



Gloucestershire Health and Care
NHS Foundation Trust

Human Resources Policy Manual

First edition - 2024

working together | always improving | respectful and kind | making a difference



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Introduction



Welcome to the Gloucestershire Health and Care HR Policy Manual. It has been created in partnership with colleagues and in consultation with our staff-side representatives to provide you with simple access to core HR policies that you may need to reference during your employment with our Trust.

Our policies have been developed in alignment with our Trust values and you can expect all policies to be simple to read, fair and inclusive.

We are committed to making GHC a **Great Place to Work**, and, as part of this commitment, our policies reflect up-to-date best practice and emphasise the importance of working together, ensuring the principles of a 'just and restorative' culture are embedded in all we do – helping to keep colleagues and service users safe.

To help colleagues navigate the procedures associated with our core policies, you will find a suite of easy-to-use action cards available through the HR section of our intranet site. These will guide you simply through the steps involved. As we learn from colleagues' experiences from using these processes, our action cards will be updated, ensuring that we continuously improve both our approach and the experience of colleagues working in our Trust.

Our HR Operational team is available to support you with advice on any of the policies in this manual. Either contact them via your HR manager or email the HR Operations Inbox on ghchrops@ghc.nhs.uk

Neil Savage
Director of HR & OD



Equality, diversity & inclusion

Equality, diversity and inclusion are central to GHC's values, the provision of our services and treatment of our staff.

GHC is fully committed to ensuring that our people work in an environment that is free from discrimination and one that promotes equality, diversity and inclusion. The GHC board is committed to ensuring that no employee or job applicant is subject to unlawful discrimination, either directly or indirectly, on the grounds of any protected characteristics as set out in the Equality Act 2010.

This applies to all aspects of employment, including recruitment and selection, training, promotion opportunities, terms and conditions of employment, grievance handling, application of disciplinary procedures and selection for redundancy.

It is important that each and every member of the GHC workforce feels safe, valued, and respected. Discriminatory, violent or abusive behaviour – including physical or verbal bullying or harassment by staff, patients and visitors – will not be tolerated, and appropriate action will be taken in relation to any incidents that occur, with support provided to those involved.

In addition to our public-sector equality duty and commitment, equality impact assessments are undertaken when reviewing or devising new policies, procedures or services. The purpose being to highlight their positive impact, while ensuring that no staff, service users or visitors are discriminated against or negatively affected.



Adoption leave

1 What this policy covers

If you are adopting a child, you are entitled to adoption leave. This policy provides an overview of adoption leave entitlement and qualifying conditions, how to apply and how your pay, terms and conditions are affected during your leave.

2 Principles

- In recognising the responsibilities and needs of adoptive parents, regardless of their gender identity, GHC wants to enable employees who are adopting a child to enjoy similar benefits to those on maternity leave.
- Where a couple adopts a child, only one parent can take adoption leave. The other parent may be able to take paternity leave or shared parental leave.
- This policy does not apply if a child is not newly matched for adoption (eg when a step parent is adopting a partner's child or children) or where there is already an established relationship with the child (eg if the child or children have already been fostered prior to their adoption).

3 Responsibilities

- GHC will ensure that this policy is applied fairly and equally, so that it does not discriminate.
- Managers are responsible for actioning adoption leave requests in accordance with this policy.
- The HR and Payroll departments will advise on applying this policy.
- Employees wishing to apply for adoption leave should use the procedure and timescales outlined in this policy.

4 Policy in practice

4.1 Entitlements

All employees, including those on bank assignments, regardless of gender identity, are entitled to 52 weeks' adoption leave. Only one period of adoption leave can be taken, irrespective of whether more than one child is placed for adoption as part of the same arrangement. There is no limit to the number of periods of adoption leave that you may take during your employment.

4.2 Eligibility

While all employees, including those on bank assignments, are entitled to 52 weeks' adoption leave, certain conditions apply to staff on fixed-term contracts.

Employees on fixed-term contracts are entitled to 52 weeks' adoption leave, providing their fixed-term contract expires after the week in which they are informed of the match (for this purpose, weeks run Sunday to Saturday).

Employees whose fixed-term contract expires after the week they are informed of the match and who have more than 26 weeks' continuous service will have their contract extended to enable them to receive their entitlement of 52 weeks' adoption leave.

Such employees will not have any entitlement to a role within GHC at the end of their adoption leave unless they have been selected for another role through competitive interview.

4.3 How to request adoption leave

You must write to your manager informing them of your intention to take adoption leave within seven days of being notified you have been matched with a child for adoption (or 28 days if adopting from overseas), unless this is not reasonably practicable. You must also give the date the child is expected to be placed with you.

Before you can start adoption leave you must give your manager:

- a completed Application for Adoption Leave and Pay form
- a “matching certificate” from your adoption agency as evidence of your entitlement to take adoption leave and adoption pay.

Your manager will send these to the HR Workforce and Payroll teams.

4.4 Starting adoption leave

You can start your adoption leave either on the date of the child’s placement (whether this is earlier or later than expected) or from a fixed date that can be up to 14 days before the expected date of placement. If the placement is delayed and adoption leave has started, it cannot be stopped and resumed at a later date. Adoption leave can start on any day of the week.

The date on which you wish to start your adoption leave can be amended, provided you advise your manager at least 28 days in advance (unless this is not reasonably practicable).

4.5 Notification of return to work

The maximum amount of adoption leave is 52 weeks. All employees are expected to return to work on the date specified, which should be no later than 52 weeks after the start of their adoption leave (not including any annual leave taken).

Where possible, employees should confirm their return to work date before they start their adoption leave, to allow for temporary cover to be arranged. However, we realise that this is not always practical, so you have the right to change your date of return if you choose.

Approximately 12 weeks before the planned end of the adoption leave, their manager will write to the employee to request information about their intention to return to work. Employees should return the form as soon as possible so that any changes to temporary staffing can be made.

If an employee decides to change their return-to-work date after starting their adoption leave, they must advise their manager, providing 28 days’ notice.

4.6 Returning to another NHS employer

If an employee decides to return to work at another NHS trust, they must notify GHC of their intention. To retain full Occupational Adoption Pay (OAP – see 5.3), the employee must return to NHS employment within 15 months of the start date of their adoption leave.

To ensure that OAP is maintained, the employee must provide a copy of their offer letter and contract of employment with another NHS employer within 15 months of the beginning of their adoption leave or within three months of the last day of their adoption leave. Otherwise the employee is liable to refund the whole of the OAP received; they will not be required to repay Statutory Adoption Pay (SAP – see 5.2) to which they are entitled.

Employees who have not been paid OAP because they did not expect to return to NHS employment but do so within 15 months, should contact GHC Payroll Services. They will be expected to provide the documentation detailed in 4.3. Once provided, calculations for OAP will be made and paid retrospectively.

5 Pay

5.1 Adoption leave pay

Adoption leave for employees with less than 26 weeks’ NHS service is unpaid. In these circumstances, the Payroll Department will provide a written statement explaining why you are not eligible for adoption pay, which can be used to claim other benefits if required.

Employees with more than 26 weeks’ continuous NHS service are eligible to take up to 39 weeks’ adoption leave with pay.

There are two types of adoption pay:

- Statutory Adoption Pay (SAP) – paid by the government
- Occupational Adoption Pay (OAP) – paid by GHC.

The type of adoption pay paid is based on:

- how long you have worked for GHC or how much continuous NHS service you have
- whether you have earned enough salary in the relevant period
- whether you intend to return to work
- whether you have provided the correct evidence and paperwork
- whether this evidence has been provided within the correct timescales.

5.2 Statutory Adoption Pay

SAP is paid to all employees, including eligible bank staff, provided they have 26 weeks' service ending the week in which they are notified of having been matched. Their earnings must also be above the lower earnings limit for NICs. Calculations include all pay within the earnings period. If the employee has also provided the correct notification and proof to show that they have been matched with a child, SAP is paid for 39 weeks, as detailed in the box below.

5.3 Occupational Adoption Pay

OAP is paid at the same rate as Occupational Maternity Pay and will be paid to all employees who:

- have more than one year's continuous service – service from another NHS organisation will be eligible, provided there has not been a break of more than three months between the two organisations. However, the break in service will not count as service

and:

- intend to return to work with an NHS employer for at least three months – employees must return to work for an NHS organisation for a minimum of three months following their adoption leave. Failure to return to work will result in owing back the occupational element of the adoption pay.

Employees who change their mind about returning to work should inform GHC as soon as possible, to avoid overpayment.

5.4 Fixed-term contracts

Employees on fixed-term or training contracts which expire after the 11th week before the date of matching, or the 15th week before the baby's due date if applying via a surrogacy arrangement, and who meet the relevant eligibility criteria will have their contract extended by 52 weeks to allow them to receive adoption leave and any OAP and SAP they are entitled to. In such cases there will be no right of return at the end of the adoption leave and the OAP repayment provisions will not apply.

5.5 Bank workers

Bank workers will not be eligible for OAP, but may be eligible for SAP. To be eligible, their average weekly earnings must not be less than the lower earnings limit for NICs for the eight-week period prior to the adoption leave starting.

Adoption pay for bank workers will be based on the earnings for the eight-week period prior to the start of their adoption leave. The Payroll Department will advise accordingly.

5.6 Rotational contracts

Adoption pay will be calculated in the same way for employees on rotational contracts.

6 Your terms and conditions

6.1 Contractual rights

During adoption leave, all contractual rights, including accrual of annual leave and continuous service, are retained.

Statutory Adoption Pay

Weeks	Pay	Duration
1-6	A weekly equivalent of 90% of full pay (details of this can be found by visiting www.gov.uk)	6 weeks
7-39	SAP lower rate: a set standard rate agreed by the government every year or 90% your average weekly earnings (whichever is lower)	33 weeks

Occupational Adoption Pay

Weeks	Pay	Duration
1-8	Full normal pay	8 weeks
8-26	Half normal pay plus SAP	18 weeks
26-39	SAP	13 weeks
40-52	Unpaid	12 weeks

6.2 Annual leave and sickness on adoption leave

All employees on adoption leave will continue to accrue their holiday entitlement throughout their adoption leave, including bank holidays.

Employees must discuss and agree plans to take annual leave entitlement with their manager. These will be documented in the letter confirming adoption leave. The leave carry over provisions set out in the Annual Leave Policy will apply, therefore employees are expected to use all of their annual leave for the current leave year before starting adoption leave, unless there are exceptional service delivery restrictions which would be impacted by this.

In exceptional circumstances where an employee has not been able to take all of their annual leave specifically due to their date of matching or service need, they may be able to carry forward more than the normal carry over provisions. They will be expected to take their accrued annual leave at the end of their adoption leave. Any accrual and carry over of annual leave must be reported to the Finance Department in line with the normal procedure for the accrual of annual leave.

If an employee becomes ill while on adoption leave, they will not be entitled to sick pay or benefits and will continue to be paid as per their entitlement to adoption pay. Sickness while on adoption leave does not need to be reported, unless it would impact on Keeping In Touch (KIT) days or return-to-work dates.

6.3 Pension contributions during adoption leave

Pension contributions made by GHC continue during the whole period of paid adoption leave and are based on the employee's normal salary before the start of the leave. For more information on this, employees should contact the GHC Pensions Manager.

6.4 Training

Employees on adoption leave will not be expected to attend mandatory training, however, this will need to be completed upon return to work, either during a KIT day or within the first month of return. Managers should make arrangements for employees to receive training and re-orientation where needed. This must include any changes that have occurred while the employee was on leave.

6.5 KIT days

With their manager's agreement, employees can attend work for up to 10 mutually agreed KIT days during the adoption leave period to work, for example, for team meetings, conferences, training events or performance reviews. Part days will be counted as whole days for the purpose of the KIT day entitlement and pay.

For the time spent in work, employees will receive pay for days worked based on the contractual rate of pay (including any enhanced rates of pay normally applicable for days worked outside of normal office hours Monday to Friday). KIT days will not affect adoption pay entitlement. Employees must discuss and agree KIT days with their manager in advance.

Managers are responsible for ensuring the Payroll Department is instructed to pay employees for KIT days worked by completing a Variation form. KIT days can only be used whilst on adoption leave, they cannot be taken whilst on any period of annual leave.

6.6 Working when on adoption leave

If an employee starts working for another employer after the fifteenth week prior to beginning adoption leave and they choose to return to work during their adoption leave, their adoption pay will cease from the Saturday before the week that they start work with their new employer.

Employees should inform their manager if they have another job and advise them of their intention to take adoption leave with their other employer. This information should also be completed in their Application for Adoption Leave and Pay form.

6.7 If adoption ends before adoption leave

If the adoption is disrupted or ends, the employee will be entitled to continue their adoption leave and receive the appropriate payment for that time. The employee should contact their manager and agree arrangements for return to work as early as possible, if they wish to return sooner than originally planned

6.8 Organisational change

Where organisational change would affect employees on adoption leave, this will be managed in the same way as all other affected employees as regards consultation and communication. They will receive written documents, letters and notifications and be required to attend GHC for formal meetings where appropriate. All organisational change will be managed in line with GHC policy for managing organisational change.

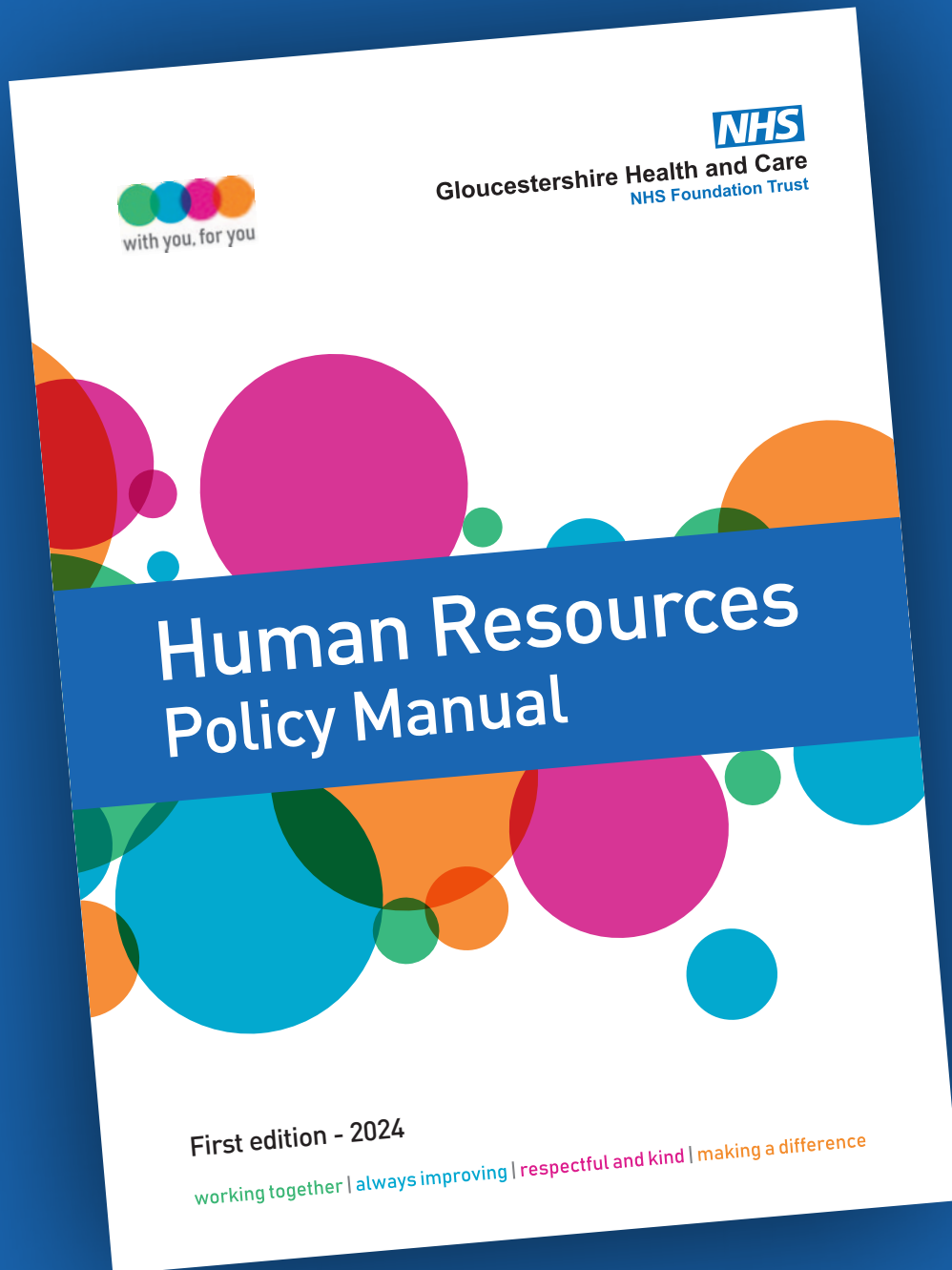
6.9 Vacancies

Employees taking adoption leave will be made aware of vacancies, opportunities for promotion or extra hours they can apply for through expression of interest. Those on adoption leave will not be treated any differently in selection for such opportunities. Employees on adoption leave are welcome to apply for any vacancy within GHC.

