg building site, icy roads, uneven surfaces
- The location of the workplace itself, eg, is it in a rural or isolated area?

Steps can be taken to reduce the risks of these events.

The perception of these hazards, or the actual risks, may be different for different people. For example, inexperienced workers may underestimate the risks of an activity; some workers may feel particularly vulnerable to violence away from the workplace or after dark; or a medical condition may make it unsafe for an individual to work alone.

The Manager must consider these factors when carrying out risk assessments. Where there are lone workers within a manager's team/area or responsibility the manager must take appropriate steps to reduce the risk, particularly for frequent lone workers or lone workers engaged in high-risk activities. When assessing the risk to the lone worker, managers should consider:

- Does the workplace present any special risk to a lone worker?
- Can all the equipment, substances and goods used on the premises be safely handled by one person? Is any manual handling involved safe for a person working alone?
- Is there a risk of violence or the threat of violence? Is the nature of a visit or the person being visited likely to increase the risk? Will the employee be alone in a dark or remote location?

### **6.3 Home Working**

Under HSE guidance the Council has the same health and safety responsibilities for homeworkers and the same liability for accidents or injury as it does for all other workers. This means providing supervision, education, and training, and implementing sufficient control measures to protect the homeworker.

When an employee lone working is working at home, employees may experience different hazards in relation to their home environment or the impact of working at home on mental health. In these situations, managers should discuss home working with employees on a case-by-case basis to identify ways in which they can reduce the risk to the home worker.

More information on working at home safely is available on the intranet - [Safety when homeworking \(sharepoint.com\)](#)

### **6.4 Risk Assessments**

All managers must ensure that employees have a complete risk assessment prior to lone working. A Risk Assessment template is available from the Health and Safety pages on the intranet [Health and safety manual and policy \(sharepoint.com\)](#).

Guidance on completing risk assessments is also available from the Health and Safety Team. Additionally, an e-learning package on Risk Assessments is available on the e-learning zone.

### **6.5 Employee responsibility**

As outlined in the H&S policy, the employee also has a responsibility to raise any risks or concerns with their manager. It may be necessary to review the previous Risk Assessment due to any concerns raised.

## **7 MEASURES TO REDUCE THE RISK OF LONE WORKING**

### **7.1 Supervision**

Lone workers are, by definition, not under constant supervision. However, managers can ensure, through the initial induction process, that employees understand the risks associated with their work and the relevant safety precautions which are applicable. Employees are encouraged to contact a manager if they need additional guidance. Managers should undertake site visits where there are high risk activities undertaken. In situations where an employee is new to the role or undergoing training they may need to be accompanied initially and regular contact by phone may be appropriate. The manager as part of the risk assessment should assess what level of supervision is required.

Managers should remember that lone working risks to consider include stress and other health factors. Lone working can cause work-related stress and as part of regular supervision managers should put measures in place that enables regular contact to ensure support can be given.

### **7.2 Maintaining staff safety**

Managers should ensure that a system is in place to ensure that a lone worker returns to either their workplace or home at the completion of a task in the field. For high risk or frequent lone workers, the manager may stipulate that the employee must utilise the 24-hour lone worker monitoring service provided by Forestcare.

This service currently uses a device called a Pocket Pal. The device is the size of a key fob and works on sim card technology and must be charged on a regular basis, much like a mobile phone. It is the responsibility of the individual employee to ensure that the equipment is always kept charged. The Pocket Pal is simple to operate. It has a large button which is pressed to activate a call through to the Forestcare Control Centre. The call is answered by an operative who will take appropriate measures depending on the nature of the call. The device is also enabled with GPS technology. This means that in the event of an emergency call, if Forestcare are unable to speak to the individual, they will still be able to establish the location of the Pocket Pal.

Those staff members allocated with a device will be given an overview of the service and some brief training on how to use it.

Training on accessing and how to use the Pocket Pal portal can also be provided to managers if required – this is not compulsory as Forestcare will monitor all aspects of the service as standard.



All lone workers are responsible for charging the device and must make a test call at least, as a minimum once a month. It is the responsibility of the lone worker to carry out the above on a regular basis.

For further information, including how to sign up for the lone worker monitoring service, please contact Forestcare on 01344 786599 or email [Forestcare.enquiries@bracknell-forest.gov.uk](mailto:Forestcare.enquiries@bracknell-forest.gov.uk).

For occasional lone workers or low risk lone workers, the use of the full Forestcare system may not be appropriate. In these cases, managers may wish to implement an alternative method of ensuring the lone worker returns safely from a lone visit away from the workplace. This may be as simple as telling a colleague where they are going and when they are expected back; arranging to ring the office at the conclusion of a visit or call; issuing a mobile phone to enable the office to contact the employee if the employee's return is overdue. The use of diary systems or noticeboards to indicate whereabouts will perhaps form part of this system. However, the system should ensure that the return of the worker or a call from them is actively expected and waited for, and that action is taken to contact them if they do not return, or the call is not made. All employees involved share a responsibility to maintain such informal processes for safe lone working.

Managers are required to consider members of staff who meet with members of the public on a one-to-one basis on council premises. Whilst they are not alone in the building, they may be alone with the member of the public in a place where they are not visible to other colleagues. Managers should consider putting systems in place to ensure that employees in these situations are safe at the end of such meetings and that systems are in place for raising an alarm if necessary (e.g. panic alarms).

Forestcare provide a lifeline alarm monitoring service. The lifeline alarm is a small box which is connected to the phone line. If the property does not have a phone line, then a GSM alarm can be offered. This works using a sim card as opposed to a phone line. The alarm is provided with a small pendant which can either be worn or placed out of sight under a desk etc. To activate a call through to the control centre, the user simply presses a button on the pendant. The operative answering the call will take appropriate action and raise the alarm if required. Further guidance on the service can be found here: <https://www.bracknell-forest.gov.uk/forestcare>

Alternatively, either call 01344 786599 or email [Forestcare.enquiries@bracknell-forest.gov.uk](mailto:Forestcare.enquiries@bracknell-forest.gov.uk) for an initial discussion of your requirements.

### **7.3 Accidents and emergencies**

Lone workers should be capable of responding appropriately to emergencies. This should include being made aware of special arrangements for out-of-hours incidents. First aid may be available from building officers, or it may be prudent for an individual frequently working away from the base, to carry a basic first aid kit if there is a foreseeable risk of injury. It is also necessary for the employee working alone in a building or part of a building to let the facilities team know they are there, so they can be accounted for in case of fire.

The completed lone working risk assessment may indicate the need for the lone worker to undergo first aid training, managers should encourage and facilitate the employee to undertake first aid training in these circumstances.

## 7.4 Working alone with a medical condition

If there is uncertainty whether a medical condition makes it unsafe to work alone, a referral to occupational health should be made. Managers should include in the referral details of the work to be undertaken including both routine work and emergencies/risks which may put additional physical or mental pressure on the lone worker.

## 7.5 Tasks not suitable for lone working

A risk assessment will identify hazards associated with an employee's work. When a risk assessment shows that it is not possible for the work to be done safely by a lone worker, arrangements for providing help or back up should be put in place, or the work reassigned to another worker or for the work to be completed when the worker is not alone. For example, a worker who arrives before other colleagues may be instructed not to attempt heavy manual lifting until other colleagues arrive to assist.

Where a risk assessment indicates working at home is not appropriate, the employee should discuss with their manager where would be a more appropriate place from which to work. Reference should be made to the Agile working policy.

## 7.6 Violence at work

A separate detailed policy on violence at work details ways to identify the risks of violence and suggests methods to reduce the risk. The Alert system provides a method of sharing information about properties where potentially dangerous situations have previously been recorded, so that appropriate measures can be taken. Employees who undertake home visits must use this system to check addresses they are due to visit so they can take advice on how to reduce the risk (e.g., not visiting alone, meeting the person at another location). Employees must ensure that violent incidents are reported to ensure that the risk can be communicated to employees in other areas of the Council who may visit the same address for an unconnected reason. Full details of the Alert system are available in the following link: [Bracknell Alert \(sharepoint.com\)](#)

The risk of violence may not be directly related to a particular property. It may be associated with environmental issues like working alone outside after dark, or a situation may arise where there was no previous history of incidents. Employees likely to be lone workers in such situations should be trained in dealing with difficult people, in ways to recognise a risk and in behaviours which may reduce the risk (up to and including terminating the visit.) See also the Council's policy on Violence/Abuse at Work <https://bfcouncil.sharepoint.com/SitePages/Violence-at-work.aspx>

Guidance from the Corporate Health and Safety Advisers is also available in the following link:

<https://schools.bracknell-forest.gov.uk/wp-content/uploads/violence-at-work.pdf>

## 7.7 Support and training

In conjunction with the risk assessments and regular management supervision, the following e-learning courses are available in the e-learning zone.

- Lone working (30 mins).
- Introduction to H&S (35 mins).

- Driving Safely.

It may be appropriate for a manager to discuss with the Organisation Development Team, whether there is a requirement to arrange alternative training as appropriate for the situation, for example through The Suzi Lamplugh Trust.

### **7.8 Other Useful Websites**

[Lone workers: how employers should protect them - Overview - HSE](#)

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# Performance Improvement/Capability Procedure

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## Document Control

<b>Current Version:</b>	1.3	<b>Date Modified:</b>	February 2024
<b>Revision due</b>	The service aims to review policies and procedures every two years to ensure documents are up to date		
<b>Owning Service</b>	Human Resources		

## Approvals (if required)

<b>Date Employment Committee gave authorisation for changes (where necessary)</b>
7 February 2024

## Change History

Version	Date	Description	Changes made by
1.3	February 2024	Streamline the process with fewer stages. Amend appeal process so appeals go to another Director (except in circumstances where the employee is a Director).	Pauline Meredith
1.2	June 2022	General update, addition of Equality statement, addition of information about holding meetings remotely, addition of Redeployment process, scope changed to include Assistant Director, Director or Executive Director and clarification of procedure for a case against them.	Sarah Darby
1.1	February 2019	Amended to remove reference to departmental HR and BORIS – now reads intranet	Melissa Berry

**BRACKNELL FOREST COUNCIL'S  
PERFORMANCE IMPROVEMENT/CAPABILITY PROCEDURE**

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**PERFORMANCE IMPROVEMENT & CAPABILITY FLOWCHART**

**OPPORTUNITY FOR RESOLUTION**

**STAGE**

**PROCESS**

Informal

Issue(s) identified at 1:1s/supervisions. Informal measures to support employee agreed and implemented

Regularly review and monitor

Performance improved to satisfactory level within timescales ?