The time taken to attend an interview for a vacancy will not be paid nor considered as a KIT day (unless it is part of a KIT day already arranged to complete other activities) and will not affect adoption pay or leave.

7 Sickness preventing return to work

If an employee cannot return to work after their adoption leave because of sickness, they should inform their line manager as soon as possible. Their manager must ensure that the absence is recorded as sickness absence.



You can access any of the forms mentioned in this manual, as well as action cards and other guides, through the HR Operations section of Indigo, the GHC staff intranet site.



Adverse weather, travel disruption and emergency events

1 What this policy covers

This policy will tell you what you need to do if severe weather, travel disruptions (eg bus or train strikes) or emergency situations affect your ability to get to work.

2 Principles

- This policy will provide a clear and fair framework when bad weather, severe travel disruption or emergency events affect your ability to get to work.
- While delivering patient care is vital to GHC and is at the heart of decisions made about attendance, we also recognise that this must be balanced against your health and safety.
- You are responsible for making every reasonable effort to get to work and should not refuse to be temporarily redeployed to an alternative base or undertake other duties.

3 The policy in practice

If having made every effort and explored all options to come to work you are unable to come in, you should personally inform your manager as soon as you know this will be the case. If your manager is not available, contact their deputy or another senior team member.

If you do not contact your manager your absence will be recorded as unauthorised unpaid absence. Your manager will consider:

- How you normally get to work and the distance you travel.
- Your safety.
- The prevailing weather conditions and their estimated duration.

- If you have a physical impairment which may make it more difficult for you to get to work.

You should discuss with your manager whether it is possible to work from another GHC site or your home.

If it is not possible to work from another GHC site or home, you should agree with your manager whether:

- you will change your shift
- make the time up (within one month of the date concerned)
- use any time in lieu you may have already accrued
- take annual leave
- take unpaid leave.

If the problem is likely to continue for more than one day, you should agree with your manager how often you need to contact them to review the options open to you.

In some circumstances, GHC may arrange transport for key staff. In such cases, managers will be notified. You should discuss with your manager whether you can use this transport.

In certain circumstances, severe weather may occur while you are already at work and potentially may limit or put at risk your ability to get home. In these instances you should discuss this with your manager, taking account of advice issued by the police, motoring organisations and weather bulletins and agree when you should leave work.

“You are responsible for making every reasonable effort to get to work and should not refuse to be temporarily redeployed to an alternative base or undertake other duties”



Alcohol and drug misuse

1 What this policy covers

This policy aims to ensure the safety of all staff, patients, students, volunteers and visitors by having clear rules about the use and possession of alcohol and/or drugs.

It will explain the responsibilities of those who believe they have a problem, as well as other staff and managers, and tell you what help and support is available.

For the purposes of this policy:

- “Alcohol misuse” is drinking alcohol so that it adversely affects your work performance, conduct, attendance or normal behaviour at work.
- “Substance misuse” is the deliberate use of illegal or prescribed drugs or psychoactive substances for intoxication or any reason other than as prescribed medication.

2 Principles

- The rules on alcohol and drugs will be strictly enforced.
- Those who admit to having a problem with alcohol and/or drugs but engage positively in treatment for their recovery will be offered reasonable support by GHC.

3 Responsibilities

- GHC is committed to providing a safe and healthy workplace for staff, patients and visitors and will ensure that all employees are treated consistently and fairly in line with this policy.
- If you have an alcohol or drugs-related problem, you are encouraged to disclose this at the earliest opportunity, to ensure support and help with

treatment. You can speak to your manager, Working Well, HR or your trade union representative.

- You should not possess or supply alcohol, psychoactive substances or illegal drugs in the workplace.
- You should not consume alcohol, psychoactive substances or illegal drugs or abuse any substance at work.
- You should not work while under the influence of drugs, psychoactive substances and/or alcohol, because the effects may last several hours.
- You should be aware of the possible side effects of any prescription drugs you are taking and tell your manager immediately if they could affect your work performance.
- Managers must ensure that alcohol or substance misuse issues are dealt with in the strictest confidence and should seek advice from HR.
- You have a duty to raise any concerns you have about a colleague you suspect of alcohol or substance misuse, anonymously, if you wish.

4 Policy in practice

If an alcohol and/or substance misuse problem has been identified, your manager will determine whether it will be treated as a health or conduct issue. Conduct issues will be managed in line with the principles outlined in the GHC Disciplinary Policy.

4.1 Health issue

If you acknowledge that you have an alcohol and/or substance misuse problem, it may be dealt with as a health issue if the circumstances allow and if you agree to accept the help and support you are offered.



Below is an outline of how the process is usually managed, although this can change depending upon individual circumstances. This policy may work in conjunction with GHC's Supporting Attendance Policy and Improving Performance Policy.

4.2 Outline process

- 1 Having acknowledged you have a problem, your manager will refer you to Working Well, which will advise you on potential appropriate treatment, intervention or referrals to other agencies. A plan will be discussed and agreed by you and your manager.
- 2 Depending on the severity, you may be advised to go on sick leave while you are rehabilitating, which means you will need to obtain the appropriate medical certificates to cover your absence.
- 3 While you remain on sick leave your absence will be managed in line with GHC's Supporting Attendance Policy. If you return to work your manager will agree with you a documented return to work programme, including the expectations regarding your performance, standards required and behaviour, with timescales.
- 4 If you remain at work while receiving treatment, your manager will discuss and agree with you the expectations regarding your performance, standards required and behaviour during this time. Some alternative duties or additional support will need to be put in place.
- 5 During your rehabilitation period you may be expected to attend regular appointments with Working Well, where you will be expected to update them on your progress and to enable them to advise your line manager. If you fail to attend appointments without good reason with Working Well or other specialist agency providing you with treatment or support, it will be considered as rejection of support and assistance. Unless there is clear evidence of progress, it may be treated as either an ill health or conduct issue (in which case your future employment may be at risk).
- 6 Where possible, you must make every effort to attend appointments outside of your normal working hours, if you have remained at work.
- 7 You must not undertake any alternative employment, whether paid or unpaid, while on sickness absence, without the written consent of GHC and support of Working Well.
- 8 If it is decided that you should remain at work, your manager will monitor your behaviour and performance over a six-month period and formal reviews will be recorded at least once a month.

- 8 If your behaviour/performance meets the standard required continuously for six months, your manager will usually agree with you, HR and/or Working Well that the formal review period is over. This will be confirmed in writing to you, with details of any future support mechanisms.
- 9 If your behaviour/performance has not met the standard required continuously for six months, your manager will write to you to give notification that the formal review period will be extended. Unless there is clear evidence of progress, your future employment may be at risk.

4.3 Conduct issue

If GHC believes that you are at work under the influence of alcohol and/or misusing substances, or it believes that you have an underlying alcohol or substance misuse problem, and you refuse the support you are offered, GHC will deal with its concerns in accordance with its Disciplinary Policy. Misuse of alcohol or substance abuse is regarded as gross misconduct and it may result in your dismissal.

4.4 Alcohol at work and events

If you drive as part of your duties you must not consume alcohol before duty or while on duty. If you attend events representing GHC where alcohol is available, you may consume alcohol if this has been authorised in advance by a senior manager, unless you are returning to work afterwards.

4.5 Staff on call

If you are on call and may be required to drive or deal with work-related issues, you are covered by this policy in the same way as though you were at work.

4.6 Criminal convictions or cautions

You are required to tell your manager as soon as reasonably practicable of any circumstances or convictions relating to illegal substances and/or alcohol that have occurred whilst you are working for GHC. This includes any interviews with the police you are required to attend concerning allegations made against you, any criminal proceedings against you and any pending or actual criminal convictions including cautions. Failure to notify your manager may be managed in accordance with the GHC Disciplinary Policy.



Annual leave

1 What this policy covers

This policy aims to provide a consistent and equal approach to taking and calculating annual leave. It will tell you how much leave you are entitled to, how you should request annual leave and how your annual leave entitlement is affected by other factors such as sickness.

This policy should be read in conjunction with other GHC policies such as Supporting Attendance, Other Types of Leave, Maternity Leave and Paternity Leave.

2 Principles

- This policy applies to all employees who are employed on Agenda for Change terms and conditions, except bank or medical staff who have other arrangements.
- GHC supports its staff in having a healthy work-life balance and encourages them to take their full entitlement within the current leave year.
- Carrying over annual leave will only be authorised in exceptional circumstances.
- Applications for annual leave should be made in accordance with this policy and any local departmental procedures. Failure to follow these may result in time taken off being considered as unauthorised absence, which may lead to deductions from pay and/or disciplinary action.

3 Responsibilities

- The GHC Board of Directors will ensure, through an open and supportive culture, that applications for annual leave are dealt with consistently and fairly.
- Managers will respond in a timely manner to requests for annual leave, and in reaching their decision they will balance the wishes of the



- individual with service provision.
- Managers will inform staff within their areas of responsibility how to request annual leave.
- Staff should ensure their annual leave is planned and taken regularly throughout the year.
- All staff should make their annual leave requests in accordance with the procedures outlined in this policy and/or local departmental procedures.

4 Policy in practice

4.1 Entitlement

- Your annual leave entitlement is based on your completed years of NHS service in substantive posts and number of contracted hours (please see Table One).
- The annual leave year for all staff will run from 1 April to 31 March.
- Your entitlement is calculated in hours not days, to ensure that staff who work variable hours/shifts are not disadvantaged.

Table One: Annual leave entitlement

Length of service	Annual leave and general public holidays
On appointment	27 days + 8 days (262.5 hours)
After five years' service	29 days + 8 days (277.5 hours)
After 10 years' service	33 days + 8 days (307.5 hours)

- In addition to annual leave you are entitled to eight paid statutory/public holidays, which will be pro rata for part-time staff. However, the exact number of bank holidays that fall in the GHC leave year can vary depending on when Easter falls. Table two shows how bank holidays should be managed depending on your circumstances.
- If you change your contracted hours, your annual leave entitlement will be recalculated based on your new contracted hours to establish your amended full entitlement for the annual leave year.
- You should aim to spread your leave out, to avoid bunching it at the end of the year. Failure to do so may result in your manager allocating your leave.
- Until the request has been agreed, you must not assume that you can take your leave at the requested time and should not make any bookings or enter into any financial commitments based on an agreement being given at a future date. It may not be given.
- To balance the needs of all staff in your team or department, leave of more than two weeks will only be agreed in exceptional circumstances.
- Managers will ensure that authorisation for leave for popular times (eg school holidays, Christmas, New Year, etc) will be made on a shared and equitable basis.
- You should take roughly 25% of your annual leave per quarter, unless you have agreed with your manager to delay using some of your annual leave to take it at a specific time later in the year.
- If you fail to book leave when asked to your manager may allocate your leave for you as a last resort.

Annual leave accrual for new starters

If you join GHC part-way through the annual leave year your leave entitlement for the remainder of the year will be calculated on a pro-rata basis, from your start date until 31 March.

Annual leave accrual for leavers

If you leave GHC part-way through the annual leave year, your leave entitlement will be re-calculated on a pro-rata basis, from 1 April until your last day of employment.

You are expected to take all of your outstanding leave before your last day. Where this is not possible you will be paid for any untaken annual leave and your last payable day of service will be extended accordingly (this does not affect your last working day).

If you have overtaken your leave at the point your employment ends the overtaken leave will be deducted from your final pay.

4.2 Requesting annual leave

- You should make requests for annual leave to your manager as early as possible through the standard request procedure used in your ward/department.

4.3 Canceling leave

If you wish to change or cancel leave your manager will consider your request if it does not incur extra costs, taking into account local service needs. You do not have the right to cancel booked leave without agreement from your manager.

In exceptional circumstances due to service need managers have the right to cancel previously approved annual leave. Other options will be explored first.

4.4 Carrying over annual leave

You should be able to take all your annual leave during the leave year. In exceptional circumstances, where service demands/personal circumstances have prevented this, up to one week of your basic contracted hours may be carried over to the following year, with the agreement of your manager. The leave carried over must be taken by 30 April of the new leave year. Payment will not be made for any untaken leave, unless you leave GHC

Table Two: Managing bank holidays

Scenario	How time is recorded on ESR and/or the electronic roster
You work on a bank holiday as a normal working day.	Treat as a normal working day. You do not need to book this date off as a bank holiday or have the hours deducted from your leave entitlement.
Bank holiday falls on your normal working day but you are not required to work that day (eg because service does not open/your team does not work on bank holidays).	You must book the day as a bank holiday in ESR (and where appropriate the electronic roster) to ensure that it is deducted from your leave entitlement.
Bank holiday falls on off duty day (ie it could have been a normal working day for you but you happen not to be working because of how the rota allocated shifts)	You do not need book for this date as a bank holiday or have the hours deducted from your leave entitlement.
You are sick on a bank holiday which falls on a normal working day for you.	Day is recorded as sickness absence. Your manager must check with the HR Workforce team or E-roster team to ensure the working hours for that day are deducted from your leave entitlement.

4.5 Sickness during annual leave

If you are sick while on annual leave, in accordance with GHC's Supporting Attendance Policy, the period will be treated as sick leave, where you followed the appropriate absence reporting procedures and the sickness is certified, allowing you to take your annual leave at another time.

Annual leave can be used during periods of sickness. If you wish to take annual leave while you are off sick, you should inform your manager prior to taking the leave.

4.6 Bank working during annual leave

You can work on staff bank during annual leave if:

- You have taken at least 5.6 weeks entitlement for the leave year (pro rata-ed for part-time staff).
- You are not subject to a disciplinary investigation or action.
- You are not being managed on formal stage 2 under the sickness management or improving performance processes.



Appraisal

1 What this policy covers

GHC is committed to ensuring that all employees have a meaningful annual appraisal conversation. This policy outlines GHC's approach to the appraisal process.

Performance appraisals provide an opportunity to:

- review the previous year's performance, successes and challenges
- set objectives or key areas of focus for the next year
- clarify job requirements and manager expectations
- reinforce positive behaviour and discuss any concerns
- identify any training and development needs.

This policy applies to all employees on Agenda for Change terms and conditions. Staff groups under other terms and conditions have their own appraisal arrangements.

2 Principles

- GHC aims to ensure that performance appraisal meetings are two-way conversations, with both parties feeling able to contribute equally to the discussions.
- Appraisal discussions should be conducted in a supportive, constructive way with issues addressed in a factual, objective and balanced manner.
- GHC wishes to support staff to perform at their best, in support of high-quality healthcare and in line with the Trust's values, and to achieve their full potential.

“GHC aims to ensure that performance appraisal meetings are two-way conversations, with both parties feeling able to contribute equally to the discussions”

3 Responsibilities

The Chief Executive and Directors are responsible for ensuring that:

- a culture of fairness and openness exists in applying this policy
- managers in their areas of responsibility undertake appraisals for all their staff in a timely and appropriate manner.

Managers should ensure that:

- appraisers have a reasonable number of appraisals to undertake
- appraisers and appraisees have the time, resources and support to undertake all the responsibilities set out in this policy
- they facilitate staff completing their mandatory training
- everyone has an appraisal every year before their increment date, to ensure that their pay progression is completed
- appraisers understand how to correctly record completed appraisals.

Appraisers are responsible for:

- holding annual appraisal meetings with their designated staff
- ensuring that the appraisal is a fair, open and honest discussion of the employee's performance and that the employee's views are taken into account
- ensuring that they prepare thoroughly for the meeting and that employees have enough time and information to feel fully prepared
- documenting and recording the appraisal
- ensuring that the appraisal conversations includes a discussion about health and wellbeing.

Employees are required to:

- ensure that they make themselves available for their appraisal conversation
- participate and actively engage in the appraisal process
- prepare thoroughly for the meeting, maintaining evidence of learning and development that they have undertaken during the year
- ensure that their annual declarations and statutory/mandatory and essential to role training are up to date.

4 Policy in practice

4.1 Preparation for the meeting

You should be given reasonable notice of your appraisal meeting. Your appraiser should make sure that you understand the appraisal process, know what will be discussed and how to prepare.

You will get the most out of your appraisal if you take some time to prepare for the meeting.

As the appraisee you should consider:

- your main responsibilities
- what you have achieved since your last appraisal
- what you think you do best, your key skills and abilities
- which parts of your job you enjoy and which parts you find challenging and why, and what additional support you might need
- things you would like to do now that you don't do already
- any plans you have for your professional development/career/job role
- any additional training or development you have undertaken in the past 12 months.

Your appraiser should consider:

- what you have achieved since your last appraisal any ways you have demonstrated the Trust's values
- to what extent you have completed any personal development plan and training requirements
- any factors that have affected your performance
- what actions could be taken to improve your performance, if there are any

- what objectives might be set for the next review period
- personal development goals to set for the next review period
- measures to support your health and wellbeing.

4.2 Appraisal discussion

Your progress and performance should be reviewed throughout the year, during your one-to-one and supervision meetings. Therefore, if there are any concerns about your development or if there are capability issues, they should have been addressed when identified and so should not come as a surprise to you or your appraiser if they are discussed during your appraisal.