Yes

Performance improved to satisfactory level. Normal monitoring via 1:1s or supervision resumes

Signs of improvement seen

Extend or Repeat Informal Stage

Formal Stage 1 meeting held by manager.

Formal Stage 1

Potential medical issue identified ?

Yes

Refer to OH

Yes

Follow Managing Absence Policy?

Refer to HR or Managing Attendance Policy

No

Agree and implement further measures and/or reasonable adjustments

No

Potential temporary or permanent redeployment

Right to appeal

Regularly review and monitor

Performance improved to satisfactory level within timescales ?

Yes

Performance improved to satisfactory level. Normal monitoring via 1:1s or supervision resumes

Signs of improvement seen

Extend or Repeat Stage 1

Refer to Formal Stage 2 below.

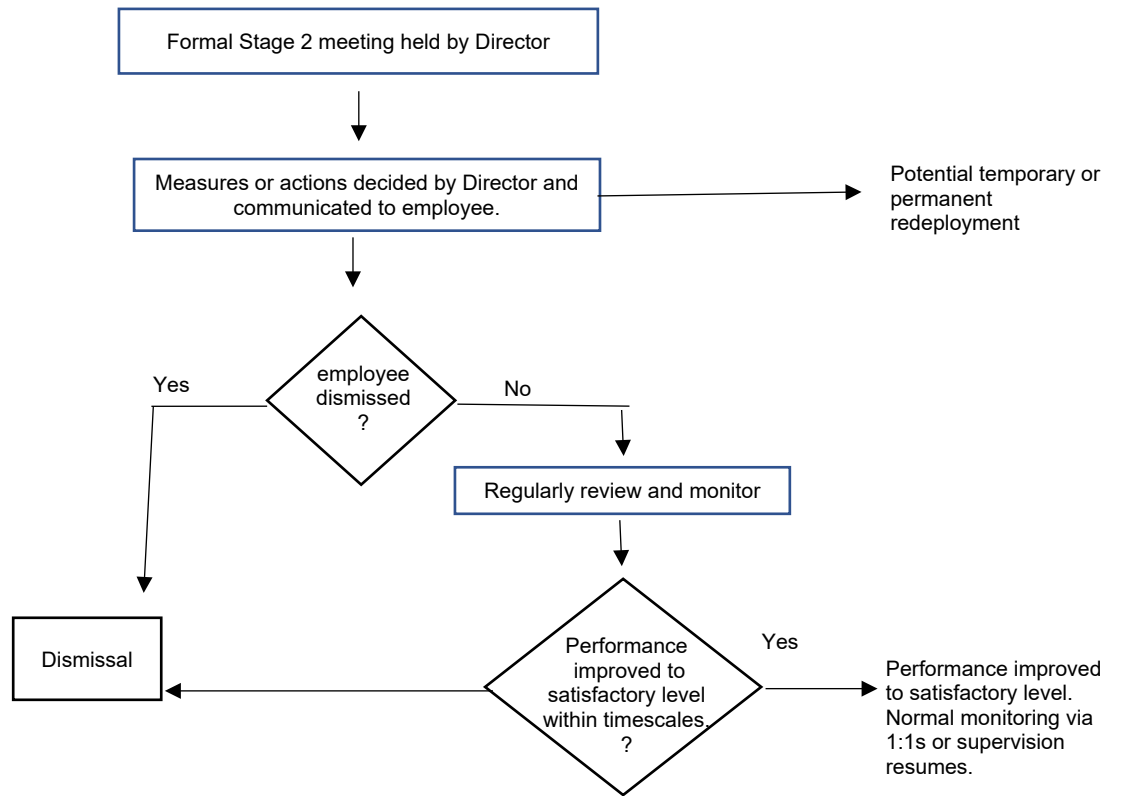
No

**STAGE**

**PROCESS**

Formal  
Stage 2

Right to appeal





## **BRACKNELL FOREST COUNCIL'S PERFORMANCE IMPROVEMENT/CAPABILITY PROCEDURE**

### **1 INTRODUCTION**

The Council's Performance Improvement/Capability procedure ensures that there is a consistent and fair approach to managing issues with employees 'performance and capability. The main aim of this procedure is to establish the reasons behind the performance issue(s) so that an employee can be supported to improve to an acceptable level of performance.

It is the responsibility of all managers to ensure they attend relevant training and awareness sessions to enable them to manage employee's performance in a mindful and compassionate manner, and for all managers and staff to promote wellbeing throughout Bracknell Forest Council (the Council).

### **2 EQUALITY**

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

### **3 PURPOSE**

The Performance Improvement/Capability Procedure applies when an employee is unable to perform their contractual duties to an acceptable standard due to; their level of ability, ill health or any other reason not connected to misconduct.

A separate procedure exists for Managing Attendance, covering short and long-term absence, which should be referred to in conjunction with this procedure if it becomes clear that ill health is contributing to performance issues, and/or if the employee is absent from work.

This procedure covers all stages of performance management, from initial informal discussions through to a formal process which may result in dismissal.

The Council's procedure exists to ensure fair and effective arrangements are in place for dealing with performance improvement matters.

### **4 PRINCIPLES**

- All references in the procedure to "Director" will also mean Executive Director or Assistant Director or other 2nd tier officer who may act in place of the Director.

- How performance is measured must be consistent across the team. This might involve managers setting their employees objectives and/or expected behaviours. The measurements that are set must be fair and must not be discriminatory.
- Wherever possible, managers are encouraged to address and resolve performance improvement issues, informally, or example at one-to-ones.
- Any employee who enters Formal Stage 1 and 2 of the procedure will be entitled to be accompanied by a trade union representative or work colleague of their choice. For the purposes of the procedure, any informal meetings are regarded as meetings/interviews convened by management and the right to be accompanied does not apply.
- Employees should be willing to do everything they reasonably can, with the Council's support, to address performance issues. An employee will always be given a clear explanation of the nature of any concerns raised, consulted appropriately, and allowed an opportunity to respond.
- Time limits will be given for improved performance and a review date set to assess whether the improvement has been achieved.
- All reasonable measures will be considered to support employees, including looking at redeployment opportunities.
- Where necessary advice should be sought from the Occupational Health Service if a medical problem is evident.
- Care should be exercised if the identified shortcomings in performance could have the effect of putting any child, young person, or vulnerable adult at risk in any way. If there is a concern this could be the case, managers should contact the Safeguarding Team or Local Authority Designated Officer (LADO) for further advice before proceeding in any way. Details can be found on the [Safeguarding children and adults at risk](#) page of the intranet and in Appendix F.
- Employees must be advised that failure to improve their performance within a specified timeframe, having explored all opportunities for improvement, could lead to invoking Formal Stage 2 of this procedure and dismissal.
- No employee will be dismissed on grounds of poor performance without first going through the stages of this procedure.
- When carrying out this procedure managers may also refer to other relevant policies and guidance such as:
  - Managing Attendance
  - Stress at Work
  - Substance Misuse
  - Domestic Abuse

- Agile Working
- Information about [reasonable adjustments](#)
- [Menopause awareness](#)
- No action beyond the informal stage will take place with an employee who is a recognised trade union official until the circumstances of the case have been discussed by the Designated Officer and HR with a full-time Union official or other appointed official of the employee's Trade Union.
- A member panel will hear any case against an Executive Director, Director or Assistant Director, and a separate member panel will hear any subsequent appeals.
- The performance of all policies/procedures will be reviewed annually as part of the Workforce Monitoring Report.

## **5 EMPLOYEE SUPPORT**

The Council acknowledges that going through a Performance Improvement/Capability process can be a stressful and unsettling time for all parties, and encourages anyone who feels they need support to seek this through any of these methods:

- trade union representative (if they are a member of a trade union)
- the [Employee Assistance Programme](#) which provides 24/7 telephone counselling.
- speaking to their manager for support, or to arrange a confidential buddy.
- speaking to an [Equality Ally](#) if there is an equality issue.
- speaking to a Mental Health First Aider.

## **6 SCOPE - EMPLOYEES COVERED BY THE PROCEDURE**

This procedure applies to all employees of Bracknell Forest Council, except for:

- a) School based staff (see separate School policy)
- b) Employees in their probationary period.
- c) Casual Workers

In the case b) and c) above, performance will be managed as part of one-to-one/supervision meetings and probationary reviews - [Probationary Periods](#).

## **7 THE CONDUCT OF A PERFORMANCE IMPROVEMENT/CAPABILITY CASE**

### **7.1 Carrying out meetings remotely**

All meetings should be carried out face to face unless there is a specific reason this is not feasible. Before deciding whether to carry out a meeting remotely or using a hybrid method it is important to consider if:

- everyone involved has access to the technology needed for video meetings, for example the necessary equipment and internet connection, and all parties agree to have their cameras switched on.

- anyone involved has any disability or other accessibility issues that might affect their ability to use video technology, and whether any [reasonable adjustments](#) might be needed
- it's possible to obtain all the evidence needed for the investigation or meeting, for example records or files that are kept in the office or workplace.
- any witness statements or other evidence can be seen clearly by everyone involved during an interview or meeting and provided in advance where appropriate.
- it will be possible to fairly assess, and question evidence given by people interviewed during a video meeting.
- it is possible for the person under investigation to be fairly and appropriately accompanied during the meeting

## 8 STAGES OF PROCEDURE

When it becomes apparent to a manager there may be concerns with an employee's performance and it needs to be examined more closely, the steps below should be taken.

Should performance improve to an acceptable level during the process, this should be recorded formally, and the employee should be made aware that review meetings under the procedure are being discontinued at that time. However, it must be made clear that a deterioration in performance may lead to the procedure being reinstated, and if there are no new mitigating circumstances then earlier stages may not be repeated.

### 8.1 Informal stage

If a manager has concerns regarding an employee's performance, where appropriate these should be addressed on an informal basis which may include one-to-one/supervision meetings (or other informal discussion) and should be noted in one-to-one/supervision notes.

These can be used to:

- Identify areas of concern at an early stage
- Clarify the standards required
- Establish and address any causes of poor performance
- Establish whether there is a potential medical problem which needs a referral to Occupational health
- Identify any training needs or other support
- Set expectations for improvement

The manager should take time to question and listen to the employee to establish possible reasons for the unsatisfactory performance, and ensure they understand the expected levels of performance.

The employee should be informed of the consequences of failing to achieve the required improvement in performance in the required timeframe. The manager

must provide the employee with clear written targets/SMART objectives for improving their performance.

The matters discussed, and the proposed actions/measures and review period, should be noted and confirmed to the employee in writing. Regular review meetings on these actions will form part of the informal stage of the procedure with full notes being taken at each review. At the end of the specified period a meeting to review performance will take place between the manager and the employee. The manager should book review meetings in the diary as regularly as necessary.