Appraisal meetings should be held in a private, confidential and comfortable environment with minimal risk of interruption.

Sufficient time must be set aside to undertake the appraisal and your appraiser should make sure the appraisal is only cancelled or postponed if absolutely necessary. In such cases, the meeting should be rescheduled at the earliest opportunity.

During the meeting you should take an equal lead in discussions, with your appraiser listening carefully to what is said, summarising the discussion and keeping the meeting on track.

Focus should be given to your performance and competence, not to factors that you are unable to change. Both you and your appraiser should take into account the whole period since the previous appraisal, rather than just recent or isolated events.

4.3 Objective setting

As part of the appraisal meeting, your objectives should be set and agreed for the next 12 months. The objectives should describe what you should achieve and if possible follow the SMART principles:

- S** – Specific
- M** – Measurable
- A** – Achievable
- R** – Realistic
- T** – Timebound

4.4 Personal development plans

You and your appraiser will both agree your personal development plan, which should describe how the objectives set for you can be achieved.

5 Other conditions

5.1 Pay progression

You should automatically progress through the incremental points of your salary band if you:

- demonstrate your competence in your role
- demonstrate a good standard of conduct
- complete your mandatory training
- meet any registration and revalidation requirements
- have an annual appraisal conversation.

If you are unable to demonstrate all of these areas you will be supported using the appropriate GHC process and you may have your pay progression incremental step deferred. If this is likely to be an outcome of your appraisal, there should have been previous discussions with you about your lower-than-expected performance.

5.2 Maternity/adoption leave or shared parental leave

If you are due to go on maternity or adoption leave or an extended period of shared parental leave two months before your appraisal meeting is due, your appraisal should be brought forward. If your scheduled appraisal is due later than two months, it will be carried out after you return to work.

5.3 Long-term sickness

If you return to work after a significant period of long-term sickness, your manager should consider arranging an appraisal within a few weeks of your return, to identify your training and development needs and set your objectives for the forthcoming year.

5.4 Holding more than one assignment

If you have more than one assignment in broadly similar roles, one appraisal can cover both posts (including bank posts). Your manager for the post in which you work the most hours should carry out your appraisal, with feedback from the manager of your second role. Where the hours are the same for your both your roles, the managers should agree which of them will carry out your appraisal conversation.

If you hold two very different roles it may be necessary for you to have an appraisal for each role. Your manager should record your appraisal against both your roles.

5.5 Career break

If you choose to take a career break, depending on the length of your career break, your manager should consider arranging an appraisal within a few weeks of your return, to identify your training and development needs and set your objectives for the forthcoming year.

6 Appeals/disagreements

Every effort will be made to ensure that you and your appraiser can resolve differences of opinion during the appraisal without the need for formal procedures. Should you wish to appeal decisions arising from your appraisal, you should use GHC's Resolution policy, which has both informal and formal stages.



Career break

1 What the policy covers

GHC recognises that during your working life there may be times that you wish to take a substantial unpaid break. Our Career Break Policy has been designed to facilitate unpaid absence from work for between three months and two years while taking account of service need.

This policy aims to allow employees to balance the demands and responsibilities of their personal life with work commitments and service needs, to maintain consistent management practice throughout GHC.

This policy will tell you if you are eligible, how to apply, and it will explain the effect on your employment terms and conditions.

2 Principles

- The policy supports GHC's commitment to improving work-life balance for all staff.
- Application of this policy will not discriminate, directly or indirectly, on grounds of race, ethnic origin, colour, gender, sexual orientation, age, marital status, religion, disability or trade union membership.
- You do not need to apply for a career break when you are entitled to be absent from work (eg when you are sick or on maternity leave).

3 Responsibilities

- The GHC Board of Directors has overall responsibility for ensuring that this policy is applied fairly and consistently.

- Managers will ensure that all requests for career breaks are given serious consideration and comply with the principles outlined in this policy, while taking account of service need.
- During your career break you are expected to keep in contact with your manager as agreed and inform GHC of any changes to your personal circumstances (eg change of address).
- You are expected to maintain professional links, such as membership of professional organisations and continuous professional development requirements, as well as to keep up to date with knowledge in your field.

4 Conditions

4.1 Eligibility

To qualify to apply for a career break you must:

- have been employed by GHC, continuously on a substantive basis, for at least 12 months and have received a satisfactory appraisal in the last 12 months, or have evidence of a satisfactory work record
- have demonstrated a commitment to continuing your career with GHC.

4.2 Length of career break

A career break normally lasts for a minimum of three months and a maximum of two years. You can apply for more than one career break during your employment, providing the combined length of the breaks does not exceed five years and you complete 12 months continuous service between career breaks.

Once the career-break period has been agreed, returning to work earlier than the date specified can only take place in line with operational requirement.



4.3 Effect on your current terms and conditions

For statutory purposes, the period of your break will count towards continuous employment, but all other terms and conditions with GHC will be frozen. For example, your career break period will not count as reckonable service when calculating entitlement to annual leave, sick pay, contractual redundancy pay and any other benefits dependant upon length of service. Nor will there be any entitlement to any benefits such as sick pay during your break. You should also find out how a career break may affect your pension.

4.4 Returning from a career break

You will be expected to return to a substantive post at the end of your career break. As far as is reasonably practicable, every effort will be made to enable you to return to the same position, although this will not always be possible. If not possible, alternatives will be sought in accordance with GHC's Redeployment Policy.

Two months before your agreed return to work date, you must write to your manager to confirm that you will return to work on the date previously agreed.

You may be expected to undertake training when you return to work. The content and duration will depend on the length of the break, the post and any changes in working practices, legislation or policy.

4.5 Not returning from a career break

If you want to resign from your employment with GHC during your career break, you must submit your resignation to your line manager in writing. Your career break will end on your last day of employment.

GHC may end your career break agreement if:

- You are arrested, charged or convicted with a criminal offence which is relevant to your ongoing employment with GHC.
- You fail to return on the agreed date and it has not been agreed you can delay your return date.
- You fail to meet any terms and conditions specified in the career break agreement.

5 Applications

Applications may be made for numerous reasons. In considering each application, managers will need to take into account the impact on service delivery and effect on colleagues.

Applications will be considered:

- for long-term caring responsibilities
- extended periods of travel or voluntary services
- to pursue a personal goal or ambition
- to undertake further education.

Any other reason will be considered on its merit, however, career breaks cannot be used as an alternative being absent due to sickness or ill health. You should submit your application in writing to your manager at least three months before you want to start your career break, using the Career Break Application form.

Your manager will arrange to meet with you to discuss your application and will confirm their decision in writing to you.

If agreed, the letter will confirm your start and return dates and any conditions that apply. Your manager will also complete a variation form to ensure that your personal record is updated. If your application is refused, the letter will explain why.

6 Appeal

If your application for a career break is turned down, you may appeal against this decision using the process set out in GHC's Resolution Policy.



Disciplinary

1 What this policy covers

This policy provides a framework for maintaining satisfactory standards of conduct. GHC wants to ensure that when something unexpected occurs, a consistent and robust process is followed, to determine what should happen next. GHC is committed to ensuring the practice of reflection and improvement is embedded across the Trust.

This policy seeks to ensure that any disciplinary matter is dealt with fairly and the first steps taken are to establish the facts. The principles and processes in this policy may also be used in circumstances that fall within the definition of some other substantial reason of a kind so as to justify dismissal (SOSR) or where an employee cannot continue to work in their position without contravening a duty or restriction imposed by or under an enactment ('statutory illegality'). In these cases GHC may adjust the process as necessary and appropriate to the specific circumstances.

2 Principles

All staff should work in accordance with GHC's values and follow the expected standards of behaviour and performance, including those in codes of conduct set by professional bodies. Where conduct falls short of these it may be considered misconduct or gross misconduct.

The policy applies to all GHC staff, including those in a probation period, except medical and dental staff (where GHC's Maintaining High Professional Standards Policy should be used) and workers engaged solely through GHC's Temporary Staffing Team.

2.1 Just and learning culture

A just and learning culture puts equal importance on learning and accountability for both staff and GHC. In the case of an incident or adverse event it asks *what*

was responsible, not *who*. It provides a supportive approach to foster a culture of openness and learning from experience, to increase the reporting of incidents and to improve and change behaviour and practice within GHC.

In line with a just and learning culture, when an issue or concern comes to light the initial facts will be gathered to gain an understanding of a situation that has occurred before a decision is made about how to proceed. This will include considering:

- details of the issue from your perspective
- any consequences of the incident/issue/practice
- the behaviours/actions of you and others during the situation.

2.2 Formal action

At every stage in the disciplinary process you will be advised of the nature of the allegations and given the opportunity to state your case before any decision is made. How you state your case may take different formats at different stages.

No formal disciplinary sanction will be issued until an accelerated process meeting or hearing has taken place. If a sanction is issued you will be informed, and following a disciplinary hearing, have the right to appeal.

Investigation interviews and hearings will be digitally record by a HR representative. Any recordings will be held securely.

3 Responsibilities

- Managers will ensure that their staff know the standards of work and conduct required of them and support any employee subject to a disciplinary investigation/process, including keeping a record of all contact with the employee during that time.

- Commissioning managers will commission disciplinary investigations and meet employees to advise them of the allegations.
- Investigating officers will investigate and establish the facts in relation to the allegations, as quickly as possible, and present their findings to the commissioning manager in a report.
- Commissioning managers will decide if a disciplinary hearing is required and oversee the arrangements for the hearing.
- Employees should always behave and carry out their duties appropriately, in line with expected standards, processes and any professional codes of conduct.
- Employees should raise concerns and report incidents in an honest and transparent manner, and provide a written statement and/or participate in meetings and investigation interviews if required.

4 Minor issues

Minor conduct issues can often be addressed and resolved quickly and informally. Your manager will have a discussion with you outlining:

- the standards expected of you
- the desired required improvement in your conduct
- the possible outcomes if the concerns continue.

Afterwards your manager will write to you to summarise the main points you discussed and a copy will be placed on your personal file for future reference. If your conduct does not improve, your manager will seek HR advice about addressing the matter formally.

5 Fact-find for serious concerns or persistent issues

5.1 Carrying out a fact-find

Following an incident, adverse event or receipt of a concern that involves an employee or employees, all relevant facts should be collected within 24 hours (or as soon after as possible) so that a decision can be made about any next steps. This should include:

- considering if it was a system or process that led to the event rather than an employee's conduct
- written statements from the employees concerned
- written statements from witnesses

- any appropriate documentary evidence or information available.

The fact-find should be completed as quickly as possible, ideally within 24 hours. It should not normally take any longer than three days.

5.2 Reviewing a fact-find

An appropriate senior manager will review the fact-find information and use the decision-making checklist supplied by HR to consider the immediate appropriate next steps. This could be:

- no further action
- using the accelerated disciplinary process
- commissioning a full disciplinary investigation
- addressing matter using an alternative process or policy.

Once the fact-find has been completed and a decision about any further action made, you will be updated accordingly.

5.3 Absence during fact-finding

In rare cases you may be asked not to attend work while the fact-finding exercise is carried out, because of the seriousness of the concerns. This will only happen if genuine risks are identified and all alternative options have been ruled out.

Where this is considered, approval will be sought from another senior manager and HR. It does not constitute disciplinary action or any assumption of guilt, but is to ensure the welfare of everyone involved and to support a fair and timely fact-finding process.

6 Disciplinary accelerated process

The accelerated process enables a faster resolution of a disciplinary matter. It can only be offered to you if:

- you have accepted all the allegations against you
- you are not already subject to a final written warning
- the allegations are not considered to involve a significant potential risk to service users or staff
- the allegations are not considered to constitute gross misconduct
- the Service Director (or equivalent) and Deputy HR Director have confirmed using the process is appropriate.

You may be asked about using the accelerated process following the fact-find, during an investigation or once the investigation has been completed, depending on the circumstances. It cannot be offered if an investigation has been completed and the commissioning manager believes there is sufficient evidence to present the case to a disciplinary hearing on the grounds of gross misconduct and/or in cases where dismissal is a potential outcome.

If you are offered the option of an accelerated process meeting, the nature of the allegations, likely outcome and what to expect at the meeting will be explained to you before you have to decide.

At an accelerated process meeting any disciplinary sanction will be determined by the commissioning manager and offered to you for you to accept or reject. You do not have a right of appeal if you accept the sanction.

6.1 Accelerated process meeting

Accelerated process meetings are usually arranged with very little notice, to conclude the matter as quickly as possible. This may mean there is not enough time to formally invite you to the meeting in writing.

The meeting will be carried out by an appropriate-level manager, supported by HR. They are less formal and shorter than a disciplinary hearing. At the meeting:

- the manager will feedback the outcome of the fact-find/investigation and any recommendations
- you will have the opportunity to respond to the allegations and raise any mitigating circumstances
- if no further issues are identified and the manager remains satisfied it is appropriate to continue with the accelerated process, they will decide the outcome, which could include issuing a disciplinary warning up to and including a final written warning
- you will be asked if you accept the outcome and sanction. If you do, the process will be concluded and the outcome confirmed in writing within seven calendar days. If you reject the outcome, the manager will explain that the case will proceed to the next stage of the formal disciplinary process.

7 Disciplinary investigation process

When a disciplinary investigation is required, the commissioning manager will nominate an investigating officer to carry it out. The investigating officer will be from outside your immediate work team, will not have had any involvement in the issue and will be supported with the process by a HR manager.

You will be advised of the precise allegations against you and that an investigation is taking place. This will also be confirmed in writing. Sometimes the allegations may change as an investigation develops; if this happens, you will be kept informed. At the start of the investigation process the commissioning manager will agree with you how they will keep in touch and provide you with updates during the process.

The investigating officer will seek to establish the facts of the matter and complete their investigation as quickly as is reasonably practicable in the circumstances. How long this takes will depend upon the nature and complexity of the allegations being investigated. The investigation will normally include investigatory interviews with you and other relevant witnesses.

Once the investigating officer has completed the investigation report the commissioning manager will decide what happens next. This could be:

- no further action
- offering you the option of using the accelerated disciplinary process
- proceeding to disciplinary hearing
- addressing the matter using an alternative process or policy.

The commissioning manager will tell you their decision about what happens next and then confirm it in writing.

7.1 Amended duties and suspension

Sometimes during the investigation process it is necessary to assign an employee with amended duties, temporarily redeploy them to an alternative work base or role, or suspend them. This could be because the employee, other staff or service users may be at risk, relationships may have broken down, there is considered to be risks to GHC property, or to enable a fair investigation to be completed. All other options will be considered before suspending an employee.

If you are given amended duties, temporarily redeployed or suspended, it is important that you understand it does not imply guilt, it is a neutral act and is not disciplinary action. You will normally be told in person and this will then be confirmed in writing. The suspension or alternative working arrangements will be reviewed by the commissioning manager during the investigation if new facts come to light, to ensure they do not continue if they are no longer necessary.

You will be paid an average of your pay while suspended. However, if you are on remand in prison or your bail conditions prevent you from undertaking your duties and/or attending GHC premises, you will be suspended without pay. While you are suspended or carrying out amended duties, you may not be allowed to enter some GHC sites without first getting permission.

8 Disciplinary hearing

If an investigation concludes there is evidence to support the allegations against you there will usually be a disciplinary hearing at which you will have the opportunity to:

- state your case
- respond to the allegations
- present any mitigation
- ask questions about the management case.

No disciplinary outcome decision or action will be reached or taken until the hearing has taken place (unless the accelerated process is used instead).

A disciplinary panel of three people will hear the case and consider the allegations, one of whom will be the HR support to the panel. The Chair will head the panel and lead the hearing on the day.

A letter confirming the arrangements of the hearing and the allegations being considered will be sent to you no less than seven calendar days before the hearing. You will also be sent a copy of the investigation report seven calendar days before the hearing, usually by recorded delivery. If you or your trade union representative/supporting colleague cannot attend on the date, one alternative date will be suggested. If one of the panel is unable to attend the hearing on the revised date, an alternative panel member may be identified.

You can submit a written statement of your case for the panel to consider, although there is no obligation for you to do this. If you choose to provide a written statement, you must send it to the panel at least three days before the date of the hearing. It is suggested a statement of case should:

- include a specific response to each allegation
- be clear and concise
- refer to any supporting documents or statements in the appendices
- have numbered pages so it is easy for the panel to follow.

If you wish to call any witnesses in the hearing in support of your case, you must tell the panel at least three days before the hearing, providing their names and the reason you wish for them to attend. Witnesses may only attend where the panel believe their attendance will add value to the proceedings, otherwise witness statements and/or investigation interview transcripts will be used. If it is agreed that a particular side can call a witness, all parties will be informed before the meeting. It is your responsibility to arrange for the attendance of any witness, if it is agreed that they can attend as part of your case.

If you or your trade union representative/supporting colleague need an adjustment or special arrangement, it is your responsibility to advise the panel of this at least five days before the date of the hearing.

You must make every effort to attend the hearing. If you fail to attend a disciplinary hearing without good reason or you fail to attend a rearranged hearing the Chair may proceed with the hearing in your absence and reach a decision on the evidence available.

9 Possible outcomes and disciplinary sanctions

Where possible you will be given the outcome of an accelerated process meeting or hearing verbally and it will be confirmed in writing within seven calendar days of the meeting/hearing. If an outcome cannot be given on the day you will be provided with a written outcome within seven calendar days.

While every case will be treated on its own merits, to ensure a fair and consistent approach, the panel will consider sanctions imposed in similar cases, although these will not be treated as a precedent.

The outcome and any associated sanctions may be:

- no case to answer
- a case to answer but no formal action – there may be other actions such as, complete additional training, have enhanced support or supervision for a period or that the matter is dealt with under another policy
- first written warning – if the breach has been minor, the informal process has failed or if the conduct does not meet acceptable standards. The outcome letter will include details of the misconduct, the improvement or change required and the timescale for these. The warning will be active for 12 months
- final written warning – if further misconduct has occurred, following a previous process the conduct is still unsatisfactory, or if the misconduct is sufficiently serious that a first and final written warning is appropriate (especially if dismissal may have been a possibility). The outcome letter will give details of the misconduct, the improvement or change required and the timescale for these. The warning will be active for 24 months
- dismissal – if further misconduct has occurred, following a previous process, the conduct is still unsatisfactory or failing to reach prescribed standards, or if the misconduct is sufficiently serious to warrant it. The outcome letter will give the reasons for dismissal, the date on which employment will terminate, and if contractual notice is being given or not (ie summary dismissal for gross misconduct)
- actions short of dismissal – if dismissal was a clear possibility but there were significant mitigating circumstances. These may include demotion without pay protection, transfer to another role without pay protection, a change of work base without excess mileage protection, removal of responsibilities and/or privileges associated with the role/position. These sanctions can be issued alongside a written warning.

If you are issued with a first or final written warning, your incremental pay progression will be withheld for the period of time the warning is active.

The purpose of issuing a warning is to give you the opportunity to improve your behaviour in work. If you are absent from work due to sickness or special leave for a period of 28 calendar days or more while the warning is live, the period the warning in place will be suspended until you return to work.

Your manager will write to you to confirm when the warning expires. The original outcome letter from the accelerated process meeting or hearing will remain on your personal file purely as a record of the process. If there is any other paperwork relating to the management case or investigation it will be removed.

10 Right of appeal

You have the right to appeal any disciplinary sanction issued at a disciplinary hearing. The hearing outcome letter will explain how to appeal. You must appeal within seven calendar days of being informed of the outcome. The appeal will be arranged and carried out in line with GHC's appeals process.

You can appeal if you believe:

- there was a defect in the procedure which may have a material effect on the decision
- not all evidence was considered or proper account was not taken of evidence referred to at the hearing
- the sanction or decision was too severe
- new relevant evidence has come to light since the last hearing likely to impact on the outcome which was not available at the time.

An appeal meeting will review the decision taken at the hearing, it will not re-hear the case. The outcome of the disciplinary hearing will stand until the appeal takes place.

An appeal may result in the original sanction being upheld or a lesser sanction issued, it cannot result in an increase to the original sanction issued. If you are reinstated on appeal, you will be paid as if you had remained employed by GHC and continuity of service will be restored.

11 Right to be supported

You have a right to be accompanied by a trade union representative or work colleague who is an employee of the organisation at any of the formal stages of this process. A trade union representative who is not an employed official must have been certified by their union as being trained to accompany you. Trade union representatives/colleagues don't have to accept a request to accompany you and they should not be pressurised to do so.

If you are going to be supported at a meeting or hearing you must say in advance who will be accompanying you. Where your supporting colleague/trade union representative cannot attend on the proposed date of the meeting or hearing, one alternative date will be suggested. Reasonable efforts will be made to accommodate availability, but reasonable timescales must be adhered to.

Your trade union representative/supporting colleague can address the meeting to put and sum up your case, respond on your behalf to any views expressed at the meeting and confer with you during meetings. However, they cannot answer questions for you.

12 When a grievance is raised

If you raise a formal grievance during a disciplinary process the appropriate action will be determined based on the details of your case and your grievance. The two processes may be carried out at the same time, unless your grievance is significantly related to the disciplinary case and it is decided pausing the disciplinary proceedings is appropriate.

13 Resignation during a formal process

If you resign before the investigation or formal process is completed, the process will usually not continue after your last day of employment with the organisation, irrespective of the stage reached. Any future employment reference provided for you will state that you left before the process was concluded and there was an unresolved case of alleged misconduct. Occasionally a case may be serious enough to be referred to a professional body or the DBS at this point. You will be informed if this is the case and if it is necessary to continue with the investigation beyond your last date of employment.

14 Referrals to other agencies

Depending on the nature of the issue or allegations, the organisation may have a duty to make a referral to another agency or organisation (eg the adult protection team, children's services, local counter fraud specialist, LADO or the police). This may happen when the issue first comes to light, when an investigation is commissioned or following the outcome of an accelerated process meeting or disciplinary hearing. You will normally be advised if a referral is made, unless the other agency has specifically advised the organisation cannot tell you.

Advice and guidance will be sought from the appropriate organisation leads before any decision is made. This may be the Safeguarding Lead, the Deputy Director of Nursing, the appropriate head of profession, a Local Security Management Specialist or the Local Counter Fraud team.

In such circumstances the issue may be addressed by both the organisation and the organisation. Sometimes both processes can be carried out at the same time if it is agreed with the police/external organisation. However, if the matter is subject to a police or counter fraud investigation, it may delay the internal organisation investigation. Where the matter is addressed by the organisation and another organisation, all staff will be expected to cooperate fully with both processes.

Where the police are involved, guidance needs to be sought from them as to if/when internal investigation interviews can be carried out. This does not stop staff from being asked to record what they know of the event in the form of a written document, especially as part of the fact-finding process.

15 Criminal offences and conduct outside of work

You must inform your manager immediately if you are arrested, reprimanded or cautioned by the police, made a subject of criminal proceedings or convicted of a criminal offence during your employment with the organisation. Any information you disclose will be treated in confidence and considered only in relation to your role and your suitability to remain employed by the organisation. If you fail to disclose such information, it may result in disciplinary action being taken. Managers should always discuss any disclosures with HR. Behaviour outside work may also be dealt with under the

disciplinary procedure if it affects your continued suitability for employment and/or brings GHC into disrepute.

16 Allegations against a trade union representative

If you are a trade union representative and subject to potential a disciplinary process, other than placing you on alternative duties or suspension if appropriate, no action should be taken until the matter has been discussed with the Director of HR and OD or the Deputy HR Director and your full-time officer.

17 Standards of conduct

Misconduct is regarded as behaviour considered to be inappropriate or improper. Gross misconduct is regarded as so serious that an employee who is found guilty of having committed such an offence may be dismissed summarily (ie without notice or payment in lieu of notice) despite the absence of any previous warnings.

The following are examples of behaviour that may be considered misconduct and gross misconduct. Failing to comply with these standards may result in disciplinary action being taken. It is not possible to specify all the policies, processes, regulations or behaviours that apply, meaning the lists below are a general guide and not exhaustive.

17.1 Misconduct

- Minor breaches of GHC rules, regulations, policies or procedures.
- Failing to meet the required standards of behaviour, conduct, performance or attendance set locally, in professional codes of conduct or in GHC policies and procedures.
- Not complying with a reasonable request by an authorised person / insubordination.
- Poor timekeeping.
- Failing to follow correct absence reporting procedures.
- Using offensive, foul or abusive language.
- Not complying with GHC values.
- Failing to maintain registration with the appropriate professional body.

- Not complying with GHC's Smoke Free policy, including only using electronic nicotine delivery systems or vaporisers outside and on agreed recorded breaks.

17.2 Gross misconduct

- Physical, psychological or verbal ill treatment or abuse of a service user, member of the public, visitor or colleague.
- Acts of violence or threatening behaviour towards a service user, member of the public, visitor or colleague.
- Harassment, serious bullying or serious acts of discrimination towards a service user, member of the public, visitor or colleague.
- Sexual misconduct, including sexual interactions of any kind, with a service user known through the course of duty or another member of staff on duty.
- Professional negligence, misconduct or misrepresentation, including actions or behaviours not in line with any rules of conduct as set out by a professional body.
- Attending work while unfit for duty for reasons other than medical reasons, including being intoxicated while on duty or misusing substances which impair your ability to work.
- Intentionally viewing or downloading pornographic or other derogatory, defamatory, obscene or inappropriate material from internet or email systems.
- Inappropriate use of GHC data or computing equipment, including social media.
- Serious insubordination/deliberate and/or continued failure to follow reasonable instructions.
- Acts considered to bring GHC into serious disrepute, including breaches of civil or criminal law.
- Disclosing or obtaining data or personal sensitive data on employees, service users or other GHC information, unless it is considered to be essential for the execution of an employee's role or provision of service.
- Failure to disclose criminal convictions.
- Fraud, bribery, corruption, theft, unauthorised removal, dishonest handling or obtaining by deception money or property belonging to GHC or involving money or property belonging to other colleagues, service users or visitors on GHC premises.
- Malicious damage to GHC property or equipment or the property of a colleague, service user, contractor or member of the public.
- Being absent without leave (AWOL).



Dress and personal appearance

1 What this policy covers

This policy provides guidance for all staff regarding suitable standards of dress and appearance. The way in which employees dress and their appearance is key to portraying a good professional image, while contributing to the health and safety of staff, patients and visitors. Staff who work in clinical areas and/or who wear uniforms must also refer to the Clinical Uniform Policy.

2 Principles

The standards outlined in this policy are designed to ensure that:

- they help to reduce infection
- where appropriate, personal protective equipment is worn to protect staff from risks associated with their work as identified through risk assessment
- wearing of other clothing reflecting cultural, ethnic or religious requirements will be considered
- a professional and positive image of staff and GHC is promoted.

3 Responsibilities

- GHC is responsible for ensuring that the standards outlined in this policy are communicated to all staff.
- GHC is responsible for providing personal protective equipment as appropriate.
- Managers are responsible for ensuring that staff are made aware of any additional requirements in respect of their work.
- Staff must wear the appropriate personal protective equipment provided for their post.
- Staff are responsible for following the standards of dress and appearance outlined in this policy and to give consideration to:

- the working environment
- health and safety
- infection control
- specific role and duties
- public interaction.

4 Policy in practice

4.1 All staff

Identity badges

All staff are supplied with an identity badge, which should be clearly visible when on duty and worn in a place that will not cause injury or increase infection control risk. You must ensure that your badge is kept in good condition. The use of a lanyard to display badges is not permitted for staff giving direct patient care, because of infection control and health and safety considerations. All other staff can use a lanyard of a corporate or approved style.

Dress code principles for all staff

Clothing should:

- be smart, clean, professional and present a positive image of GHC
- cover the body from shoulder to knee
- not restrict ease of movement
- not display prominent logos or pictures not related to the profession or GHC
- comply with infection control and food hygiene policies as appropriate.

Failure to comply with this policy may result in disciplinary action being taken. Staff dressed inappropriately for work will be sent home to change and be required to work back the time.

Uniform

A uniform is provided for many staff involved in both clinical and non-clinical roles. Staff required to wear a



uniform must do so at all times when on duty unless there is an acceptable reason and agreement in advance from their manager.

In all instances, a uniform must only be worn openly while on Trust business or in private transport when travelling directly to and from work. Wearing a uniform outside work and on public transport, unless it is fully covered, is not permitted. Staff changing facilities are available.

Staff who wear uniforms must also refer to the Clinical Uniform Policy, which is available on the Clinical Policies section of the intranet.

Footwear and clothing

Flip flops must not be worn. If ties are worn, they should be removed for clinical procedures and regularly laundered. Smart knee-length shorts are permitted in warm weather for non-clinical staff. Combat-style trousers and jeans should not be worn.

Grooming and personal hygiene

Staff should ensure that their hair, including facial hair, is clean and tidy and does not compromise infection control or health and safety provisions. Use of hair dye is an individual choice, but staff are requested to be mindful of displaying an appropriate corporate and professional image.

Staff are reminded of the importance of good personal hygiene. This not only presents a good professional image, but it is also important for good working relationships with colleagues. In consideration of others, staff who choose to wear them should use lightly scented deodorants, perfumes or aftershaves.

Jewellery, piercings and body art

Staff should keep jewellery to a minimum. Any body art or facial piercings must be discreet and unlikely to cause offence to members of the public, patients or staff.

4.2 Clinical staff

Clinical staff must also refer to the Clinical Uniform Policy for more specific information about clothing, footwear, nails and jewellery standards.

4.3 Cultural exceptions

GHC will consider accommodating clothing difference based on cultural, ethnic or religious reasons. Staff should discuss their requests with their line manager, who may then take guidance from both Infection Control and HR. However, at all times, patient care, infection control, security and health and safety will take priority.



Flexible working

1 What this policy covers

GHC is committed to carefully considering all requests for flexible working made by employees. This policy outlines the procedure that should be followed and issues that will be considered when deciding whether to agree to a formal flexible working request.

“GHC has a strong commitment to improving working lives and will support you in positively exploring ways in which you can better balance your work and personal lives”

2 Principles

- GHC has a strong commitment to improving working lives and will support you in positively exploring ways in which you can better balance your work and personal lives.
- GHC will make every effort to accommodate your request for flexible working.
- Flexibility for staff has to be balanced with GHC's service needs. Organisational need and the provision of safe services must take priority over any flexible working request or arrangement.

3 Responsibilities

- GHC will ensure that this policy is applied in a fair and consistent way.
- Managers will ensure that all staff making a request for flexible working are treated equally and fairly and that all requests are dealt with promptly and in accordance with the timescales and process in this policy.

- Employees will ensure that any flexible working request is made well in advance of the date on which they wish the change to take effect.
- Employees will ensure that they are prepared to discuss their request in an open and constructive manner, being flexible and offering alternatives or compromises (if needed) to reach a mutually acceptable agreement.
- Employees should be willing to adjust their usual flexible working arrangements, within reason, to ensure that a service is maintained and cover provided during periods of annual leave or sickness within a team and at times of emergency or when anticipated high workload is planned.

4 Policy in practice

4.1 Eligibility

You are eligible to make a request for flexible working from your first day of employment with GHC. You are entitled to make two formal requests to work flexibly in a 12-month period.

4.2 Options for flexible working

There are numerous ways you can change your current working hours and pattern, including moving to:

- Annualised hours – working your contracted hours flexibly throughout the year without affecting your regular salary payment.
- Term time working – concentrating your work hours within school term times to provide time off to look after children during school holidays.
- Voluntary reduction in working time – working fewer hours for an agreed period.
- Part-time working – where working hours are less than your standard full-time hours.
- Compressed hours working – where your contracted working hours are compressed into fewer days.
- Job sharing – you and one or more people share responsibility for your current role.

- Flexitime – working flexible hours during the day within defined limits.
- Home working.

4.3 Remuneration and benefits

It is important to note that moving to any flexible arrangement may result in changes to your pay, pension, annual leave and sick pay entitlements. You should seek advice to understand the likely impact before making a final decision.

4.4 Stages

Making an application

If you wish to make an application to change your current way of working, write to your manager using the Flexible Working Request Application form stating:

- the reason you want to change
- whether the change is requested on a temporary or permanent basis
- the nature of the change you seek
- the date you would like the change to be introduced.

After receiving your application form, your manager will arrange to meet with you to discuss your request. The meeting will provide an opportunity to discuss your desired work pattern in depth and how best it might be accommodated. It will also provide an opportunity to consider other working patterns, should accommodating the desired work pattern in your application prove difficult.

Decision

After your meeting, your manager will confirm in writing their decision to you. When deciding they will consider:

- the impact your requested change would have on service delivery and the ability to meet service user needs
- how the change would affect your colleagues
- if there is sufficient work for you to complete during the periods you propose to work
- what the financial impact on GHC would be.

If your request has been agreed, the letter will confirm the new working arrangements and start date. Please note that if you agree to the change, you will have no automatic right to return to your original pattern of work if you wish to change again in the future.

If your request has been refused, the letter will give the reason(s) and tell you how you can appeal. Your request can only be declined for one of the following reasons:

- Your requested arrangement would create extra costs that could have a negative impact on the service or GHC.
- Your requested arrangement would have a negative effect on ability to meet customer demand.
- The work cannot be reorganised among existing staff.
- It is not possible to recruit additional staff.
- Your requested arrangement would have a negative impact on quality.
- Your requested arrangement would have a negative impact on performance.
- There is not enough work to do during the periods you propose to work.
- There is a planned structural change to the workforce or the Trust.

4.5 Timescales

The process of considering your formal request must be completed within two months from the date your request was received by your manager. This includes any appeal process. If this is not possible, the reasons for the delay will be discussed with you and an extension will be agreed.

5 Appeal

Should you wish to appeal a decision to refuse your request, you can do so using GHC's appeal process.



Improving performance

1 What this policy covers

This policy is designed to support you in improving your performance so that you can achieve and maintain the standards your role requires.