If at the review meeting there have been signs of improvement but not sufficiently enough to meet the expected standards set, the manager may extend or repeat the informal stage. The manager will need to explain this to the employee and inform them of the expected improvement required in writing.

## **8.2 Formal Stage 1- Formal Action**

If informal measures prove to be unsuccessful, a Designated Officer will be appointed. Not less than five working days' notice will be given of a Stage 1 Performance Meeting, this meeting and any subsequent action will follow the procedure laid down in Appendix A and will be conducted by the Designated Officer. Outcomes may include a final written warning to improve.

The manager will provide a report to the Designated Officer which will include details of the performance issues and of action to date to address the problem.

Review meetings may form part of the identified measures/action plan at Stage 1.

The employee must be informed of the consequences of failing to achieve the required improvement in performance in the timeframe and that this may result in escalation to formal Stage 2 of this procedure, which could lead to dismissal.

Determining what is a reasonable timescale between review meetings and between stages will be on a case-by-case basis. Managers can refer to HR for advice on specific cases.

Individuals who may have a medical problem will already have been referred to the Occupational Health Service. If the Occupational Health Service recommends early retirement on ill health grounds, then the Performance Procedure will cease and be replaced by the ill health retirement procedure which is outlined in Managing Attendance policy. Please speak to an HR Advisor for further guidance.

At the end of the specified period, a meeting to review performance will take place between the Designated Officer and the employee. A letter will be sent confirming if the performance has improved to a satisfactory level, and the process is therefore ending, or if the performance has not improved, and will be extended or referred to a Director for resolution at a Stage 2 meeting. The meeting will follow the procedures laid down in Appendix B. Dismissal is a possible outcome.

### **8.3 Formal Stage 2 – Final stage**

Where an employee is continuing to fail to perform to an acceptable standard despite having been given guidance and support at both the informal stage and formal stage 1, the matter will be referred to a Director for resolution. The employee will be invited to a Stage 2 meeting, with at least five working days' written notice given. This meeting and any subsequent action will follow the procedures laid down in Appendix B and will be conducted by a Director. The employee has the right to bring a union representative to the meeting.

The Designated Officer will provide a report to the Director which will include details of the performance issues, and of action taken to date to address the problem. Dismissal is a possible outcome. See Appendix E.

A right of appeal exists in accordance with Appendix D.

## **9 POTENTIAL OUTCOMES**

In situations where the employee does not attain the standards of performance required, the Designated Officer may decide that a Final Written Warning should be issued at Stage 1. It should be noted that any decision to dismiss can only be taken at Stage 2, following the final written warning being issued at Stage 1.

Formal warnings can only be given at Formal Stages 1 and 2.

The Designated Officer can also decide to withhold an increment (Stage 1 or 2).

In medical cases the Occupational Health Service will be contacted. The outcome depends on the nature and severity of the medical condition and whether the prognosis indicates a reasonable chance of recovery and return to work. Measures recommended by Occupational Health may include:

- change in duties or hours.
- reasonable adjustments to the working environment
- redeployment to a suitable alternative role (this may be on a temporary basis as a temporary adjustment, or on a permanent basis).

In such cases it will be for the Designated Officer to decide if the changes recommended can be accommodated. Further discussion with HR and Occupational Health will be required if the recommendations cannot be fully adopted.

In cases where the Equality Act may apply, reasonable adaptations to the work or the work environment may need to be made. Please consult HR for advice before proceeding.

## **10 INFORMAL/ FORMAL MEASURES TO SUPPORT PERFORMANCE IMPROVEMENT**

There are different measures that can be implemented to help support an employee to improve their performance, which could include:

- Identifying training/retraining requirements
- Setting SMART objectives for improving performance with regular review meetings.
- Considering reasonable adjustments to working practices
- increased supervisory support/coaching on a temporary basis.
- reviewing work targets
- regular performance reviews
- considering redeployment to suitable alternative work (this may also be appropriate following medical advice, at the discretion of the Designated Officer and after discussion with the HR team). See Section 8 – Redeployment.

## **11 REDEPLOYMENT**

When the outcome is for redeployment, the employee will be invited to a meeting with an HR Advisor to discuss the redeployment process. The employee may be accompanied at a redeployment meeting by a Trade Union representative and the manager may also attend. At the meeting, the employee's skills, experience and abilities will be discussed and which types of posts may be suitable or unsuitable for redeployment.

The employee will also be responsible for identifying redeployment opportunities advertised within the Council.

Where a post is identified as potentially suitable, the employee should apply for the post, making it clear that they are in a redeployment situation. The HR Advisor must be informed that the application has been submitted and will notify the recruiting manager that it is a redeployment situation and if the employee meets the essential requirements of the person specification they must be shortlisted for interview.

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 period, then a Formal Stage 2 meeting will be arranged the outcome of which may be dismissal (see Appendix B).

## **12 HEALTH ISSUES: LINK TO GUIDANCE ON MANAGING ATTENDANCE**

The effects of chronic illness or permanent disability are different from those caused by frequent short-term absence. Some health problems, such as menopause, may not cause absence but have an adverse effect on the ability of the employee to perform their job satisfactorily. Where this is the case, the individual should be referred to Occupational Health for advice on whether there are any reasonable adaptations that should be considered. However, where performance at work is adversely affected, the existence of health issues will not in itself prevent the manager from continuing with Performance Improvement Procedures.

Parallel procedures exist for managing short and long-term sickness absence issues, and the manager should consider whether [Managing Attendance Procedures](#) should be applied (starting at an equivalent level of the Procedure) if a performance issue begins to manifest itself as a health-related absence problem.

## **APPENDIX A – FORMAL STAGE 1 MEETING PROCEDURE**

### **Prior to the Meeting**

A letter giving at least five 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 witness(es). 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 three 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.

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

### **At the Meeting**

- a) The circumstances, as supported by any documentary evidence and witnesses, will be put by the manager to the Designated Officer and the employee and/or their representative. The manager may call witnesses if appropriate.
- b) The employee and/or their representative will be entitled to ask questions of the manager and witnesses relating to that evidence.
- c) The employee and/or the representative will put their case and be able to call such witnesses as they wish.
- d) The Designated Officer will have the opportunity to ask questions of the employee, their witnesses, and the manager.
- e) The parties will have the opportunity to sum up their cases if they so wish.
- f) The parties and their witnesses will withdraw.
- g) 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.
- h) 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 meeting. This will then be confirmed in writing, within five working days of the meeting.

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



## **APPENDIX B – FORMAL STAGE 2 MEETING PROCEDURE**

### **Prior to the Meeting**

A letter giving at least five working days' notice of the meeting will be sent to the employee (see Appendix F – Sample Letters) 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 at the meeting, and the names of any witnesses.

The employee should supply to the Director, at least three 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 Meeting**

- a) The circumstances, as supported by any documentary evidence and witnesses, will be put by the Designated Officer to the employee and/or their representative.
- b) The employee and/or their representative will be entitled to ask questions of the Designated Officer and witnesses relating to that evidence.
- c) The employee and/or the representative will put their case and be able to call such witnesses as they wish.
- d) The employee and/or witnesses may be questioned by the Designated Officer.
- e) The Director will have the opportunity to ask questions of the employee and their witnesses and of the Designated Officer and/or their witnesses.
- f) The parties will have the opportunity to sum up their cases if they so wish.
- g) The parties and their witnesses will withdraw.
- h) The Director (with the HR Advisor 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.
- i) The Director will announce their findings and the action they intend to take to the parties, preferably immediately or within a reasonable time after the meeting. This will then be confirmed in writing within five working days of the meeting.

The letter will specify the action taken, together with any review arrangements and right of appeal (see Appendix D).

## **APPENDIX C- RIGHT OF APPEAL PROCEDURE**

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

- a) Where the employee considers that the Designated Officer/Director has unjustly found against them.
- b) Where the employee contends that a matter of fact referred to at the meeting has not been properly taken into account by the Designated Officer/Director in reaching their decision.
- c) Where the employee feels that the action taken by the Designated Officer/Director has been too severe.

The employee must exercise their right of appeal within five working days of receiving confirmation of the outcome of the performance improvement meeting. The letter will provide details of who the employee should appeal to and the employee should specifically detail why they are dissatisfied with the outcome.

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

### **Prior to the Meeting**

The Director hearing the appeal will give notice in writing to the employee (see Appendix F – Sample Letters) at least five 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 hearing the appeal at least three 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 employee is responsible for arranging attendance of their own witnesses and representative.

### **At the Meeting**

- a) The Designated Officer/Director will put the case to the Director hearing the appeal in the presence of the employee and their representative (if any) and may call witnesses.
- b) The employee (or their representative) will have the opportunity to ask questions of the Designated Officer/Director and witnesses on the evidence given by them.
- c) The Director hearing the appeal may ask questions of the Designated Officer/Director and witnesses.
- d) The employee (or their representative) will put their case in the presence of the Designated Officer/Director and call such witnesses as they may wish.

- e) The Designated Officer/Director will have the opportunity to ask questions of the employee and witnesses on the evidence given by them.
- f) The Designated Officer/Director and then the employee (or their representative) can sum up their case if they wish.
- g) The Designated Officer/Director, the employee and their representative, and the witnesses will withdraw.
- h) The Director hearing the appeal together with the HR Advisor will deliberate in private only recalling the Designated Officer/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 may be concerned with the point in question.
- i) The Director hearing the appeal will, if possible, announce the decision to the parties immediately or as soon as possible, and confirm in writing within five working days.

The decision of the Director hearing the appeal will be final.

All references in the procedure to “Director” will also mean Executive Director or Assistant Director or other 2nd tier officer who may act in place of the Director.

Any appeal against the outcome of a Designated Officer at stage 1 will be heard by a Director.

Appeals against dismissal made by a Director may be heard by another Director not previously involved in the process

There may be occasion where it is appropriate to appoint a Director from another Department to hear the case,

### **Where the appeal involves a case against an Assistant Director/Executive Director**

If the appeal is relating to a case against a Director, the appeal will be heard by a Panel of elected Members. The employee must exercise the right of appeal within five working days of receiving confirmation of action taken against them. The letter indicating the employee’s intention to appeal should be addressed to the Assistant Director: HR.

The Appeal heard by a Panel of elected Members will be held within 20 working days of the written notification of intention to appeal. The Assistant Director: HR or their nominated representative will be the officer appointed as Secretary to the Appeals Panel. The Chairperson (in the case of a Member appeal) or Director, if possible, will announce the decision to the parties immediately and confirm in writing within five working days. The decision of the Appeals Panel will be final.