2 Principles

- The policy will provide a clear, fair and consistent framework for handling capability issues.
- We understand discussions regarding your performance can be stressful, so this policy seeks to balance the requirement for a comprehensive and supportive process with GHC's need to deliver services effectively.
- Unsatisfactory work performance may be caused by numerous factors and (where possible) concerns will be dealt with through supportive discussions with your manager, before using this policy.
- The standards that you need to achieve will be realistically achievable within a specified time frame.
- In some circumstances it may be appropriate to deal with capability issues under GHC's Disciplinary, Probation or Supporting Attendance policies. The manager should seek advice from Human Resources before making this decision.
- Redeployment may be considered at any stage of this policy.
- In cases of serious incapability, moving straight to the capability hearing may be appropriate.

3 Responsibilities

Managers should ensure that:

- All new employees attend corporate and local induction.
- Staff receive the appropriate training for their role.
- Employees have regular appraisals and 1:1 meetings.

- Poor performance is recognised and addressed in a timely and fair way, with confidentiality and sensitivity.

Employees are responsible for ensuring that they:

- Perform the tasks and responsibilities of their role to the best of their ability.
- Raise any issues which may affect their performance with their manager as soon as possible.
- Cooperate with any measures introduced to support issues with work performance.
- Fully participate in appraisals and 1:1s.

4 Policy in practice

The improving performance process has the following three main stages:

- Informal
- Formal
- Capability hearing

4.1 Your right to be accompanied

Should you wish, you can be accompanied at all meetings by a trade union/staff representative or a work colleague who is a GHC employee.

You're responsible for choosing your representative, but you must let your manager know who this will be. They can participate fully at the meetings, but they cannot answer questions on your behalf.

If your representative cannot attend the proposed date, one alternative date will be suggested. Reasonable efforts will be made to accommodate availability, but reasonable timescales must be adhered to.

4.2 Informal stage

GHC recognises that few employees choose to perform badly, make mistakes or fail to complete tasks. So, if your

line manager has concerns about your performance, they will discuss this with you at the earliest opportunity, before moving to the formal stages of this policy. This may take place in a 1:1 or supervision session.

Your manager will explain their concerns and you will be given time to discuss:

- the reasons for your performance
- problems you may be experiencing at work
- factors outside of work that impact you at work
- support required (eg training, guidance, etc).

If you are unclear what you need to improve or how you can improve, you should seek clarification.

Your manager will make a record of the discussion and the agreed action plan, they will provide you with a copy and if necessary meet with you to review and update. If things do not improve within a reasonable timescale or there is serious concern about your ability to perform your role, moving to formal stages may be considered. But before this happens your manager will make sure:

- you're clear about expectations of you in your role
- you've had the level of training and support required to do your job
- you've had reasonable time to improve
- no underlying health issues/medical conditions are contributing to any under-performance
- any reasonable adjustments have been considered and implemented where this has been advised by Working Well and/or other medical advice.
- an action plan has been undertaken with regular reviews.

Following these discussions, in most cases, most performance-related issues can be resolved promptly and informally. Any improvement that results must be maintained.

If your performance falls below the required standards again within 12 months, the informal procedure may be re-instigated or the matter progressed to Stage 1 of the formal procedure. So, talk to your line manager immediately if you are having difficulties again.

4.3 Stage One – Formal

If informal measures have failed to address the issues or for more serious issues your manager may proceed

to the formal stage. A meeting will be arranged, giving you at least seven calendar days' notice. At the meeting:

- Your manager will clearly explain the concerns or issues and the consequences of these continuing, giving clear examples.
- You will have the opportunity to respond, provide an explanation and identify any support you feel you need to improve your performance.
- Your manager will discuss the performance plan will you and set a reasonable timescale for you to reach the required improvement.
- Tell you if it is not appropriate for you to work on the staff bank for the duration of the plan.

After the meeting your manager will confirm in writing the main points discussed the review arrangements.

A review meeting will be arranged at the end of the time the plan is in place to discuss your progress and the plan. You'll be given at least seven days' notice of the meeting. There are three potential review meeting outcomes:

- Your performance has improved and reached a satisfactory standard – the performance process will end. However, if your performance falls below the required standards again within 12 months, Stage 1 will be re-instigated or the matter progressed to Stage 2 of the process.
- Your performance has improved but you have not achieved all elements of the plan – the time the plan is in place may be extended to give you a further opportunity to improve at this stage.
- Your performance remains unsatisfactory in relation to some or all elements of the plan – the meeting will continue in accordance with Stage 2 of the formal performance process.

4.4 Stage Two – Formal

If you haven't achieve the required improvement on Stage 1 or for extremely serious concerns, Stage 2 will take you through the same process as set out in the previous stage, taking account any improvement already achieved or support already given.

There are three potential outcomes of the review meeting held at the end of stage 2:

- Your performance has improved and reached a satisfactory standard – the performance process will



end. However, if your performance falls below the required standards again within 12 months Stage 2 will be re-instigated or the matter progressed to Stage 3 of the process.

- Your performance has improved but you have not achieved all elements of the plan – the time the plan is in place may be extended to give you a further opportunity to improve at this stage.
- Your performance remains unsatisfactory in relation to some or all elements of the plan – you will be informed the matter is progressing to Stage 3 and a capability hearing will be arranged.

4.5 Stage Three – Capability hearing

A formal capability meeting will be arranged, giving you at least seven calendar days' notice, and all documentation to be used at the meeting will be enclosed. If you have any documentation you'd like considered, provide this at least two calendar days before the meeting.

Two independent managers advised by a HR representative will listen to information provided by you and your manager during the formal meeting. The following points will be considered:

- Areas where your performance has not met the required standards.
- What support, training and supervision has been put in place through the informal and formal stages, including action plans.
- Your views and responses and what you believe is preventing you reaching the required standards including training/support not yet been considered.
- Any further mitigating factors hindering your progress in achieving the required standard.
- Anything else you would like the panel to consider.

In determining the outcome, consideration will be given to your views and the documentation presented and reviewed. The managers will reach their decision based upon the evidence and documentation available and considered. The outcome will be confirmed in writing within seven calendar days of the hearing. Outcomes of a capability hearing could be:

- a further performance plan and monitoring period
- redeployment to another role which may include down-banding

- a first written warning
- a final written warning
- dismissal with contractual notice, which will normally be paid in lieu.

Where warnings have been given, review meetings and action plans will also be set.

If you do not attend the hearing, and in the absence of any mitigating circumstances submitted prior to the hearing, the hearing may continue and a decision may be reached in your absence.

4.6 Feedback on your progress

Where a performance plan has been agreed through the formal process, your manager will feedback on your progress at regular review meetings and will update your action plan.

4.7 Professional bodies

GHC reserves the right, if appropriate, to report the matter to the relevant professional body (eg NMC, HCPC), which may also take additional action.

4.8 Absence during the capability process

If you are absent from work for more than seven calendar days while on a performance plan, the time the plan is in place will be extended accordingly. This is to allow you sufficient time to make the required improvement.

Very rarely, due to the seriousness of some concerns, we may ask you not to attend work. This decision will only be taken if genuine risks are identified and all alternative options have been ruled out.

Where this is considered, your manager will seek approval from another senior manager and both will be advised by HR. If this happens, we will fully explain the reasons for the decision. This does not constitute disciplinary action.

5 Appeal

You will have the right to appeal any formal sanction. How to appeal will be explained in the capability meeting outcome letter. You'll need to appeal within seven calendar days of the date of being informed of the outcome.



Long service and retirement awards

1 What this policy covers

GHC values the contribution that all staff make to service delivery and is especially proud of the contribution made by those who have worked for the NHS for many years.

This policy outlines the eligibility for and process involved in recognising their contribution.

2 Principles

Eligible service for an award is based on full years of aggregated NHS service where someone has been employed directly by an NHS trust. Any breaks in service do not prevent an employee from being eligible for the award. Time spent working on a staff bank does not count towards service.

All award payments are subject to tax and National Insurance deductions. There will not be any retrospective calculation or payment of long service or retirement awards.

3 Policy in practice

3.1 Qualifying service

Long service will be recognised at 20, 30, 40 and 50 years of aggregated NHS service during the qualifying period 1 April to 31 March prior to the ceremony. The staff member must still be employed by GHC on the date their long service is reported.

Years of service working part-time hours will count when calculating the number of qualifying years for these awards, as will years of service where an employee retires and returns to work.

3.2 Awards

Each award will be £100, paid through the employee's salary in the month following their application being approved.

The certificate commemorating the award will be presented at an annual ceremony to which award winners will be invited. Individuals who achieve 20 or 30 years' aggregate service but leave GHC before the award ceremony will receive the certificate and payment, but will not be invited to the ceremony.

4 Retirement awards

An employee who fully retires specifically to access their NHS pension and leaves GHC's employment will be eligible for a retirement award as follows:

- £5 for each completed year of service for 10 years or more aggregated NHS service
- £10 for each completed year of service for an employee for 20 years or more aggregated NHS service.

The award will be paid through the employee's final salary payment.

An employee who leaves GHC for any other purpose, regardless of their age, is not eligible.

Managers are encouraged to write to retiring staff to acknowledge their service to the Trust and/or the wider NHS and to advise them of the retirement award.



Management of leavers

1 What this policy covers

This policy seeks to ensure a consistent and proactive approach to managing the process when employees leave GHC.

It sets out the responsibilities of employees and managers and the process to be followed when an employee resigns, to ensure that employees are not overpaid and all Trust equipment is returned. It also explains what actions should be taken when a fixed-term contract is ending.

2 Principles

If an employee intends to leave GHC, the Trust is committed to ensuring that the process to end their employment is carried out in a timely and accurate way.

These arrangements apply to all employees with an employment contract with GHC, either on a permanent or fixed-term basis. Certain elements of the process may also apply for bank, agency and locum staff, specifically in relation to recovery of GHC property and equipment at the end of an assignment.

3 Responsibilities

- Employees must notify their manager in writing of their intention to resign from their post, giving the appropriate contractual notice.
- Managers are responsible for acknowledging a resignation and ensuring all actions required as part of the leaving process are carried out in a timely and effective manner.
- Employees and managers are responsible for ensuring that any outstanding workload is appropriately handed over and any GHC property is returned before an employee leaves.

- Managers and employees should ensure that all outstanding accrued annual leave is used prior someone leaving, if this can be accommodated by the service.
- The Workforce team will process Leaver Forms in a timely manner and provide feedback to Service Directors (or equivalent) on any Leaver Forms submitted late.

4 Policy in practice

4.1 Submitting and acknowledging resignations

If you wish to resign from your post with GHC you must give notice in writing, taking into account your contractual notice period (ie the minimum length of notice you must provide). A verbal resignation does not count as submitting your resignation. For staff employed on Agenda for Change terms and conditions, the notice periods are:

- bands 1-4 = 4 weeks
- bands 5-7 = 8 weeks
- bands 8a and above = 12 weeks.

Staff employed on other terms and conditions should check their specific terms and conditions.

You can send your resignation by email or letter. It should include:

- the date of your resignation and the date you believe will be your last day of employment in the role, based on your notice period
- if you are resigning because you have been offered another role within GHC or if you are leaving GHC completely
- if you wish to end any bank assignments you hold or if you are not currently on bank but wish to join the staff bank before you leave



- if you would like to request a shorter or longer notice period than your contractual notice.

Your manager should formally acknowledge receipt of your resignation in writing within seven calendar days of receiving it. The letter will confirm your last working day and your last day of employment (if different). If you are leaving GHC, it should also confirm your pro-rata annual leave entitlement up to your last day and details of any TOIL (time off in lieu) accrued.

Once your resignation has been acknowledged there is no right to withdraw it. If you wish to withdraw it you should discuss it with your manager, who will consider your request, but they are not obliged to agree.

You can request a shorter or longer notice period than your contractual notice period, but there is no guarantee it will be agreed by your manager. You can discuss the possibility with your manager, who will decide if your request can be agreed. Your manager cannot insist that you have a shorter or longer notice period than your contractual notice period if you do not wish to do so.

“Any TOIL must be used before your last working day in your current team, as it cannot be paid. It also cannot be carried over to a new team, if you are taking up a new role within GHC”

If you are leaving GHC and have annual leave outstanding, before your last day with GHC, your manager should agree with you when you will take it. Only in exceptional circumstances will outstanding annual leave be paid.

Any TOIL must be used before your last working day in your current team, as it cannot be paid. It also cannot be carried over to a new team, if you are taking up another role within GHC.

4.2 Completing the leaver form

If you are leaving GHC your manager must complete a Leaver Form at least 14 calendar days before your last day of employment, taking in account payroll cut-off dates to avoid an overpayment of salary.

If your leaving date changes after the Leaver Form has been submitted, your manager must submit a new Leaver Form and explain that it replaces the previous one.

4.3 Leaver’s checklist and returning GHC property

The Leaver’s Checklist should be used to identify what actions you and your manager need to take if you are leaving GHC. Once completed, a copy should be placed on your personal file.

You must return all GHC property before or on your last date of employment, unless explicitly agreed otherwise. If you are leaving GHC but remaining in NHS employment, you should take your Smartcard with you. If you are leaving both GHC and the NHS, you must return your Smartcard to your manager, who will record that it has been returned and return it to the Clinical Systems team.

4.4 Actions for you to consider

If there are payslips you may need, save or print these before your last day, because once you have left GHC you will not be able to access them using myESR. After your leaving date, if you need any payslips you will need to request them from Payroll.

You are responsible for establishing if you have any:

- outstanding salary sacrifice agreements arranged through GHC’s salary sacrifice schemes and for any associated termination charges
- learning costs for funded study or relocation expenses you will need to repay.

4.5 If you leave without notice

If you leave without giving notice, or before the end of your notice period, without permission from GHC, you will be regarded as taking unauthorised absence. You will not be entitled to pay for days you do not work.

In exceptional cases your manager can agree to put aside the need for you work some or all your contractual notice period (ie have a shorter notice period or resign with immediate effect). Your manager will need to seek advice from HR before they can agree this. If agreed, your manager should:

- confirm what has been requested and agreed in writing



- inform the Payroll team as soon as possible to avoid any potential overpayment of salary
- complete a Leaver Form as normal.

4.6 Death in service

If a manager finds out that a GHC employee has passed away, they must inform their Service Director (or equivalent) and HR of the death. HR will advise the manager of any actions they should take, for example, information needed by the Payroll and Pensions teams, informing staff, support available and sensitively recovering any GHC property.

Death in service benefits are only payable when an employee who dies in service was a member of the NHS Pension Scheme and was making contributions at the time of their death.

4.7 Leavers' personal files

If you leave GHC's employment, your personal file must be kept and stored locally by your manager. This includes if you leave a substantive post but retain a staff bank assignment. If you are leaving one GHC team to join another, your personal file should transfer to your new manager. Your current manager should contact your new manager to arrange this.

4.8 Ending fixed-term contracts

It is essential that the ending of any fixed-term contract is dealt with in a fair and reasonable manner, using the process set out below.

Towards the end of your fixed-term contract, your line manager will write to you to explain that your contract is due to expire and is not being renewed. They will invite you to a meeting to discuss this. The meeting must be arranged to allow enough time for you to be issued with your contractual notice at the meeting.

You can be accompanied at the meeting by a trade union representative or a colleague who is a GHC employee. At the meeting your manager will:

- confirm the end date of your contract and reasons for ending the contract
- give you an opportunity to discuss this decision and raise any relevant issues
- advise you of any other vacancies available in GHC and how to apply for them.

“Your manager may consider offering you an exit interview or you can request one. If you have an exit interview, it should take place before your last working day”

4.9 Leaver questionnaires and exit interviews

Leaver questionnaires and exit interviews can help identify recruitment and retention issues, common themes that result in staff leaving and areas of good practice. When your Leaver Form is processed you will be sent a leaver questionnaire if your email address has been included on the form.

Your manager may consider offering you an exit interview or you can request one. If you have an exit interview, it should take place before your last working day. If your manager is unavailable or it is not appropriate for them to conduct the interview, another manager should conduct it. At an exit interview you should be advised that if you share information that is considered to be of serious concern to GHC, the Trust will reserve the right to act accordingly.

If your employment ends as a result of one of the following reasons, you will not be sent a leaver questionnaire or offered an exit interview:

- dismissal for reasons of misconduct or capability (including ill health)
- compulsory redundancy
- retirement on the grounds of ill-health.

In any of the above situations, a Leaver Form must still be completed. The HR representative supporting the process will assist your manager with its completion.



Maternity leave

1 What this policy covers

This policy is a guide for both managers and employees that outlines statutory rights and responsibilities in relation to maternity leave.

It provides information regarding health and safety, pay and leave entitlements and how to apply for maternity leave. Definitions of terms and abbreviations used in the policy are given at the end of this policy.

2 Principles

GHC is committed to positively supporting staff during their pregnancy, maternity leave and return to work, taking account of individual circumstances, while continuing to deliver a high-quality service.