## **APPENDIX D – APPEAL AGAINST DISMISSAL (STAGE 2 APPEAL) PROCEDURE**

An employee has a right of appeal against a dismissal action taken by a Director. The appeal will be heard by another Director not involved with the previous decision. The right of appeal may be for one of the following reasons and will be a complete review of the case:

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

The employee must exercise the right of appeal within five working days of receiving confirmation of action taken against them. The letter indicating the employee's intention to appeal should be addressed to the Assistant Director: HR or their nominated representative.

The Appeal will be held within 20 working days of the written notification of intention to appeal.

### **Prior to the Meeting**

The Director hearing the appeal will give the employee at least five working days' notice of the time and place of meeting. All documents relevant to the meeting will be attached to this letter, as well as names of witnesses.

The employee should supply to the Director, at least three 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 employee is responsible for arranging attendance of their own witnesses and representative.

### **At the Meeting**

- a) The previous Director will put the case to the Director hearing the appeal in the presence of the employee and their representative (if any) and may call witnesses. The Designated Officer and/or manager will be available to assist the previous Director, as necessary.
- b) The employee (or their representative) will have the chance to ask the Director and witnesses questions on the evidence given by them.
- c) The Director hearing the appeal may ask questions of the Director and witnesses.
- d) The employee (or their representative) will put their case in the presence of the Director and call such witnesses as they may wish.
- e) The Director hearing the appeal will have the opportunity to ask questions of the employee and witnesses on the evidence given by them.

- f) The Director and then the employee (or their representative) will have the opportunity to sum up their case if they so wish.
- g) The previous Director, the employee and their representative, and the witnesses will withdraw.
- h) The Director hearing the appeal (together with the Assistant Director: HR) 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.
- i) The Director hearing the appeal will, if possible, announce the decision to the parties immediately, or as soon as possible and confirm in writing within five working days.

The decision of the Director hearing the appeal will be final.

**Where the appeal involves an Assistant Director/Executive Director**

Where an Assistant Director/Executive Director is dismissed following the Performance Improvement procedure, their appeal should be heard by a Members appeal panel as outlined in Appendix C.

## **APPENDIX E – ROLES AND RESPONSIBILITIES**

The list of Designated Officers can be found on the intranet.

A Designated Officer may take a range of actions to help and assist the employee to improve performance. However, they will additionally have the power to impose any of the following in Stage 1:

- Transfer to alternative duties or a lower graded post for a specified period of time or permanently, as a form of redeployment.
- Withholding of increments until satisfactory performance is achieved.
- Final Written warning – this would indicate that dismissal for capability reasons might be an outcome if the improvements required are still not achieved. (The warning will be for up to 24 months but may, in certain circumstances be left on file for an unlimited period of time.)

Where a judgement is made by the Designated Officer that the continued performance problem may be dismissible (e.g., this may result from failure to heed a final written warning), a referral will need to be made to the Director to proceed to Stage 2.

As well as the range of actions outlined above, the Director will have the ability to dismiss.

## Time off for Public Duties Procedure

### Document Control

<b>Current Version:</b>	<b>V2</b>	<b>Date Modified:</b>	<b>February 2024</b>
<b>Revision due</b>	The service aims to review policies and procedures every two years to ensure documents are up to date		
<b>Owning Service</b>	Human Resources		

### *Approvals (if required)*

<b>Date Employment Committee gave authorisation for changes (where necessary)</b>
February 2024

### *Change History*

<b>Version</b>	<b>Date</b>	<b>Description</b>	<b>Changes made by</b>
<b>V2</b>	<b>February 2024</b>	<b>Only one role allowed to have paid time off. Added it is pro-rata for part time workers. Included details of the legislation</b>	<b>Melissa Berry</b>
<b>V1</b>		<b>Existing policy</b>	

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# BRACKNELL FOREST COUNCIL'S TIME OFF FOR PUBLIC DUTIES PROCEDURE

## 1 INTRODUCTION -

The Council is committed to supporting its employees' social responsibility through allowing employees time off for certain public duties and services.

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

## 3 PURPOSE

The National Agreement on Pay and conditions of Service (the Green Book) states that paid leave of absence will be granted for employees undertaking jury service, serving on public bodies or undertaking public duties.

The definition of public duties is for local determination. This procedure therefore clarifies the position of Bracknell Council on what constitutes public duties.

In addition, The Time off for Public Duties order 2018 sets out the expectations for employers which this policy also reflects.

[Time off work for public duties - GOV.UK \(www.gov.uk\)](https://www.gov.uk/time-off-work-for-public-duties)

## 4 PRINCIPLES

- Time off will only be granted to cover meetings and duties in the employees' normal working hours. Should training for public duties fall outside normal working hours, time cannot be claimed.
- Managers will be required to keep records of employees taking time off for public duties to ensure it does not exceed the agreed maximum allowance.
- Staff wishing to undertake public duties are required to discuss how and when they will require time off in order to identify the potential impact on the service and the amount of time off that is likely to be required.

## **5 SCOPE**

This procedure applies to all employees of Bracknell Forest Council, except for:

- School based staff (see separate School policy).
- Individuals undertaking casual work.

There is no minimum qualifying period of service for the employee to be entitled to request such time off.

## **6 LEAVE ENTITLEMENTS AND TIME OFF**

### **6.1 Leave Entitlements and time off**

Leave entitlements are given for the following public duties:

- an elected Chairperson or Mayor of a Council – up to an additional 18 days paid leave during a full year's term of office (pro rata for part time employees)

Or

- an elected Councilor or as a Magistrate – up to an additional 12 days paid leave each year from the date of the actual appointment (pro-rata for part time employees)

From 1 October 2018 The time off for Public Duties order 2018 was extended to include the following:

- members of a panel of lay observers. These are volunteers who monitor conditions for prisoners under escort and in court custody.
- members of Visiting Committees for the immigration and detention estate.
- members of Visiting Committees appointed to monitor short-term immigration holding facilities.

Please note, that employees can only request time off for one of the categories above. Where the employee opts to hold more than one role, they will be required to use annual leave to fulfill those duties or may request unpaid leave

In all the above scenarios, normal annual leave/unpaid leave approval processes would apply and be dependent upon sufficient cover within the team.

If an employee has a second job, they would also be required to disclose this in accordance with the Bracknell Forest Code of Conduct and follow the process to request to undertake additional employment?

In addition, reasonable time off can be requested as unpaid leave to undertake up to one of the public duties listed below, except where it is indicated that this will be paid leave. It should be noted that approval of paid/unpaid leave will be dependent upon established procedures for approval of leave:

- a member of a school governing body (excluding Clerk to Governors)
- a member of any statutory tribunal (e.g. an Employment Tribunal)
- a member of the managing or governing body of an educational establishment
- a member of the General Teaching Council
- a member of the Environment Agency
- a member of the prison independent monitoring board
- an elected safety representative – **must be 'paid'**
- a trustee of the employer's pension fund – **must be 'paid'**
- a court witness
- a member of a police authority
- a member of the Service Authority for the National Criminal Intelligence Service
- a member of the Service Authority for the National Crime Squad

Where paid time off is mandatory, employees are required to keep a record on their timesheet and it should also be recorded on iworks@BFC as Public Duties.

## 6.2 Reason for time off

Employees can request time off to:

- attend meetings of the body
- perform duties relating to the function of that body – for example school Head Teacher interviews or Appeal meetings

## 6.3 What is Reasonable

Employees may request a reasonable amount of time off. What is reasonable will depend on:

- what the employees' duties are
- the time required to carry them out
- the impact on the business
- how much time off has already been taken for public or trade union duties

Whilst the Council encourages and supports the employee partaking in public duties, it should be noted that such time off does impact on the service. Therefore, time off for public duties outlined in 6.1 will be limited to one role. Where the employee opts to hold more than one role, alternative arrangements will need to be made in line with existing annual leave, flexi-time/TOIL policies or unpaid leave if applicable.

## 6.4 Guidelines

- employers should try to accommodate employee requests to take 'time off'
- the employee should give reasonable notice
- time off must be agreed in advance

the request can be refused if it is considered unreasonable and leaves the staffing level below sufficient levels?

## **6.5 Other types of Duties**

A separate policy exists for Trade Union duties, Election duties and Jury Service or Court Appearances. Territorial Army members/Army Reservist have special employment protection and separate guidance exists in these situations. These documents can be viewed on the intranet.

In addition, a separate allowance is recognised for Foster Carers. Please see the intranet for details

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# Time off for Dependants and Carers Leave Policy

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## Document Control

<b>Current Version:</b>	<b>1.1</b>	<b>Date Modified:</b>	<b>December 2023</b>
<b>Revision due</b>	The service aims to review policies and procedures every two years to ensure documents are up to date		
<b>Owning Service</b>	Human Resources		

## *Approvals (if required)*

<b>Date Employment Committee gave authorisation for changes (where necessary)</b>

## *Change History*

<b>Version</b>	<b>Date</b>	<b>Description</b>	<b>Changes made by</b>
<b>1.1</b>	February 2024	Include new Carer's leave Act legislation. Changes to more inclusive terminology and check against current legislation. Change of title and addition of Carer's	Pauline Meredith/Melissa berry
<b>1.0</b>	April 2018	Policy updated	

**BRACKNELL FOREST BOROUGH COUNCIL  
TIME OFF FOR DEPENDANTS AND CARERS LEAVE POLICY**

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**BRACKNELL FOREST BOROUGH COUNCIL**

# TIME OFF FOR DEPENDANTS AND CARER'S LEAVE POLICY

## 1. INTRODUCTION

Bracknell Forest Council expects all its employees to work in accordance with its code of conduct, policies and procedures at all times. The Time Off for Defendants and Carer's Leave policy ensures that all such requests are treated fairly and equitably. An employee is entitled to take reasonable unpaid time off during normal working hours as follows:

- to provide immediate assistance to a dependant in an emergency
- to make arrangements for the provision of care for a dependant who is unexpectedly taken ill or is injured
- because of unexpected disruption or termination of care arrangements for a dependant (e.g., childminder fails to turn up)
- To accompany a dependant to a medical appointment

As there are two statutory rights covered in this policy each will be outlined separately.

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

## 3. PURPOSE

This policy provides guidance to managers and employees on unpaid time off for dependants and carer's leave both a day one right. Carer's Leave has been incorporated into the policy to reflect the Carers Leave Regulations 2024.

## 4. PRINCIPLES

Whilst this policy outlines the process for unpaid leave, in some cases, it may not be possible to amend working hours or arrange for long term absences from work during which the employee's job is kept open for them. In such cases, the employee may need to consider how best to balance work commitments and dependants which may result in a resignation if they cannot return to work.

If the person is not a Dependant, there is no statutory right to time off. However, Directors/Assistant Directors can, depending on the individual circumstances, authorise unpaid time off at their discretion, if alternatives to Time off for Dependants/Carer's leave are not available.

Unauthorised absence from work may need to be dealt with under another relevant policy or guidance such as:

- Managing Attendance
- Performance Improvement/Capability
- Disciplinary Procedure.

## **5. SCOPE**

This policy applies to all employees of Bracknell Forest Council, except for:

- School based staff (see separate School Policy).
- For individuals undertaking casual work.

## **6. ELIGIBILITY**

Time off for Dependants and Carer's leave is a statutory day one right and is in addition to other types of family friendly leave.

As Time off for Dependants leave is intended for unexpected problems or emergencies, it does not apply when the employee knows about the situation beforehand (for example, if you wish to accompany a dependant to a pre-scheduled hospital appointment).

The Carer's Leave Regulations 2024 are intended to provide up to one week of unpaid carer's leave in a 12 week period.

### **6.1 TIME OFF FOR DEPENDANTS**

The purpose of Time off for Dependants is to provide an immediate, limited period of unpaid time off, for employees to deal with unexpected problems or emergencies involving a dependant or to make necessary arrangements for longer term care for dependants.

#### **What is a "Dependant" – Time off for dependants**

A Dependant under the Time off for Dependants element of the policy is defined as one who depends on another person for support, aid etc. This may be:

- Their spouse, or partner
- their child
- their parent
- a person who lives in the same household who is not a lodger, tenant or boarder
- a person who reasonably relies on the employee for assistance in an emergency, or to make arrangements for the provision of care in such a situation.

#### **Arranging time off – Time off for dependants**

The employee must inform their manager, as soon as reasonably practicable, of the reason for absence and how long they expect to be absent from work. If their manager is not available, then they should inform another relevant manager or supervisor within the department when the emergency arises.



The nature of this type of time off is that it is triggered by an emergency or the need of a dependant, and it may not be possible to let the manager know the full circumstances before leaving the workplace. For example, it may be a complex situation to explain, or the manager may not be immediately available to speak to, at a time when the employee's presence elsewhere may be urgently required. However, if on return from such time off the manager feels that the circumstances were not reasonable or did not fall within the range of circumstances where time off is permitted, then the matter may be investigated under the Council's Disciplinary Procedure.

absence should be recorded on iWorks@BFC using the Unpaid Leave – Carer's Leave category.

## 6.2 CARER'S LEAVE

The purpose of Carer's leave is to provide up to one week's leave in a 12 month period. For employees who work part time, a week is defined as the hours of the normal working week.

### What is a "Dependant" – Carer's Leave?

A Dependant under the Carer's Leave element of the policy is defined as:

- A dependant with a long-term care need

### Arranging time off – Carer's Leave

Unlike the Time off for Dependants leave, Carer's leave can be requested and booked in advance, in half or full days. Days do not need to be booked consecutively.

Employees must give notice, in writing, of their intention to take Carer's Leave – giving at least twice the amount of notice than the period of leave requested. Or if longer, three days' notice.

The Council may postpone (delay) leave only for a significant business reason. If postponement is necessary, the manager must give notice of postponement before the leave was due to begin and give the reasons for postponement. The manager must then allow for the leave to be taken within a month of the start-date of the leave originally requested. Rescheduling the leave should be done in consultation with the employee.

As there is a limit to the statutory time off, absence should be recorded on iWorks@BFC using the Unpaid Leave – Carer's Leave category.

The table below shows the difference in the leave arrangements:

Time off for Dependants	Carer's Leave
-------------------------	---------------

Unpaid time off for an employee if they need to help a dependant when there's an unexpected problem or emergency.	Up to one week unpaid leave to assist a dependant with a long-term care need and those who need to provide, or arrange care
Not booked in advance and used in emergency situations	Can be booked in days or half days – can be consecutive or non-consecutive
Reasonable time off to be determined by the Manager	Up to one week. Pro-rata for part time staff
	Leave can be postponed if it would cause undue disruption and rescheduled within a month of the originally requested start date
Record as Unpaid leave – Time off for Dependants	Record as Unpaid leave – Carer's leave

## 7. OTHER TIME OFF

Emergencies involving dependants are likely to be sudden and unexpected, and often of short duration (e.g., one or two days). If the situation develops into one which requires the employee's absence from work longer term, for example to provide ongoing care, then the absence must be dealt with through the alternatives outlined in section 9.0 below. Managers should note that an absence of more than three calendar days' duration is unlikely to remain classified as a "dependant's emergency", and they will need to reassess the situation in discussion with the employee to determine how the continuing absence may be treated.

## 8. ALTERNATIVES TO "TIME OFF FOR DEPENDANTS/CARER'S LEAVE" INCLUDE

- using paid annual leave entitlement/flexitime where applicable
- seeking the Director's authority for an unpaid leave of absence for up to three months
- seeking the Executive Director's, in conjunction with the AD: HR's authority for unpaid leave or sabbatical for a period of three to twelve months
- paid compassionate leave in accordance with the Council's policy.
- request flexible working arrangements using the Right to Request Flexible Working procedure.

## 9. RECORDING TIME OFF

Managers should update iWork's with these absences so that the extent and frequency of the absences can be clearly recorded and to ensure accurate adjustment to pay.

The following reasons should be used:

Unpaid Leave – Time off for Dependants  
Unpaid Leave – Carer's Leave

These short intervals of time off do not constitute a break in pensionable service.

## **10. CONCLUSION**

Whilst this policy attempts to provide a comprehensive framework for time off for dependants and carer's leave, there may be issues or unforeseen circumstances which require further clarification. If this is the case, please contact HR for further advice.

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To: **Employment Committee**  
**7 February 2024**

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**Armed Forces Covenant and Employers Recognition Scheme**  
**Assistant Directors: Chief Executive's Office & HR, OD, and Payroll**

## **1 Purpose of Report**

- 1.1 To seek Employment Committee agreement for the council to reaffirm its pledge to the Armed Forces community by signing the Armed Forces Covenant Pledge and to commit to attaining the Defence Employer Recognition Scheme (ERS) Silver Award in 2024.

## **2 Recommendations**

- 2.1 That the council signs the Armed Forces Covenant Pledge.
- 2.2 Having achieved the requirements of the bronze ERS award, the council commits to attaining the silver ERS scheme award applying by March 2024.
- 2.3 To note and endorse the Reservist policy and procedure in Annex C
- 2.4 That the council recognises the valuable contribution made by reservists by asking the Employment Committee to approve awarding an additional five days paid leave for reservists.

## **3 Reasons for Recommendations**

- 3.1 Through signing the Armed Forces Covenant Pledge the Council will publicly demonstrate its continuing commitment to supporting the Armed Forces Community and sustain our positive collaborative relationships with the MoD, and locally the Royal Military Academy Sandhurst, supporting partner organisations and local employers.
- 3.2 It is recommended that the council progress to attaining silver level status, to provide greater support and commitment to Reservists who are employed by the council. The ERS acknowledges the contribution made by individual employers who have committed to and provide exceptional support to the armed forces community by going above and beyond their covenant pledges and inspire others to do so.
- 3.3 In order to attain silver status the council is required to award an additional 5 days annual leave to Reservists in its employment. Whilst it is not a requirement that these additional days are paid, it is recommended that these are paid days leave to recognise the valuable contribution that Reservists make to the UK armed forces and also recognises that these days are spent undertaken activities required by the MoD as Reservist.

## **4. Alternative Options Considered**

- 4.1 That the council does not create a Reservists policy and commit to attaining the Defence Employer Recognition Scheme (ERS) Silver Award in 2024. This option was discounted for the reasons outlined in 3.0 recommendations above.
- 4.2 The council could choose to grant 5 additional unpaid days of leave to reservists but for the reasons in 3.3 above this has not been recommended.

## **5 Supporting Information**

### Armed Forces Covenant

- 5.1 The Covenant is a promise that acknowledges and understands that those who serve or have served in the Armed Forces, and their families, should be treated with fairness and respect in the communities, economy and society they serve with their lives. Its two principles are that, recognising the unique obligations of, and sacrifices made by, the Armed Forces:
- Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services.
  - Special consideration is appropriate in some cases, especially for those who have given most such as the injured and the bereaved.

### Armed Forces Covenant Pledge

- 5.2 In demonstrating support for the local armed forces community the council signed the Community Covenant Pledge in December 2011 collectively with supporting partners and the Royal Military Academy Sandhurst. The Community Covenant Pledge has since been replaced and amended and is now referred to as the Armed Forces Covenant Pledge, an example of the pledge is attached at Annex A.
- 5.3 Employers are encouraged to resign the updated Pledge and demonstrate how they plan to uphold the principles of the Armed Forces Covenant by committing to a list of suggested thematic areas (listed below) or create their own. These can be deleted or changed at any time to reflect changing circumstances. The thematic areas suggested are:
- Promoting the Armed Forces
  - Employment support to members of the Armed Forces Community
  - Communications, engagement, and outreach
  - Commercial
  - Health
  - Housing
  - Education
  - Civic responsibilities
  - Any additional commitment the organisation wishes to make.

- 5.4 Officers have engaged with the Royal Military Academy Sandhurst who have offered to host a signing event. The Armed Forces Champion Cllr Georgia Pickering is very supportive of the council re-signing the pledge. Cllr Helen Purnell has also been briefed as Executive Member for Community Cohesion.

### The Employer Recognition Scheme (ERS)

- 5.5 The ERS encompasses bronze, silver and gold awards which acknowledge the level of support organisations pledge, demonstrate or advocate that align their values with the Armed Forces Covenant. The council was awarded the Bronze ERS award in 2015.
- 5.6 The detailed criteria for each award level are attached at Annex B, in summary:
- a) Bronze award holders pledge to support the armed forces, being armed forces-friendly and are open to employing reservists, armed forces veterans, cadet instructors and military spouses/partners.
  - b) Silver award holders must ensure that their workforce is aware of their positive policies towards defence people issues including providing at least 5 days additional unpaid/paid leave.
  - c) Gold award holders must proactively demonstrate forces-friendly credentials as part of their recruiting and selection processes and have policies in place providing at least 10 days' additional leave fully paid to Reservist employees.
- 5.7 Nominations for the Silver Award must be made by March annually for consideration by a selection board at regional level chaired by a senior military officer against the award criteria. Organisations applying are notified of the outcome around July/August. It is expected that award holders will actively reflect their status as a silver award winner for 3 years from the date of the award, although the award itself will continue to be listed on the Armed Forces Covenant website and be a matter of public record.