3 Responsibilities

- GHC will ensure that applications for maternity leave are treated in accordance with this policy and in a way that does not discriminate.
- Managers are responsible for actioning requests for maternity leave in accordance with this policy.
- Line managers are responsible for conducting a risk assessment for new and expectant staff at work using the appropriate forms.
- Employees wishing to take maternity leave should comply with the application process and timescales specified in this policy.
- Employees are responsible for reporting any changes in their pregnancy or complications that may occur that will affect their work or ability to perform their daily tasks. They should also inform their line manager of any changes to agreed leave dates in line with the notice periods outlined in this policy.

4 Policy in practice

4.1 Entitlements

All employees, including bank workers, have the right to take 52 weeks' maternity leave regardless of their length of service. The earliest date that maternity leave can start is the eleventh week before the Expected Week of Confinement (EWC) – 29 weeks pregnant – except in cases of premature birth.

Employees on fixed-term contracts are entitled to 52 weeks' maternity leave providing their fixed-term contract does not expire before GHC Qualifying Week (ie eleventh week before EWC).

Employees whose fixed-term contract expires after GHC Qualifying Week and who have more than 26 weeks' continuous service will have their contract extended to enable them to receive 52 weeks' maternity leave. These employees will not have any entitlement to a role within GHC at the end of their maternity leave, unless they have been selected for another role through competitive interview.

“Employees are responsible for reporting any changes in their pregnancy or complications that may occur that will affect their work or ability to perform their daily tasks”

Compulsory Maternity Leave

After giving birth, employees must take two weeks' compulsory maternity leave (CML). However, there are restrictions on whether this will be paid and the amount of maternity pay entitlement. See section 4.7 for details.



Surrogate mothers

Provided they meet the normal eligibility criteria, pregnant surrogates are entitled to 52 weeks' maternity leave and SMP (in the same way as others). The surrogate mother's plans for her baby after it is born have no impact on her right to maternity leave or SMP. Surrogate mothers will not be entitled to OMP.

4.2 Risk assessments

Once advised of the pregnancy, the line manager should meet the employee as soon as possible to complete a risk assessment for new and expectant mothers at work. By assessing potential physical risks and hazards in the workplace, it determines whether there are any potential risks to the employee's health and safety that may affect their pregnancy.

Once the assessment has taken place, the line manager will decide on measures that should be taken to avoid, eliminate or reduce potential risks. Advice and guidance may also be sought from Working Well and HR.

This may on occasion mean a temporary adjustment to working conditions. In extreme cases, where the risk cannot be eliminated or reduced to an acceptable level, a temporary change in the type of work may be necessary. Risk assessments should then be reviewed every two months during the pregnancy to account for any changes over time or as needed if a change occurs.

4.3 Time away from work

All pregnant employees are entitled to reasonable time off, with pay, to attend antenatal care appointments. Employees should try to book appointments on their days off where possible. If appointments are to be taken during working hours, they should be booked at times that minimise impact on service where possible. Employees may be asked to show appointment cards to their manager and should always give as much notice as possible before appointments.

4.4 Sickness during pregnancy

For the purpose of managing sickness, all absence will be defined as either pregnancy-related or non-pregnancy related.

Non pregnancy-related sickness

Any sickness not related to the pregnancy will be treated in accordance with GHC's Sickness Management Policy.

Pregnancy-related sickness

Any pregnancy-related sickness must be reported and recorded as usual. The absence will not be managed using GHC's sickness management procedure. However, to support and manage the employee, all absences will be discussed with them through return-to-work interviews and informal meetings. The line manager should seek guidance and support from HR and Working Well as appropriate.

If necessary, another risk assessment will be completed to ensure that any changes to health during the pregnancy can be identified and action taken to support the employee to be at work.

In exceptional circumstances, Working Well may advise an employee is redeployed to an alternative role during her pregnancy. The manager should work with HR and Working Well to identify a suitable alternative role. If Working Well advises that there is no suitable or reasonable alternative employment, the employee should be suspended with full pay for as long as required to protect the health and safety of the mother and child.

If the employee is suspended for the whole pregnancy, maternity leave will start on the planned date. If an employee unreasonably refuses an offer of suitable alternative work, she will forfeit the right to paid maternity suspension and will be placed on unpaid leave until the planned maternity leave starts.

Pregnancy-related sickness after 29 weeks

If a pregnant employee is absent from work after week 29 of pregnancy because of pregnancy-related sickness, she can choose whether to start her maternity leave or take sick leave.

Pregnancy-related sickness after 36 weeks

If a pregnant employee is absent because of pregnancy-related sickness and this continues into or starts within the four-week period starting on the Sunday of the fourth week before the EWC, maternity leave will start on the day after the first complete day of absence.

4.5 Pregnancy complications

As soon as practicable, employees should inform their line manager of any pregnancy complications that may affect their daily work or ability to perform their role. Such complications will be discussed and risk assessments amended where appropriate. Line managers should seek advice from HR and make a referral to Working Well to obtain guidance on reasonable adjustments.

Miscarriage

Sadly, if a miscarriage occurs on or before week 24 of pregnancy, time away from work will be classed as sickness absence and therefore the sickness reporting and pay procedures will apply. Please see the Supporting Attendance Policy.

Stillbirth

In cases of stillbirth after week 24 of pregnancy, which very sadly can happen, the maternity leave will commence from this date and maternity pay and leave will be the same as if the baby had been born alive.

Premature birth

If a baby is born prematurely after the 11th week before the EWC, maternity leave and pay will automatically start on the day after the date of birth. If a baby is born before the 11th week before the EWC and the baby is in hospital, the employee may split their maternity leave entitlement, taking a minimum period of two weeks' leave immediately after the birth and the rest of their leave following their baby's discharge from hospital.

Employees should inform their manager who will put the correct procedures in place in their absence. Confirmation of the date of birth must be supplied, as well as a birth certificate and MATB1 (if not already supplied).

4.6 Procedure for requesting leave

Employees must notify their manager in writing of their intentions and plans for maternity leave by the 15th week before the EWC or as soon as practicable in cases of premature birth (but no later than 13 weeks after the start of maternity pay). They should do this by sending the following documents to their manager:

- an Application for Maternity Leave and Pay form
- the original Maternity Certificate (MATB1), which will be provided (usually between the 21st and 26th week of pregnancy) by the midwife or doctor
- in cases of premature birth, a certified copy of the baby's birth certificate.

Before completing the Application for Maternity Leave and Pay form, employees must consider whether they will be returning to work following maternity leave. This information must be shown on the form, because it affects entitlement to Occupational Maternity Pay. Forms lacking this information will not be processed and will be returned to the line manager.

If an employee wishes to change their maternity leave dates before they have started maternity leave, they should contact their line manager to discuss the reasons and to agree a new date. Reasonable notice of a change of dates should be given where possible. Normally, no fewer than 28 days would be accepted unless in cases of ill health or emergency.

A flowchart outlining the key stages to organising maternity leave is available in the Maternity Leave Policy Action Card.

4.7 Annual Leave

Employees must discuss and agree plans to take annual leave entitlement with their manager. These will be documented in the letter confirming maternity leave.

Normal leave carry over provisions will apply, therefore employees are expected to use all of their annual leave for the current leave year before starting maternity leave, unless there are exceptional service delivery restrictions which would be impacted by this.

In exceptional circumstances where an employee has not been able to take all of their annual leave specifically due to their maternity leave starting earlier than planned or service need, they may be able to carry forward

more than the normal carry over provisions. They will be expected to take their accrued annual leave at the end of their maternity leave. Any carry over of annual leave must be reported to the Finance department.

4.8 Maternity Pay

There are three types of maternity pay:

- 1 Statutory Maternity Pay (SMP) – paid by the government.
- 2 Occupational Maternity Pay (OMP) – paid by GHC.
- 3 Maternity Allowance (MA) – paid by the government.

The type of maternity pay paid is based on six deciding factors:

- 1 How long the employee has worked at GHC or how much continuous NHS service they have.
- 2 Whether the employee is still pregnant at the eleventh week before her due date.
- 3 Whether they have earned enough in the relevant period.
- 4 Whether they intend to return to work.
- 5 Whether they have provided the correct evidence and paperwork.
- 6 Whether this evidence been provided as notification within the correct timescales.

Flowcharts to establish maternity pay entitlements are available in the Maternity Policy Action Card.

Statutory Maternity Pay

SMP is paid to all employees (including bank workers) provided they have been continuously employed by the same employer for the 26 weeks prior to the Qualifying Week (15 weeks before the EWC), who are pregnant at the eleventh week before the EWC, and have earnings above the lower earnings limit for National Insurance contributions. Calculations will include all pay within the earnings period.

Provided the employee has also given the correct notification and medical proof to show they are pregnant (MATB1), SMP is paid for 39 weeks and consists of two rates: higher rate SMP and lower rate SMP.

Occupational Maternity Pay

OMP is paid in addition to SMP for employees who qualify. It is assessed as an average of the normal pay for eight weeks or two months up to the last normal pay

day before the Saturday of the Qualifying Week (15 weeks prior to the EWC).

For OMP purposes, normal pay will include all items for the qualifying period on which National Insurance is calculated, including any arrears that would normally have been accrued during that period. It does not include expenses.

In exceptional circumstances, GHC may need to change the qualifying period if the salary cannot be determined. This will be managed in line with HMRC regulations.

OMP will be paid to both part-time and full-time employees who:

- **have more than one year's continuous service** – at the beginning of GHC Qualifying Week (11 weeks before the EWC). Service from another NHS organisation will be included if there is a break of less than three months. However, the months that the employee was not employed (up to three months) will not be used when calculating service

and

- **intend to return to work for at least three months** – employees must return to work on contracted hours, for a minimum of three months following their maternity leave. Employees returning to bank assignments will not be regarded as 'returned to work' for OMP purposes. If an employee doesn't return to work on contracted hours within this time frame, they must repay the occupational element of their maternity pay. Employees who change their mind about returning to work should inform their manager as soon as possible to avoid overpayment.

Employees can reserve the right to return to work and make a decision about returning to work after the birth. Under this option an employee will initially receive maternity pay as if they were not to returning to work. This is to avoid them having to repay any OMP if they chose not to return. If they do return to work, they will receive any entitlement to pay outstanding.

OMP will be paid for a total of 39 weeks at the rates detailed in the boxes.

Statutory Maternity Pay

Weeks	Pay	Duration
1-6	Higher rate SMP – a weekly equivalent of 90% of full pay	6 weeks
7-39	Lower rate SMP – a set weekly rate or 90% of full pay, whichever is lower. This rate changes annually – the HR Department can provide details of the current rate of lower SMP	33 weeks
40-52	Unpaid	13 weeks

Occupational Maternity Pay

Weeks	Pay	Duration
1-8	Full normal pay	8 weeks
9-26	Half normal pay plus lower rate SMP (this will not exceed full pay)	18 weeks
27-39	Lower rate SMP	13 weeks
40-52	Unpaid	13 weeks

Maternity Allowance

MA is available for employees who do not qualify for SMP (see flowcharts in the Maternity Leave Action Card). MA is a weekly payment paid by the Department for Work and Pensions for a maximum period of 39 weeks.

The Payroll Department will inform employees if they're not entitled to OMP or SMP and will also provide an SMP1 form to explain why. This form should be completed and returned to the Department for Work and Pensions (via Jobcentre Plus) to claim Maternity Allowance.

Pension contributions during maternity leave

Pension contributions made by GHC continue during the whole period of maternity leave and are based on the employee's normal salary before the start of the leave. For information on employee pension contributions during maternity leave employees should contact the GHC Pensions team.

Fixed-term contracts

Employees on fixed-term or training contracts which expire after the 11th week before the EWC, or the 15th week before the baby's due date if applying via a surrogacy arrangement, and who meet the relevant eligibility criteria, will have their contracts extended by 52 weeks to allow them to receive maternity leave and

any OMP and SMP they are entitled to.

In such cases there will be no right of return at the end of the maternity leave and the OMP repayment provisions will not apply.

Bank workers

Bank workers will not be eligible for OMP, but may be eligible for SMP. Their average weekly earnings must not be less than the lower earnings limit for National Insurance contributions for the eight-week period prior to the 15th week before the baby is due.

Bank workers should apply for maternity leave and pay in the normal way and the Payroll Department will advise them of their entitlements accordingly. Workers returning to work on a bank contract will not be entitled to OMP.

Rotational contracts

Maternity pay will be calculated in the same way for those on a rotational contract as for other employees.

5 Return to work

5.1 Notification of return to work

The earliest any employee can return to work is after CML of two weeks, which has to be taken immediately after the birth. The maximum amount of maternity leave

is 52 weeks.

Where possible, employees are encouraged to confirm their return to work date before they start maternity leave. However, it is acknowledged that this is not always practicable and the employee has the right to change their date of return.

If an employee chooses to return to work or reserves the right to return to work within their application for maternity leave, their manager will write to them at about 12 weeks before the planned end date of their maternity leave to request information about their intention to return to work. Employees should return the form as soon as possible to allow for any changes to be made to the arrangements to cover the work.

If an employee decides to change their return to work date once they are on maternity leave, they must give at least 28 calendar days' notice in writing to their line manager.

All employees are expected to return to work on the date they have specified, which should be no later than 52 weeks after starting their maternity leave (this may not necessarily include any annual leave taken). If an employee does not return to work, they will be contacted by their manager to find out the reasons why, and they will be managed in line with GHC policy.

All employees who received OMP must complete three months' service to retain this entitlement. Employees who are paid OMP but do not work for three months will be asked to repay the OMP in accordance with the normal GHC processes for reclaiming overpayments.

If an employee notifies GHC of their intention to return to work but does not, they will be liable to repay the whole of the OMP received, but they will not be required to repay SMP to which they are entitled.

5.2 Returning to another NHS employer

If an employee decides to return to work at another NHS trust, they must notify GHC of their intention. To retain full OMP, the employee must return within 15 months of their maternity leave start date.

To ensure that OMP is maintained, the employee must provide Payroll with a copy of their offer letter and contract of employment with another NHS employing body within 15 months of the beginning of their maternity leave or within three months of the final day of



their maternity leave. Failure to do so will mean that the employee must refund the whole of the OMP received, they will not be required to repay SMP to which they are entitled.

Employees who have not been paid OMP because they expected not to return to NHS employment, but return within 15 months, should contact GHC and will be expected to provide the above documentation. Once provided, calculations for OMP will be made and paid retrospectively.

5.3 Returning to work when breastfeeding

If an employee chooses to continue breastfeeding after returning to work, they will need to let their line manager know that they are breastfeeding. If possible, this should be before they return to work, so that necessary arrangements can be made.

Upon receipt of this information, the line manager will carry out a risk assessment to ensure that the employee is not exposed to risks that could damage their health and safety or that of the child for as long as they continue to breastfeed. The manager will need to identify an appropriate location where the employee may express, as well as storage facilities for the expressed milk.

5.4 Sickness preventing a return to work

If an employee cannot return to work after their maternity leave because of sickness, they should inform their line manager as soon as practicable.

5.5 Rotational contracts

If an employee works on a planned rotational contract

with one or more NHS employers as part of an agreed training programme, they will retain the right to return to work in the same post or next planned post and their contract will be extended to enable them to complete the remainder of the agreed programme. This agreement is irrespective of whether the contract would have otherwise ended.

5.6 Contractual rights

During maternity leave, all contractual rights including accrual of annual leave and continuous service are retained (with the exception of remuneration).

5.7 Organisational change

In the event of organisational change, employees on maternity leave will be managed in the same way as all other employees when it comes to consultation and communication. They will receive written documents, letters and notifications and will be required to attend formal meetings where appropriate.

All organisational change will be managed in line with the GHC Organisational Change Policy.

5.8 Training

Employees on maternity leave are not expected to attend mandatory training, however, they must complete it within one month of returning to work.

Managers should arrange for employees to receive training and re-orientation where needed. This must include any changes that have occurred while the employee was on leave.

Employees on maternity leave will be made aware of

substantial training opportunities that are open for teams to apply for. Employees will not be treated any differently in selection for such opportunities.

5.9 KIT days

Employees are allowed to work up to 10 Keeping in Touch (KIT) days during their maternity leave without affecting or bringing their leave or pay to an end. KIT days can only be taken by agreement between the employee and GHC and can be used for any purpose including training events, attending meetings, conferences, aiding entry back to work, etc.

KIT days are paid at the employee's usual basic pay rate. Where only part of a day is worked this will still be counted as a whole day. A Variation form must be submitted for all KIT days to record them and ensure they are paid correctly.

KIT days can only be taken in the maternity leave period and cannot be taken during any period of annual leave that may be added to the end of maternity leave.

5.10 Vacancies

Employees on maternity leave will be made aware of vacancies, opportunities for promotion or extra hours they can apply through expressions of interest which are not advertised on NHS Jobs. Employees will not be treated any differently in the selection for such opportunities.

Time taken to attend an interview for a vacancy will not be counted as a KIT day (unless it is part of a KIT day already arranged to complete other activities) and will not affect maternity pay or leave.