Additional leave and reservist policy

- 5.8 The National Agreement on Pay and Conditions of service states that leave of absence should be granted for employees undertaking public duties. The definition of public duties is for local determination for which Bracknell Forest has a policy.
- 5.9 Reservists are typically committed to 24-40 days training taking place over weekends, evenings and one two-week training period "annual camp". As outlined in 5.4, the requirement at silver award level is to increase annual leave entitlement for reservists by five days – it is for the employer to decide whether it is paid or unpaid.
- 5.10 In order to support the commitment to Armed forces, it is recommended to increase paid annual leave by five days for Reservists to attend annual training. Whilst at silver level, additional time off can be unpaid, there are already additional paid entitlements in the Time off for Public Duties policy which exceed five days and therefore it is reasonable for this to be paid.
- 5.11 Should the Council progress to Gold Award, there is a requirement to award ten paid days annual leave. To endorse the five days paid annual leave at silver level, is a step towards those ten days.
- 5.12 Currently reservist status is not recorded by HR. Consequently, it is challenging to provide potential costs of awarding five days paid leave. It is not however, anticipated to have a large financial burden as there have been no previous enquiries from employees or managers on this matter. In addition, the last request for time off

for redeployment is recorded April 2014 to April 2015 for an employee who has since left the Council.

- 5.13 The advice received from the Regional Employer Engagement Director advised production of a Policy in relation to Army reservists and provided a template policy from the Ministry of Defence. The policy has largely been adopted with minimal changes. It is included in Annex C and outlines the process for notifying employers, training or call up. The policy includes the additional annual leave outlined above.

## **6 Consultation and Other Considerations**

### Legal Advice

- 6.1 The Armed Forces Act 2021 introduced a new requirement for local authorities to pay due regard to the principles of the Armed Forces Covenant when carrying out specific public functions in the areas of housing, healthcare, and education. The core principles of the Covenant are that all organisations (as defined in s.343AA (3) of the Armed Forces Act 2006 as amended) should have regard to:

- a) The unique obligations of, and sacrifices made by, the armed forces;
- b) The principle that it is desirable to remove disadvantages arising for service people from membership, or former membership, of the armed forces, and
- c) The principle that special provision for service people may be justified by the effects on such people of membership, or former membership, of the armed forces.

### Financial Advice

- 6.2 There are no financial implications arising from signature of the Covenant; the arrangements in terms of agreed leave for staff linked to the Covenant are already in place. There has previously only been one request for paid leave and any future requests would be expected to be met from existing budgets.

### Other Consultation Responses

- 6.3 Equalities Group, 19 December 2023  
Term and Conditions Group, 14 December 2023

### Equalities Impact Assessment

- 6.4 Compliance with the Armed Forces Covenant Pledge will ensure that the council consciously considers the needs of the Armed Forces community in decisions about the development and delivery of certain services and is able to remove any disadvantages faced and providing opportunities for employees who are Reservist to meet their commitments. The council's Initial Equalities Screening Record Form requires an assessment of the impact on Armed Forces Communities in the development of new or changes to existing policies and/or services, budget proposals and any decisions.

### Strategic Risk Management Issues

- 6.5 The Armed Forces Act 2021 enacted in November 2023 introduced a new requirement for some public bodies in 2023, including local authorities and the NHS, to pay due regard to the principles of the Covenant when carrying out specific functions in the areas of housing, healthcare and education.

### Climate Change and Ecological Impacts



6.6 The recommendations in Section 2 above are expected to:

Have no impact on emissions of CO<sub>2</sub>. The reasons the Council believes that this will have no impact on emissions is that the Armed Forces Covenant and Duty seek to reduce inequalities and advance equality of opportunity for members of the Armed Forces Community.

#### Health & Wellbeing Considerations

6.7 The recommendations made at section 2 aim to raise awareness by the specified bodies of those using their healthcare services who are members of the Armed Forces Community. This will help to raise awareness of and improve the way in which their needs are met, improve local population health outcomes, address health inequalities and any challenges experienced in accessing healthcare services.

#### **Background Papers**

Annex A - Armed Forces Covenant Pledge Example

Annex B - ERS Award Criteria

Annex C - Reservist policy and procedure

#### Contact for further information

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**Annex A**



## **Organisation Name**

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**We commit to uphold the Armed Forces Covenant and support the Armed Forces Community. We recognise the contribution that Service personnel, both regular and reservist, veterans and military families make to our organisation, our community and to the country.**

Signed on behalf of:

**Organisation Name**

Signed:

Name:

Position:

Date:

**Add logo**

## **The Armed Forces Covenant**

An Enduring Covenant Between

The People of the United Kingdom  
His Majesty's Government

– and –

All those who serve or have served in the Armed Forces of the Crown

And their Families

The first duty of Government is the defence of the realm. Our Armed Forces fulfil that responsibility on behalf of the Government, sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. Families also play a vital role in supporting the operational effectiveness of our Armed Forces. In return, the whole nation has a moral obligation to the members of the Naval Service, the Army and the Royal Air Force, together with their families. They deserve our respect and support, and fair treatment.

Those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. Special consideration is appropriate in some cases, especially for those who have given most, such as the injured and the bereaved.

This obligation involves the whole of society: it includes voluntary and charitable bodies, private organisations, and the actions of individuals in supporting the Armed Forces. Recognising those who have performed military duty unites the country and demonstrates

the value of their contribution. This has no greater expression than in upholding this Covenant.

### Section 1: Principles of The Armed Forces Covenant

1.1 We, **Organisation Name**, will endeavour to uphold the key principles of the Armed Forces Covenant:

- *Members of the Armed Forces Community should not face disadvantages arising from their service in the provision of public and commercial services.*
- *In some circumstances special provision may be justified, especially for those who have given the most, such as the injured or bereaved.*

### Section 2: Demonstrating our Commitment

**The following thematic areas may be covered by your pledges. Please pick from the suggested list of pledges or create your own. Delete, add or change any of the pledges to show how you can support the Armed Forces Community in ways best suited to you. Pledges may be changed at any time in the future to reflect your changing circumstances.**

2.1 We recognise the contribution that Service personnel, reservists, veterans, the cadet movement and military families make to our organisation, our community and to the country. We will seek to uphold the principles of the Armed Forces Covenant by:

- **Promoting the Armed Forces:**
- **Employment support to members of the Armed Forces Community:**
- **Communications, engagement and outreach:**
- **Commercial:**
- **Health**
- **Housing:**
- **Education:**
- **Civic responsibilities:**
- **Any additional commitment the organisation wishes to make.**

2.2 We will publicise these commitments through our literature and/or on our website, setting out how we will seek to honour them and inviting feedback from the Armed Forces Community and our customers on how we are doing. **[Amend as appropriate]**

**Annex B:**

**ERS 2024 – Summary of Award Criteria dated 31 Oct 23  
Common to all levels of ERS:**

1. Organisations must have signed the Armed Forces Covenant (AFC).
2. The employer must not have been the subject of any negative PR or media activity that is inconsistent with the values of the AFC or Defence (Separate policy guidance available via RF&C EE).
3. Armed Forces community defined as: Reservist (i.e. Part Time Volunteer Reserves), Regular Service leavers, Service families (Regular and Reserve), Cadet Force Adult Volunteers (CFAV) & Cadet movement, Veterans.
4. Where appropriate, criteria required for lower awards must be maintained as the organisation progresses up each tier.
5. Although an award is possible for support of a single Defence People issue/segment of the Armed Forces community a nomination will be strengthened if their support extends across the community as whole.

**ERS Bronze:** Assessed and Managed by DRM

6. **Essential Criteria** – The minimum required to be considered for award, policies to be in place and communicated to/with the workforce:
  - a. The employer must have declared their intent to support the AFC (signed the Covenant) and have registered their interest in consideration as a Bronze award holder via ERS website.
  - b. Employer has confirmed their understanding of the AFC and ERS what it means to be a supporter of the Armed Forces community with the appointed NAM/REED. (See Appx 1)
  - c. Employer informs their workforce of their positive support for the Armed Forces community.
7. **Desirable Criteria** – Factors which add value to any application, note that the description of these allows for an assessment of evidence in the context of the scale, business model and market sector of the employer:
  - a. Employer is willing to consider how to develop a suitable HR framework to enable Reserve mobilisation for members of their work force.
  - b. Employer is willing to consider providing additional paid leave for Reservists (i.e. Part Time Volunteer Reserves) to conduct training.
  - c. The employer is willing to consider how they would promote volunteering with the Cadet Forces.
  - d. Employer is willing to consider how they ensure that Service personnel/Armed Forces community are not unfairly disadvantaged as part of their recruiting and selection processes.

**ERS Silver (in addition to Bronze Criteria): Coordinated by DRM: Assessed by Regional Silver Boards**

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8. **Essential Criteria** – The minimum required to be considered for award, policies to be in place and communicated to/with the workforce:

- a. The employer must already be accredited as a holder of ERS Bronze Award and held it with sufficient time to develop suitable plans and policies and evidence to support the ERS Silver application. For example, it would be unusual for an organisation to attempt achieve AFC/Bronze and Silver within the same year (<12 months).
- b. The employer must proactively demonstrate that Service personnel/Armed Forces community are not unfairly disadvantaged as part of their recruiting and selection processes.
- c. The employer must actively ensure that their workforce is aware of their positive policies towards the Armed Forces community. For example, an employer should have an internally publicised and positive HR policy on Reserves in their workforce. In the case where no HR policy exists this should be demonstrated by specific references in job descriptions/organisation's website.
- d. Within the context of Reserves the employer must have demonstrated support for mobilisation or have a framework to support mobilisations in place in place or have made a commitment through their NAM/REED that they understand the mobilisation process and would support a mobilisation if practicable. For example, employers of reservists should be aware of the role of Unit Employment Support Officers (UESO) and how they support the Reservists in their work forces [See JSP 766].
- e. The employer demonstrates support to training by providing at least 5 days additional annual leave (ideally paid) for Reserve training.
- f. Demonstrably have an existing and sustained relationship with their NAM/REED, for example having an up to date point of contact within the organisation which is known to DRM.
- g. The employer should demonstrate support to the Cadet movement as a whole by providing proactive support to individual cadets and/or to local cadet units. This could, for example, be through mentoring cadets in core skills such as CV writing and interview techniques, or by direct investment in equipment or infrastructure for a local cadet unit.