Maternity abbreviations and terms

AML	Additional Maternity Leave – the second 26 weeks' maternity leave is classified as AML
Childbirth	Resulting in a child after 24 weeks of pregnancy, either alive or stillborn
CML	Compulsory Maternity Leave – the first two weeks after the baby is born when maternity leave must be taken
EWC	Expected Week of Confinement – the week the child is expected to be born
KIT Days	Keeping in Touch Days – the option of up to 10 days to attend work for training and keeping up to date with work without losing the right to maternity benefits
MAT B1	The maternity certificate issued by the GP or midwife to confirm the pregnancy
OML	Ordinary Maternity Leave – the first 26 weeks' maternity leave is classified as OML
OMP	The NHS Occupational Maternity Pay scheme paid to eligible employees
QW	Qualifying Week – the fifteenth week before the EWC
SMP	Statutory Maternity Pay – paid by the government to eligible employees



Organisational change

1 What this policy covers

GHC is continually seeking to improve the services and care it provides. This, along with responding to financial and other pressures, means sometimes it has to make organisational changes. This policy is designed to provide a framework to ensure that any organisational change process is clear, fair and supportive. It outlines the key processes, responsibilities and timescales involved.

2 Principles

- GHC will seek to manage organisational change in accordance with best practice principles and processes.
- This policy applies to all staff with a permanent (substantive) employment contract with GHC, except Executive Directors and Non-Executive Directors, who have a different process. Employees on fixed-term contracts with GHC will be considered on a case-by-case basis, based on if they have a right to be included in the process.
- Changes that are not considered to be a contractual change will not require consultation.
- Employees on maternity, adoption or shared parental leave or absent from work due to sickness absence, a career break or secondment, will be included in the organisational change process at the same time as the other affected employees.
- If the organisational change could result in a TUPE transfer of employees/teams/services advice must be sought from HR at the earliest opportunity to ensure that the process is managed in accordance with the legal requirements.
- GHC will make all reasonable efforts to secure suitable alternative employment for employees affected by organisational change.
- Redundancy will only be considered once all other options have been exhausted.

3 Responsibilities

- GHC aims to ensure that this policy is followed where organisational change is required.
- Managers leading a change process within their area are responsible for following the principles and processes within this policy and seeking HR support as part of the planning stage.
- Employees are expected to engage positively in any organisational change process.

4 Support for staff

4.1 Support

If you are affected by organisational change, you may find it unsettling or stressful. Sources of support you can access during this time, other than your manager, include:

- your trade union/professional organisation if you are a member of one
- staff counselling through Working Well
- the employee assistance programme Vivup.

Your manager will allow you reasonable time during working hours to meet with your union representative to discuss the change. Depending on the circumstances other support available may include:

- practical assistance or guidance on completing application forms or writing a CV
- practical assistance or guidance on preparing for interviews
- reasonable time off to seek other employment or undertake training.

After the change has taken place it may still take you some time to adjust to the change. The management team will remain available to you to address any issues that may arise and support you through the transition.



4.2 Right to be accompanied

You have the right to be accompanied by a trade union representative or work colleague who is a GHC employee at any consultation or formal meeting about the organisational change.

5 Non-contractual and minor changes

5.1 Non-contractual changes

Changes that are not considered to be a contractual change will not require consultation or a formal process to be followed. This includes changes to line management arrangements. Managers should seek HR advice to establish if a proposed change is a contractual change.

If a proposed non-contractual change will affect you, your manager will still:

- communicate with you about the change, as appropriate
- tell you about the change as early as possible
- consider how you can be supported if appropriate
- confirm the outcomes of the change in writing.

5.2 Minor changes

There may be occasions when managers need to implement minor changes that are a contractual change (eg an amendment to flexible working arrangements). Managers may be able to implement reasonable minor changes and adjustments to duties and working practices without using the formal process if everyone involved agree to it. To do this they would need to have discussions with Staff Side and the affected staff, and confirm any discussions and changes agreed in writing.

The manager should seek HR advice before having any discussions with Staff Side or employees, to understand if this route would be appropriate. Any situation involving staff being put 'at risk' or a change in banding is not considered a minor change. If you agree to a minor contractual change without using the formal process, your manager will still:

- communicate with you about the change, as appropriate
- consider how you can be supported if appropriate
- confirm in writing the outcomes of the change.

6 The process

The stages for planning and carrying out organisational change are as follows:

- identifying the change needed through service development or workforce planning
- getting the business case for change approved
- consulting with Staff Side
- consulting with staff that will be affected by the change
- filling of posts in the revised or new structure
- looking for suitable alternative roles for any remaining affected staff
- the change takes place.

6.1 Service development and workforce planning

The need for a change to staffing may come about in response to a specific situation (eg commissioning of a new service) or through regular workforce planning. As a manager you will need to identify the staff changes required for the service change. This may involve:

- identifying the need for any new roles or changes to existing roles
- analysing current staffing levels and skills
- reviewing or creating job descriptions and person specifications
- establishing the new departmental structures and reporting lines
- identifying any shortfall or surplus in respect of existing staffing.

6.2 Business case and staff side consultation

If you are the operational manager responsible for the change, you must submit a business case to your Service Director (or equivalent) to get authorisation for proceeding with the proposed change. After this you must get authorisation from the Executive Director responsible for the area. If approved, the business case must be submitted to the Executive team for their approval. Following this, the business case should be shared with Staff Side for consultation.

When writing the business case you should seek information and advice from Finance and HR as appropriate.



6.3 Consultation

If you are going to be affected by a proposed organisational change, the consultation meetings are an opportunity:

- to provide you with information about the proposed change and how it will affect you
- for you to raise any concerns or feedback about the proposed changes with the manager
- for you to ask questions you may have
- for the manager to provide you with updates about any changes to the proposals
- for the manager to understand if there is any support required, either by you individually or collectively as a group of affected employees
- for the manager to understand, consider and address any individual needs.

If you are carrying out consultation meetings and discussions you should ensure that:

- meaningful consultation with the employees affected takes place as early as possible, while the proposals are still formative
- information is given regarding the reasons for the proposed change, expected timescales and possible options
- the employees affected can feedback on any options and suggest alternatives
- employees are assured the appropriate processes will be followed and appointments to any new structures will be completed as speedily as practicable.

The timing, length and extent of consultation needs to be proportionate:

- to the level or extent of the proposed change – it should be long enough to allow appropriate time for it be meaningful, enable one-to-one conversations to take place and any follow up work that may result from discussions during the consultation period to be considered
- if the change could result in a TUPE transfer of staff, teams or services – if so the process will need to be carried out in accordance with the Transfer of Undertakings (Protection of Employment) Regulations
- if redundancy could be a possible outcome of the proposed change – if so any legal timeframes for consultation will need to be followed

- the deadline for the change to take place if it is outside of GHC's immediate or direct control.

While group meetings may be appropriate to discuss the change plans, all employees directly affected by change are entitled to a one-to-one meeting. All staff affected by the change will be consulted with regardless of whether they are at work or not. Managers should ensure any employee not at work immediately before or during the consultation period is, as far as reasonably practical, involved in the consultation process to the same extent as those employees at work.

At the end of the consultation period the managers involved will consider any comments and feedback received. The outcome of the consultation and the arrangements that will be implemented will then be confirmed in writing to all the affected employees.

6.4 Filling posts in the new / revised structure

When it comes to posts in the new or revised structure being filled, any or all of the following four stages might be used:

- Stage 1: slotting in to new roles
- Stage 2: ring-fencing of available posts
- Stage 3: looking for suitable alternative employment
- Stage 4: redundancy

All employees affected by change will be considered for posts in the new/revised structure at the same time, regardless of whether they are at work or not. Employees on maternity or adoption leave are protected under legislation and are entitled to be offered a suitable alternative role (if one is available). This means they will be considered for posts ahead of other employees, unless they are on a fixed-term contract in which case it will depend on their specific circumstances. They may still need to participate in any selection process as appropriate.

Employees will not be placed in a higher banded post through an organisational change process. Although in exceptional circumstances this may be considered when all of the following apply:

- the employee's current role has been removed from the structure
- the new role is no more than one band higher than

the employee's old role (bands 8a-8d are four separate bands)

- the employee has been assessed as having the required skills and competencies for the role of the higher-banded role
- the process for filling the role uses one of the stages set out in this policy
- this situation was set out in the business case to ensure it has been considered and approved appropriately.

Stage 1: slotting in

This is the process by which employees are placed into another post in the new structure that is substantially similar to their current post. The following criteria should be met for 'slotting in' to be used:

- there is the same amount or more available posts as employees eligible
- the new post is broadly similar to the current post in terms to job content, responsibility and requirements for skills, knowledge and experience
- the employee is employed on a permanent contract, or if on a fixed-term contract is eligible to be part of this process
- there is no change in banding
- the employee meets the minimum qualifications and experience required for the new post.

If it is possible to slot you into a role, you should be informed of this as part of the consultation process. It should then be confirmed in writing to you when the consultation process concludes.

Stage 2: ring-fencing

Ring-fencing of roles is used when a role in the new structure is broadly similar to an employee's current role, but slotting in cannot be used because there are more employees currently in broadly similar roles than new posts available. The posts available in new structure will be ring-fenced so that only those eligible employees can be considered for them.

If you will need to go through a ring-fencing process you should be told as part of the consultation process. There will be a competitive selection process for the ring-fenced post. This will usually involve you and any other employees identified as eligible taking part in an interview process. You may also be asked to submit a CV or application form.

All outcomes from the ring-fencing stage will only be confirmed in writing once the outcome of all selection processes at this stage are known. If you are unsuccessful in being appointed to a post as part of the ring-fencing process, you will progress to the next stage, which is looking for suitable alternative employment.

You may be eligible to be considered for more than one ring-fenced role if your current role is broadly similar to more than one role in the new structure. If you successfully secure a ring-fenced post but you are also eligible for another ring-fenced role, you may choose to continue to compete for the other role or accept the role you have already been offered. If you choose to compete for the other role, the second highest scorer for the offered post will be advised that there will be a pause in process while the other selection process takes place.

Stage 3: looking for suitable alternative employment

The redeployment process will be used to look for a suitable alternative role within GHC for employees if:

- there is no broadly similar post in the new or revised structure for them – if this is the case it should be confirmed at the end of the consultation process
- they were not offered a post through slotting in or ring-fencing stages.

Any posts in the new structure that have not been filled through slotting in or ring-fencing will be considered as part of this process.

A suitable alternative role will usually be considered to be one where there is no significant change to your:

- banding
- status
- contracted hours
- level of responsibility within GHC.

Roles that are one band below your current role will be considered suitable.

At the point it is confirmed there is a need to look for suitable alternative employment, you will be placed 'at risk', added to the redeployment register and supported to try to find an alternative role in GHC. The redeployment process will be explained to you, confirmed



in writing and will be managed in line with the process set out in the Redeployment policy.

If you potentially have the ability to undertake the full duties of a role but not the immediate experience, you may be given appropriate skills development/training if:

- it is reasonable, practical and cost-effective to provide the development/training
- you demonstrate a willingness to learn the new skills
- you can apply the new skills within an agreed timeframe.

If you are formally offered a role through the redeployment process, there will be a four-week trial period. Trial periods only apply to roles offered through the redeployment process, they are not available to employees who have secured roles via the slotted in or ring-fencing processes.

If your trial period is deemed to be unsuccessful and no reasonable action can be taken to address this, and there are no other suitable alternative posts available during the time you are 'at risk', redundancy arrangements may apply. Even if redundancy is confirmed, you will still be considered for other suitable alternative employment if available, until the end of your notice period, in line with the redeployment process.

After a trial period, if you maintain the post is not a suitable alternative but GHC believes it is, you can appeal. You must confirm in writing you are declining the role and appealing about the suitability of the role within three calendar days of being informed it is believed the role is suitable. A fair assessment procedure using objective criteria (eg experience, skill and aptitude using current job description/person specification, completed skills profile and current pay banding) will be undertaken by a manager and HR representative not directly involved in the organisational change process.

While HR will support you to look for roles within GHC, you are also responsible for proactively looking for suitable alternative employment. If you do not actively take part in the redeployment process or you unreasonably reject a suitable alternative job, it may eventually result in loss of redundancy payment.

Stage 4: redundancy

GHC regards redundancy as the last resort and will take all reasonable steps to avoid compulsory redundancy. Measures to avoid redundancy include:

- not replacing employees who leave (natural wastage)
- robustly reviewing all vacancies
- retraining of staff for another role within GHC
- redeployment to a suitable alternative role
- reviewing the use of agency and bank staff
- reducing the use of overtime within the affected department.

Redundancy will apply if:

- you have not been successful in securing a position within the new structure and
- it is agreed all the other stages for filling roles have been exhausted and it has not been possible to source redeployment to suitable alternative employment for you.

You will be invited to a meeting at which you will be given formal notice of redundancy. The main points discussed will be confirmed in writing within seven calendar days of the meeting. You will be required to work your contractual notice period. During this time you will be given support to help you secure alternative employment. Only in exceptional circumstances will pay in lieu of notice be agreed. GHC reserves the right to pay in lieu any redundancy notice period which has not been worked before the organisational change is implemented.

Only employees with at least two years' continuous GHC or NHS employment will be eligible for contractual redundancy payments. Redundancy payments will be calculated in line with the NHS National Terms and Conditions of Service in operation at the time. However, the following service does not count for the purposes of redundancy:

- periods of NHS employment taken into account when calculating a previous redundancy/loss of office payment by an NHS employer
- periods of NHS employment taken into account for the purposes of their pension benefits if the employee is already accessing their NHS pension.

You will not be entitled to redundancy payments on the grounds of redundancy if you:

- are dismissed for reasons of conduct (with or without notice)
- obtain a suitable alternative employment with GHC or other NHS employer either at the date of the termination of your employment without a break or with a break less than four weeks
- unreasonably refused to accept or apply for suitable alternative employment with GHC or another NHS employer
- leave your employment before your contractual notice period ends, unless GHC has agreed and confirmed in writing you have been released early
- are offered a renewal of contract (with the substitution of the new employer for the previous NHS one)
- have your employment transferred to another public service employer who is not an NHS employer.

7 Right of appeal

If you are an employee affected by an organisational change you will have the right to appeal:

- if you believe the process has been incorrectly applied to you. If this is the case you must submit your appeal in writing within seven calendar days of the end of the consultation period
- if a decision is made to dismiss you by reason of redundancy. If this is the case you must submit your appeal in writing within seven calendar days of being given formal notification you are to be made redundant.

How to appeal will be detailed in the correspondence confirming the outcome of the consultation or process. It will be considered in accordance with GHC's appeal process.

If you appeal, the manager leading the organisation change process will need to consider if the 'status quo' needs to apply to any element of the uncompleted process until your appeal has been heard. The possible impact of this on service delivery will need to be considered when this decision is made. If decided that it is not appropriate to apply the 'status quo', the responsible manager will need to seek authorisation to

continue with the organisation change process from the Director of HR and OD.

Any redundancy notice will not be suspended while an appeal procedure is being followed, but would be revoked or amended if the appeal was successful.

8 Transfer of Undertakings (Protection of Employment) Regulations

Where a proposed organisational change involves the transfer of current GHC services and employees to a different employer, the manager responsible for the organisational change must seek HR advice at the outset to determine if the change meets the requirements under the Transfer of Undertakings (Protection of Employment) (TUPE) regulations.

If it does, the following principles will apply:

- support must be obtained from HR at all stages to ensure that the correct legal requirements are met
- the Executive team and appropriate senior managers should be informed
- a staff consultation paper will be produced, providing as much information as available at the time
- every effort to enter into meaningful consultation will be made
- every possible support will be given to staff to understand the reasons for and implications of the transfer
- as much notice of a transfer as possible will be given
- GHC will endeavour to obtain information from the receiving organisation on the measures intended.

If you are transferred through a TUPE process, the terms and conditions of your current GHC contract of employment will transfer with you to the receiving organisation. These terms and conditions should not be changed by the receiving organisation specifically as a consequence of the transfer.

If you have responsibilities that span more than one organisation or more than one service, discussions will take place with you, your trade union representative and HR to determine if your employment should transfer or remain with GHC.



Other types of leave

1 What this policy covers

The purpose of this policy is to ensure that if you are genuinely in need of time off to deal with an emergency or to carry out a public or civic duty, you are treated fairly and consistently.

This policy will list common reasons for needing to take time off outside of annual leave or types of parental leave, tell you if there is an entitlement to additional time off, how much time you can take off and explain the processes and pay arrangements.

Definitions

For the purposes of this policy a dependant is a:

- partner
- child
- parent
- any other person who regularly relies on you for care or arrangements for the provision of care.

2 Principles

- GHC is sensitive to staff family commitments and responsibilities and will try to maintain flexible working and help staff to balance their work and personal lives to optimise their work attendance.
- This policy attempts to balance the requirements of delivering a first class service with employees' needs, to find the most effective way to support those with carer responsibilities, as part of a wider NHS commitment to improve working life quality.

3 Responsibilities

- GHC will aim to ensure that employees needing time off to deal with an emergency are treated fairly and consistently, while minimising service delivery impact.