9. **Desirable Criteria** – Factors which add value to any application, note that the description of these allows for an assessment of evidence in the context of the scale, business model and market sector of the employer:

- a. The employer promotes volunteering with the cadet forces from their workforce by allowing flexibility for employees who are Cadet Force Adult Volunteers (CFAVs) to fit their working hours in with their volunteering.
- b. The employer promotes volunteering with the cadet forces from their workforce by providing additional leave for employees who are Cadet Force Adult Volunteers (CFAVs).
- c. Employers should employ at least one individual from the Armed Forces community the nomination emphasises. For example, an employer nominated for support to the Reserves must employ at least one Reservist. If this is not be feasible given scale/business models, this should be made clear in the application.
- d. If scale and business models permit, Employer is willing to consider hosting a Reserve recruiting event on their premises in partnership with a local Reserve Unit or single Service (sS) Recruiting Teams.

**Gold (in addition to Silver Criteria):** Coordinated by DRM: Assessed by MOD Gold Decision Board.

10. **Essential Criteria**– The minimum required to be considered for award, policies to be in place and communicated to/with the workforce:

- a. The employer must already be accredited as a holder of ERS Silver Award and held it with sufficient time to develop suitable plans and policies and evidence to support the ERS Gold application. For example, it would be unusual for an organisation to attempt achieve Silver and Gold within the same year (<12 months).
- b. The employer must be an exemplar within their market sector/ local area, advocating for the Covenant and the Armed Forces community to partner organisations, suppliers and customers with tangible positive results. E.g. demonstrate proactive steps/activity and clear success in encouraging partner organisations and their supply chain to engage with and sign the AFC, or mentor others in progressing through the ERS.
- c. The employer must actively encourage a positive environment for Reservists (i.e. Part Time Volunteer Reserves) by ensuring that positive policies in support of Reservists within the workforce are communicated to line managers.
- d. The employer demonstrates support to training by providing at least 10 days additional annual paid leave for Reserve training.
- e. The employer should be an exemplar in demonstrating support to the Cadet movement. This could, for example, be through mentoring cadets in key employment skills, by providing guaranteed interviews for cadets, by direct investment in equipment and infrastructure for a local cadet unit, or by funding and sponsoring competitions, events, and specific activities for cadets such as overseas expeditions.
- f. The employer promotes volunteering with the cadet forces from their workforce, by providing additional leave for employees who are Cadet Force Adult Volunteers (CFAVs) *[The addition of support to CFAV as essential criteria for ERS Gold will apply for new applications in 2024 and all revalidations falling due in 2025].*
- g. If feasible, based on the scale and business model of the employer, they should be engaged with CTP to support their recruitment of Service leavers and have registered with the Forces Families Jobs website.

11. **Desirable Criteria** – Factors which add value to any application, note that the description of these allows for an assessment of evidence in the context of the scale, business model and market sector of the employer:

- a. The employer promotes their support to Reserve service and the wider Armed Forces Community through their full range of internal and external communications e.g amplifying DRM social media messaging around Armed Forces Week, Reserves Day, ERS Gold /Silver announcements etc.
- b. Where scale and business model permit, they should be aware of the numbers of reservists employed and have a declared target for the number of Reservists within their workforce. Ideally, they would have relationship with the relevant Unit Employment Support Officers (UESO) for reserve units in their local area (See JSP 766).
- c. If there are Reservists within the workforce, they have positively engaged in the process of mobilisation for any of those Reservists.
- d. The employer should promote volunteering with the cadet forces and allow flexibility for employees who are Cadet Force Adult Volunteers (CFAV) to fit their working hours in with their volunteering.

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e. Where scale and business models permit, the employer should actively encourage and support an internal Armed Forces community (ideally Reservist) network within their organisation.

f. If scale and business models permit, they will have hosted a Reserve recruiting event on their premises in partnership with a Reserve Unit or single Service Recruiting Team.

Appendices:

1. Explanation of an Organisation's Responsibilities when they pledge support for AFC.



**Appendix 1 to  
Annex C to  
RF&C/EE/ERS  
dated 31 Oct 23**

**Explanation of an Organisation’s Responsibilities when they pledge support for AFC**  
*Drafted for inclusion in appropriate communications and briefings by AFP Sp, DRM to AFC signatories and ERS award applicants and holders.*

*Text used has been drawn from current Armed Forces Covenant and related gov.uk webpages*



**What does it mean when organisations pledge support for the Armed Forces Covenant?**

**Why do we have the Covenant?** The Armed Forces Covenant (The Covenant) is a promise by the nation that those who serve or have served in the Armed Forces, and their families, should be treated fairly and should not face disadvantages when seeking to access public or private goods and services in the UK. The Covenant focusses on helping members of the Armed Forces Community<sup>1</sup> have the same access to government and commercial services and products as any other UK citizen. Full details on the background to, and means of supporting, the Covenant can be found at <https://www.armedforcescovenant.gov.uk>

**What is the Covenant?** The Covenant is a voluntary pledge by members of UK society of their support for the Armed Forces Community. Organisations<sup>2</sup> may choose to “sign up” in order to demonstrate their support for the principles of the Covenant and as clear indication of their support for the Armed Forces Community.

**What the Covenant is not?** The Covenant is not an endorsement of the values, views, services, or products of organisations who pledge their support. Neither signing the AFC nor achieving an ERS award should be taken to imply MOD endorsement of any individual or organisation.

**What does it mean when an organisation pledges support for the Covenant?**

Organisations who pledge to support the Armed Forces Covenant acknowledge that they will endeavour uphold the principles of the Covenant outlined below and that they:

- Acknowledge that the **first duty of Government is the defence of the realm** and the Armed Forces play a vital in fulfilling that responsibility on behalf of the Government.
- Accept the **moral obligation to respect and support the fair treatment** of the members of the Naval Service, the Army and the Royal Air Force, together with their families.
- Agree that those who serve in the Armed Forces, whether Regular or Reserve, those who have served in the past, their families, and those bereaved due to service **should face no disadvantage compared to other citizens** in the provision of public and commercial services.
- Accept that in some circumstances **special provision may be justified**, especially for those who have given the most, such as the injured or bereaved.

<sup>1</sup> Armed Forces Community is taken to include Regular service personnel, Reservists (Part Time Volunteer Reserves), Regular Service leavers, Service families (Regular and Reserve), Cadets, Veterans and when relevant the families of those bereaved due to Service.

<sup>2</sup> Organisation is taken to mean any individual, company, public body, commercial entity, civic or governmental body or other group that indicates a willingness to pledge their support for the Armed Forces Covenant.

- Acknowledges that **their organisation's values are consistent with the principles AFC** and also should that change. their inclusion in the AFC Register<sup>3</sup>, membership of the ERS and eligibility to use the Covenant or ERS branding may be withdrawn.

**When to demonstrating their support for the Armed Forces Community the employer will:**

- **Recognise the contribution** that service personnel, reservists, veterans, the cadet movement and military families make to our organisation, our community and to the country in a manner appropriate to their organisation.
- **Publicise their support for the Covenant** and any specific commitment their organisation has made to honour the Covenant through their own communications, literature, social media/website.
- Respect and support the **politically neutral** nature of the Covenant and recognise that is a promise by the nation which all parts of UK society can support.
- Ensure that any communications from or by their organisation in support of the Armed Forces Community **conform to the MOD brand guidelines**<sup>4</sup> for the Armed Forces Covenant.

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<sup>3</sup> <https://www.gov.uk/government/publications/search-for-businesses-who-have-signed-the-armed-forces-covenant>

<sup>4</sup> <https://www.armedforcescovenant.gov.uk/wp-content/uploads/2019/08/AFC-Guidelines-1.pdf>



# Reserve Forces Training & Mobilisation Policy

**Document Control**

<b>Current Version:</b>	1	<b>Date Modified:</b>	December 2023
<b>Revision due</b>	The service aims to review policies and procedures every two years to ensure documents are up to date		
<b>Owning Service</b>	Human Resources		

***Approvals (if required)***

<b>Date Employment Committee gave authorisation for changes (where necessary)</b>
February 2024

***Change History***

Version	Date	Description	Changes made by
1.1	Feb 2024	New policy based on MOD template	Melissa Berry

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## **BRACKNELL FOREST COUNCIL'S RESERVE FORCES TRAINING AND MOBILISATION POLICY**

### **INTRODUCTION**

The Council welcomes staff who are members of the Reserve Forces and they recognise the valuable contribution that Reservists make to the UK Armed Forces, their communities and the civilian workplace.

The Armed Forces Act 2021 introduced a requirement for Local Authorities to pay due regard to the principles of the Armed Forces Covenant when carrying out specific functions in housing, healthcare and education. However there are additional responsibilities in relation to current employees who may be Reservists, and also Veterans who may be looking for employment.

### **EQUALITY**

At Bracknell Forest Council we are committed to ensuring equity, 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 Council - in providing goods and/or services and/or facilities - is also committed to equity, celebrating diversity, inclusion and against unlawful discrimination of customers or the public.

### **PURPOSE**

The Armed Forces Covenant, launched in 2012, is a promise that those who are serving in the Armed Forces, or who have served, and their families, are treated fairly and do not suffer disadvantage because of their service. The Council has signed the Covenant.

This policy outlines the responsibilities of the Council in respect of Armed Forces Reservists and Veterans.

### **PRINCIPLES**

- We pledge not to disadvantage Reservists who notify the Council of their Reserve status
- We agree to release Reservists for attendance at Reserve Forces Training Events where these take place on normal working days
- We agree to release employees mobilised for Reservist duties

## SCOPE

This procedure 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

## ARMED FORCES RESERVISTS

### Types of Reservists

There are two main types of Reservist:

- Volunteer reservist – civilians recruited into the Royal Naval Reserves, Royal Marines Reserves, Army Reserve and Royal Auxiliary Force
- Regular Reservists – ex-regular servicemen who may retain a liability to be mobilised depending on how long they have served in the Armed Forces.

### Reserve Status Notification

Reservists are required to inform their employer that they are a member of the Reserve Forces and the specific force that they belong to. This is so that the Council can provide the appropriate level of support to the Reservist. It also assists with resource planning during periods of leave e.g. training and/or mobilisation. The Council also recognises the additional skills and experiences that being a Reservist can bring to the Council and therefore it is useful for the Council to have an understanding of where these particular skills and experiences exist.

Reservist employees are also required to grant permission for the Ministry of Defence (MoD) to write directly to their employer. This is known as 'Employer Notification' and ensures the Council is made aware that the employee is a Reservist and the benefits, rights and obligations that apply.

The MoD will issue written confirmation to the employer informing them the employee is a Member of the Reserve Forces. The letter will provide detail of mobilisation obligations and rights as an employee; rights as an employer; and details of the financial assistance available if an employee is mobilised. Where possible, it will also provide details of any annual training commitments. The MoD will also send a follow-up letter each year to confirm that the information held is still accurate.

It is the responsibility of the Reservist to ensure their personal details are kept up to date e.g. if they change employer or leave their respective Reserve Force.

In any circumstance, the Reservist will not be disadvantaged as a result of notifying the Council of their Reserve status.

## Training commitments and Time Off

The Council recognises the importance of the training undertaken by Reservists that enables them to develop skills and abilities that are of benefit to their respective Reserve Force, the individual and the Council.

Reservists are typically committed to 24-40 days training per year. Training tends to take place 1 evening per week, over various weekends throughout the year and one 2 week training period also known as 'annual camp'. Training commitments vary but in most cases include:

**Weekly training** - most Reservists train at their local centre for around two-and-a-half hours, one evening a week.

- **Weekend training** - all Reservists are expected to attend a number of training weekends which take place throughout the year.
- **Annual training** - a 2 week annual training course sometimes referred to as 'annual camp'. This may take place at a training establishment, as an attachment to a Regular Unit, a training exercise or a combination of any of these. Training normally takes place within the UK, although each year some Reservists train overseas.

The Council is committed to granting additional paid leave of five days per year (Prorata for part time) to Reservists.

Reservist employees should give as much notice as possible of training commitments to allow appropriate planning for absences. Permission once given will not be rescinded unless there are exceptional circumstances.

## Mobilisation

Mobilisation is the process of calling Reservists into full time service with the Regular Forces, in order to make them available for military operations. The maximum period of mobilisation will depend on the scale and the nature of the operation and is typically no longer than 12 months.

The Call-out papers for mobilisation are sent by post to the Employer or sometimes delivered in person by the Reservist to their line manager. The documentation will include the call-out date and the anticipated timeline. Whenever possible, Defence aims to give at least 28 days' notice of the date that a Reservist will be required to report for mobilisation, although there is no statutory requirement for a warning period prior to mobilisation

A period of mobilisation comprises three distinct phases:

- Medical and pre-deployment training;
- Operational tour;
- Post-operational tour leave

Line Managers should refer to the example [Reservist employer handbook](#)

### Pre-mobilisation

- Meet with Reservist to ensure all mobilisation paperwork completed (including pay, benefits & pension arrangements)
- Make a claim for financial assistance as appropriate (see s.10 of policy)
- Discuss any handover of work and return of equipment
- Arrangements for keeping in touch
- Refer to checklists in [Reservist employer handbook](#) document

### During mobilisation

- Keep in touch with Reservist as arranged

### Post-mobilisation

- Ensure both employer and reservist fulfill their return to work obligations
- After care and support requirements.

## **Applying for exemption/Deferral/Revocation**

In all cases of mobilisation, the Council will release the Reservist to report for duty unless there are exceptional circumstances, whereby the decision and reasoning will be explained to the Reservist.

In such circumstances line managers have the right to seek exemption, deferral or revocation if the Reservist's absence is considered to cause serious harm to service delivery.

Definitions of 'harm' will vary from case to case, but may include;

- loss of reputation, goodwill or other financial harm
- impairment of the ability to produce goods or provide services
- harm to the research and development of new products, services or processes (which could not be prevented by the granting of financial assistance under sections 83 and 84 of The Reserve Forces Act 1996).

Details of how to apply for exemption are included in the call-out pack. The application must reach the Adjudication Officer within 7 days of the Council receiving a call-out notice. If this timescale is not met, permission to make a late application will need to be obtained from the Adjudication Officer. The Reservist also has the right to apply for exemption or deferral if the call-out papers arrive at a difficult time.

If an unsatisfactory decision is received following the application for a deferral, the Council can appeal for a hearing by the Reserve Forces Appeals Tribunal. Appeals must reach the Tribunals Secretary within 5 days receipt of written notice of the decision. If the tribunal rejects the application for exemption or deferral, the Council will be required to release the Reservist for mobilisation.



## **Treatment of Terms and Conditions during mobilisation**

The Council will continue to treat the contracts of employment of employees mobilised for Reserve Service as operable throughout the period of such service and there will be no loss of continuous service or service related benefits. The time off will be treated as sabbatical leave.

### **Pay**

The MoD will assume responsibility for the Reservist's salary for the duration of their mobilisation. They will pay a basic salary according to the Reservist's military rank. If this basic element is less than the Reservist receives from the Council, it is the Reservist's responsibility to apply to the MoD for the difference to ensure that they suffer no loss of earnings. This is known as a Reservist Award.

Where mobilisation occurs the employee will be given special unpaid leave of absence.

The Council is not required to pay the Reservist's salary during the period of mobilisation.

### **Pension**

If the Reservist is a member of the Council pension scheme and the employer suspends the employer contribution, and the Reservist chooses to remain within it, then the MoD will make the employer contributions for the period of mobilisation, as long as the Reservist continues to make their personal contributions.

[Reserve Forces Service Leave | Berkshire Pension Fund \(berkshirepensions.org.uk\)](https://www.berkshirepensions.org.uk)

### **Annual Leave**

Reservists should be encouraged to take any accrued annual leave before mobilisation. The Council is not obliged to accrue annual leave for a Reservist employee during the period of mobilisation. Reservists accrue annual leave with the MoD whilst they are in full time service. When they demobilise, Reservists are entitled to a period of post-operational leave (POL). During this period they will continue to be paid by the MoD.

Normal rules on carry over of annual leave applies and can be found on the intranet.

### **Dismissal/Redundancy**

A Reservist's employment cannot be terminated on the grounds of their military duties or their liability to be mobilised. To do so would be a criminal offence under s.17 of The Reserve Forces (Safeguarding of Employment) Act 1985.

Reservists can be included in the redundancy pool if this is necessary due to a downturn in business or closure of a department. However, all employees should be treated consistently, and redundancy criteria should not discriminate against Reservists on the grounds of their Reserve service or call-up liability.

### **Sick Pay**

During the period of mobilisation the Reservist will continue to accrue any rights to service-related Council sick pay. Should a Reservist become sick or injured during mobilisation they will be covered by Defence Medical Services and any financial assistance will continue to be received (including pay) until demobilised. If the sickness or injury continues and this results in early demobilisation, the Reservist will remain covered by Defence until the last day of paid military leave.

After this time The Reservist will be covered by the Council sickness arrangements (in line with local policy).

If the Reservist becomes ill post mobilisation, and a notional return to work date has been agreed, they will be covered by the Council Sickness arrangements.

### **Return to work**

Both the Reservist and their employer have obligations under The Reserve Forces (Safeguarding of Employment Act) 1985 regarding the return to work process

#### **Reservist:**

The Reservist must write to their employer by the third Monday after their last day of military service making their request to return to work and suggesting a date which should fall within 6 weeks of their last day of full-time service. This letter formally starts the return to work process.

They are also encouraged to informally contact the employer to discuss their return to work at the earliest opportunity, whether via a letter, a meeting, or a telephone call. The formal application must be made in writing for it to be valid under the Act.

If a Reservist is not happy with the offer of alternative employment, they must write to the employer stating why there is reasonable cause for them not to accept it. If a Reservist believes that an employer's response to their application denies their rights under the Safeguard of Employment Act 1985, an application can be made to a Reinstatement Committee for assessment. This committee will consider the Reservist's application and can make an order for reinstatement and/or compensation.

#### **Employer:**

The Employer has an obligation under Reserve Forces (Safeguarding of Employment) Act 1985 to reinstate the Reservist, where possible to their former role, and if not, to a mutually acceptable role on the same terms and conditions prior to mobilisation.

The Reservist should be reinstated within 6 weeks of the last day of their full-time service. They must be reinstated for a minimum period of 13, 26 or 52 weeks, depending on their length of service prior to mobilisation.

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Sometimes Reservists may need refresher training when they return to work, or be given time to familiarise themselves with processes and procedures in the workplace. Financial assistance may be available for retraining if it is required as a direct result of their mobilisation, although applications cannot be made for training courses that would have taken place anyway. Evidence of costs will be required in addition to evidence that the Reservist could not reach the required standard by any other means, such as workplace experience.

### Aftercare

A Reservist returning to work will benefit from a smooth re-integration into the workplace/team. The following should be considered as part of this process:

- Return to work conversation with the manager outlining support through Employee Assistance Programme, Mental Health First Aiders
- The need to update on changes and developments in the Council.
- The need to offer specific refresher training where it is sought/considered necessary.
- Where the job duties have changed since mobilisation a period of skills training may be required to assist with new aspects of the job.
- Whether the reservist can meet up with colleagues informally or socially before or after return to work to prevent any feeling of dislocation, if this is sought.
- Reasonable time off to seek therapeutic treatment if required.

### Financial Assistance

Financial assistance for employers in the event of an employee who is a Reservist being mobilised is governed by the Reserve Forces (Call out and recall) (Financial Assistance) Regulations 2005. These cover additional costs above the normal earnings of the called-up Reservist associated with replacing that employee. There are 3 types of award available:

#### One-off costs

- Agency fees, if a recruitment agency or employment agency is used to find a temporary replacement; or Advertising costs
- No financial cap on claims, but any claim must be supported by relevant documentation

#### Recurring costs

- Overtime costs, if other employees work overtime to cover the work of the Reservist [by the amount that such costs exceed earnings of the Reservist]
- Costs of temporary replacement [by the amount that such costs exceed earnings of the Reservist]

The maximum claim available is £110 per day (£40,000 per annum). Claims can be made for every normal working day that the Reservist is away on service. An application for one-off costs and recurring costs must be made within 4 weeks of the end of full time Reservist service.

## Training award

If a returning Reservist has to undertake additional training as a direct result of their mobilisation (routine training excluded), then the Council can make an application for the financial assistance.

## Further information

Further sources of guidance and information can be obtained from the following:

- Defence Relationship Management  
<https://www.gov.uk/government/groups/defence-relationship-management>

Helpline: – 0800 389 5459. This is a free telephone helpline open during office hours where advice and guidance can be obtained on training, mobilisation and employment issues.

- Royal Navy website [www.royalnavy.mod.uk/the-fleet/maritime-reserves](http://www.royalnavy.mod.uk/the-fleet/maritime-reserves)
- Army website: [www.army.mod.uk/join/20233.aspx](http://www.army.mod.uk/join/20233.aspx)
- Royal Air Force website [www.raf.mod.uk/rafreserves](http://www.raf.mod.uk/rafreserves)