- Managers will treat all requests made by staff under this policy fairly and equally, giving due consideration to the particular circumstances of each request.
- Staff wishing to apply for one of the leave options within this policy should follow the procedures explained, giving the maximum possible notice. You must inform your manager as soon as possible of your unavailability for work, the reason for it and how long you expect to be away from work.

4 Policy in practice

When considering requests for one of the leave options covered in this policy, managers will judge each case on its own merits and consider:

- the urgency of problem/issue
- the nature of domestic/family crisis along with the number of dependants within the family
- the impact on the staff member
- the amount of annual leave remaining
- the number of days of that type of leave granted within the last 12 months.

Listed below are common circumstances where there is an option for time off work to be requested. If your request does not fall into any of these categories, please discuss the matter with your manager who will, if necessary, seek advice from HR.

Applications for special leave should be made using the appropriate application form. It is recognised that in some circumstances the form may need to be completed retrospectively.

4.1 Bereavement/compassionate leave

Following the death of an immediate relative you may be granted up to a maximum of five days (37.5 hours) paid bereavement leave, at your manager's discretion.

The leave does not need to be taken in one block (eg you might be granted two days immediately following a bereavement and a further one day to attend the funeral).

For other relatives/friends you can take annual leave to attend funerals, with the agreement of your manager and in accordance with service needs. If you have used up your annual leave, other options can be considered, including time in lieu or unpaid leave at your manager's discretion and in accordance with service needs.

4.2 Child bereavement leave/pay

If you sadly lose a child under the age of 18 or suffer a stillbirth from 24 weeks of pregnancy you will be legally entitled to two weeks child bereavement leave on full pay. This entitlement is available from your first day of employment with GHC. This leave can be taken immediately or at another time in the year following the death. It can be taken as either a single block of two weeks, or as two separate blocks of one week.

4.3 Special leave for personal/domestic emergencies

Special leave is to cover unforeseen urgent or emergency situations, for example:

- if a dependant falls ill unexpectedly or is involved in an accident and needs your help
- to make longer term arrangements for a dependant who is ill or injured
- to deal with the unexpected breakdown in a dependant's care arrangements
- to deal with an incident involving your child during school hours
- to deal with urgent domestic situations (eg fire, flood, burglary, etc).

The maximum amount of paid special leave you can be granted is in five days (37.5 hours) in any one rolling 12-month period. There is no minimum length of service needed to be able to request special leave. If you know in advance you require time off then it should be taken as annual leave.

4.4 Carer's leave

If you are an unpaid carer for a dependant family member or friend with a long-term care need you are entitled to unpaid carer's leave. A dependant has a long-term care need if:

- they have an illness or injury that requires or is likely to require care for more than three months
- they are disabled for the purposes of the Equality Act
- if they require care due to old age.

There is no minimum length of service needed to be eligible for carer's leave. The maximum amount of carer's leave you can be granted is 5 days (37.5 hours) in any one rolling 12-month period. You can use it flexibly to suit your caring responsibilities. If you know in advance you require time off as carer's leave you should discuss it with your manager as soon as you can.

4.5 Civic/public duties

You will be entitled to up five days (37.5 hours) paid leave per year to carry out such duties as attending meetings if you are a justice of the peace or member of a:

- local authority
- statutory tribunal
- police authority
- board of prison visitors or a prison visiting committee
- relevant health body (eg community health council).

If you are or can be paid directly by the service for the civic/public duties any leave granted should be unpaid.

4.6 Jury and witness service

If you are summoned to attend court for jury service or on GHC business, you should give your manager the notification document you receive from the court. You will be entitled to reasonable paid time off; for jury service this will normally be limited to a maximum of two weeks. If you are required to attend court as a witness on non-GHC business you will need to take this as annual leave, TOIL, etc.

4.7 Reserve Forces/Cadet Forces

You are entitled to 10 days of paid leave for Reserve Forces and Cadet Forces adult volunteers training or duty. If you are a reservist or cadet force adult volunteer and are asked to take part in operational duties, you should let your line manager know as soon as possible.

You should provide:

- details of your call-out notice
- notification of the date and likely duration of mobilisation and deployment



- any statutory information related to your deployment.

Your manager will arrange a meeting to discuss the deployment in detail. At the meeting they will:

- confirm the details of your absence and duration
- discuss any concerns or impact on the service/GHC
- discuss your annual leave, pay and any pension implications.

The outcome of the meeting will be confirmed in writing. After active duty, you should be given a period of post-operational tour leave. If you want to return to work before the end of this leave period, you must get permission from your commanding officer or demobilisation centre.

When you are given notice to return to work, please inform your manager of the date of your return to work and your current contact details. Your manager will contact you to discuss and plan your return with you.

4.8 Medical and dental appointments

Where possible, staff must make every effort to attend appointments outside of their normal working hours. If this is not possible, paid time off may be considered at the discretion of your manager.

Appointments should be made at the beginning/end of the working day or near the break period to minimise disruption. Any paid time off only applies for your appointments, if you need time off to attend an appointment with a dependent this will need to be annual leave, TOIL or unpaid leave. Requests for paid time off will require evidence.

Where there is likely to be an ongoing need to receive medical treatment, your manager will consider whether there can be a temporary change to your working pattern to facilitate this.

4.9 IVF/Fertility treatment leave

You may be granted up to five days (37.5 hours) of paid fertility leave per cycle (pro rata for part-time employees) if you:

- are undertaking IVF treatment
- have 12 months or more NHS continuous service in a substantive role.

The leave must be used to undertake fertility treatment and attend appointments specifically associated with the 'end part' of the IVF process (ie pre-booked interventions for consultant appointments, collection and delivery of eggs). You can take the leave to suit your needs (eg five days in one block, separate days or half days). If you need more time off than this you should agree alternative arrangements with your manager, eg annual leave, TOIL or unpaid leave.

If you have any sickness absence due to the fertility treatment, you should report it in accordance with GHC's Supporting Attendance Policy.

If your partner is receiving fertility treatment, you may be granted up to two days (15 hours) of paid fertility treatment leave per cycle (pro rata for part-time employees) where:

- you have at least 12 months continuous service with GHC
- it is an essential requirement of the treatment for you to attend a specific appointment.

You can take the leave to suit your needs (eg two days in one block, separate days or half days). If you would like to attend appointments with your partner but it is not an essential requirement for you to attend, you will need to take annual leave, TOIL or unpaid leave.

If you have an appointment during your normal working day, you must notify your manager as soon as you are aware of the appointment and agree the time off in advance. You must provide evidence when requested by your manager, via an appointment card/letter/text/email where this is appropriate and available.

Your manager should keep a record of the fertility leave you have taken for each cycle on your personal file. At all times your manager should treat the matter with sensitivity and with the appropriate level of confidentiality.

5 Appeal

Should you wish to appeal decisions made in respect of this policy, you should do using the process set out in the GHC Resolution Policy.



Overpayments and underpayments

1 What this policy covers

This policy sets out GHC's process for correcting errors in pay to individual employees that result in underpayments or overpayments being made.

2 Principles

GHC has a duty to ensure that all its staff are paid correctly, but it is aware that occasionally errors occur that result in either an underpayment or overpayment of salary, allowances or benefits. The NHS is funded by public money, therefore, GHC has a duty to recover any overpayments made. This policy applies to all GHC employees and workers.

3 Responsibilities

- The HR Workforce and Payroll teams are responsible for accurate processing and checking of information relating to payments to staff.
- Managers are responsible for ensuring that any pay queries are investigated promptly and that records are kept.
- Employees and workers are responsible for checking their salary and payslips, as well as raising any concerns as soon as they arise. Failing to declare any obvious overpayment could be considered a matter of fraud and may result in referral to the Local Counter Fraud Service if appropriate.

4 Policy in practice

4.1 Underpayments

Any underpayment of salary, allowances or other financial entitlements will be corrected through the payroll system as soon as they are identified, checked and confirmed. If you have been underpaid, the back payment will be made to you on the next available

payroll run, which is normally the following month.

There is a fast-payment system that can be used to correct underpayments in exceptional circumstances (eg if an underpayment will cause you financial difficulties).

4.2 Overpayments

GHC is entitled to deduct sums from your salary without your consent to recover any salary overpayment, benefits or expenses incurred while carrying out duties that:

- arose from a genuine mistake
- you were not entitled to under the terms of your employment.

Any overpayment will be sought in full in all cases. You should always check your pay to ensure that it is correct. If you have any doubt you should inform your manager and contact the Payroll team immediately, making a note of the contact and response. You should also keep copies of any correspondence between you and the Payroll team, or you and your manager, about your query.

In most cases the Payroll team will recover the amount overpaid in the following month's payroll (this is called 'automatic adjustment'). Examples of when this may happen include:

- if you have been overpaid due to a tax code change
- recovery of advances of pay or travel
- late notification of a change in terms and conditions
- late notification of sickness absence.

Where an overpayment cannot be remedied by automatic adjustment the Payroll team will:

- correct your salary during the month when the error is discovered to prevent any further overpayment, where the overpayment is because of an ongoing error in your salary



- review each case on an individual basis
- write to you to explain how the overpayment occurred, the period the overpayment occurred, the gross amount overpaid, the net amount to be repaid (allowing for tax and NI contributions) and a proposed repayment plan. If you have left GHC, you will receive an invoice.

You may be able to agree with the Payroll team to make repayments in instalments over a reasonable period. The repayment period will not normally be more than 12 months or the equivalent time over which the error occurred. If a reasonable repayment plan cannot be agreed, GHC will either pursue repayments through legal action or start recovery without your agreement if it believes it can legally do so. In all cases, the amount being repaid must not result in your basic hourly rate being less than the National Minimum Wage.

Once a repayment plan is in place, the Payroll team will contact Finance to raise an invoice to ensure that the balance owing is recorded on GHC's debtor system. Statements may be sent out on a regular basis and you should not be alarmed by this if you are continuing to make the agreed repayments.

In certain exceptional cases GHC may consider waiving an overpayment, in part or full, where:

- you have left GHC's employment and the amount of overpayment is so small that to take legal steps to recover the monies would not be cost effective and a good use of public funds or
- where the overpayment is so historical that a complete financial year has elapsed since the whole of the period of the overpayment and its discovery and you could not have reasonably known that overpayment has occurred or
- where you had been aware of a change of salary but where there is a documented audit trail, such as correspondence to and from the Payroll team that evidences you sought and received assurance from Payroll that your pay was correct as it stood at the time (subject to any further information/documentation being received) and therefore you could not have reasonably been expected to know that an overpayment was happening.

Any waiver will need to be agreed in principle by the Director of HR and OD and then authorised by the Director of Finance.



Parental leave

1 What this policy covers

GHC recognises that working parents may need to take additional unpaid leave from work to care for their children. This policy explains who qualifies and how to request parental leave.

It also sets out how and when the leave can be taken, provides information on your contractual rights and your right to return to work following parental leave. In cases of adoption, please also refer to GHC's Adoption Leave Policy.

2 Principles

- Unpaid parental leave is a legal entitlement for employees who meet the qualifying criteria.
- While GHC supports the principle of parental leave, decisions in respect of when the leave can be taken must take account of service demands.
- Leave granted via this policy must be used primarily for spending time with or caring for your child.



3 Responsibilities

- GHC aims to ensure that applications for parental leave are treated in accordance with this policy and in a way that does not discriminate.
- Managers are responsible for actioning requests for parental leave in accordance with this policy.
- Employees wishing to take parental leave should inform their managers within the timescales specified in this policy.

“GHC aims to ensure that applications for parental leave are treated in accordance with this policy and in a way that does not discriminate”

4 Policy in practice

4.1 Qualifying conditions

To qualify for parental leave you must have been employed by GHC continuously for one year or more. You must also have responsibility for the child and be one of the following:

- the biological mother or father of the child
- the child's adoptive parent
- have legal responsibility for the child (eg be the child's legal guardian).

Your child must be under 18. You must confirm that the requested leave is intended for spending time with or caring for the child.



“You’re entitled to your normal terms and conditions of employment, with the exception of pay, while on parental leave. Periods of parental leave will not affect your continuity of service”

21 calendar days' notice, in writing, of your request to take parental leave. This notice should be given by completing the Parental Leave Application form.

You will also be required to provide evidence of your responsibility for the child. This may be either a copy of the child's date of birth or adoption placement and, if applicable, the child's entitlement to Disability Living Allowance.

If you intend to take parental leave immediately after paternity leave, you must give GHC a minimum of 21 days' notice from the beginning of the expected week of childbirth or placement.

4.5 The right to postpone parental leave

Parental leave requests cannot be refused, but in exceptional circumstances they can be postponed for up to six months if the timing of your absence will unduly disrupt service delivery.

4.6 Returning to work after parental leave

You are normally entitled to return to work following parental leave to the same position you held before commencing your leave. Your terms of employment will remain unchanged upon your return from parental leave.

If your parental leave has been combined with a period of maternity, adoption or paternity leave of more than four consecutive weeks, and it is not reasonably practicable for you to return to the same position you held before commencing leave, GHC will offer you suitable alternative employment.

4.2 Entitlements

If you meet the qualifying conditions, you are entitled to:

- a maximum of 18 weeks' unpaid parental leave for each child up to their eighteenth birthday (parental leave entitlement applies to each child not to your job or employer). A week's leave is equal to what you are normally required to work in one week
- you can only take a maximum of four weeks a year for each child
- you must take parental leave as whole weeks (rather than individual days)
- if your child is registered disabled, you are entitled to a total of 18 weeks' parental leave, which can be taken at any point up to your child's eighteenth birthday and unlike other parental leave you are not required to take the leave in whole weeks, but can take one day at a time if you wish
- if your child is adopted and is below the age of 18, you are entitled to a maximum of 18 weeks' unpaid parental leave, to be taken before the child's eighteenth birthday.

4.3 Contractual benefits during parental leave

You are entitled to your normal terms and conditions of employment, with the exception of pay, while on parental leave. Periods of parental leave will not affect your continuity of service.

4.4 Procedure

If you meet the qualifying conditions detailed above, you are required to give your manager a minimum of



Paternity leave

1 What this policy covers

This policy has been designed as a guide to outline rights and responsibilities in relation to paternity leave. It applies to all employees on Agenda for Change, as well as Medical and Dental Terms and Conditions of Service.

2 Principles

GHC recognises that employees need to take time away from work to bring up their family and is committed to supporting all employees in a consistent, fair and effective way with regards to applying for time away from work in such circumstances.

3 Responsibilities

- GHC aims to ensure application of this policy is fair, equal and in no way discriminatory.
- Managers are responsible for actioning requests for paternity leave in accordance with this policy.
- Human Resources and Payroll will provide advice on applying this policy.
- Employees wishing to apply for paternity leave should do so using the procedure and timescales outlined in the policy.

“GHC recognises that employees need to take time away from work to bring up their family and is committed to supporting all employees in a consistent, fair and effective way with regards to applying for time away from work in such circumstances”



4 Policy in practice

4.1 Eligibility

To qualify for up to two weeks' paternity leave (not including pay) employees must:

- be the biological/adopted father and/or the mother's/other parent's husband or partner (including same-sex partner or civil partner, regardless of gender). A partner is someone who lives with the baby's parent/mother in an enduring family relationship, but is not an immediate relative
- have or expect to have responsibility for the baby.

In addition employees should:

- have at least 26 weeks' continuous employment ending with the fifteenth week before the Expected Week of Childbirth (EWC) or the week they are notified of the match in the case of adoption
- be working from the Qualifying Week (QW – the fifteenth week before the EWC) up to the date of birth or date of placement in the case of adoption.
- intend to take the time off to support the mother and/or care for the baby.

If the baby is born earlier than the fourteenth week before the EWC, and if the baby had not been born early the employee would have been employed continuously for 26 weeks, the employee will be deemed to have met the length of service requirement.

“To qualify for paternity leave, an employee should notify their manager that they are to be the parent of a new baby, no later than the end of the fifteenth week before the EWC – or as soon as is reasonably possible”

Bank workers

Bank workers are entitled to take Ordinary Paternity Leave (OPL), however, they will not be entitled to Occupational Paternity Pay (OPP), but may be eligible for Statutory Paternity Pay (SPP). Their average weekly earnings must not be less than the Lower Earnings Limit for National Insurance contributions in the eight week period prior to the fifteenth week before the baby is due (or the eight-week period prior to the week they are notified of the match in the case of adoption).

Fixed-term contracts

If an employee’s contract ends before the birth, the employee does not qualify for paternity leave unless they go on to work for another NHS employer. If their contract ends after the birth, they retain their right to paternity leave.

Rotational contracts

If an employee works on a planned rotational contract with one or more NHS employers as part of an agreed training programme, they will retain the right to return to work in the same post or next planned post, and their contract will be extended to enable them to complete the remainder of the agreed programme. This agreement is irrespective of whether the contract would have otherwise ended. In respect of medical staff, GHC will take advice from the Deanery regarding training requirements and plans.

4.2 Procedure for requesting paternity leave

To qualify for paternity leave, an employee should notify their manager that they are to be the parent of a new

baby, no later than the end of the fifteenth week before the EWC – or as soon as is reasonably possible – using the Paternity Leave Notification form.

Managers should meet with an employee requesting paternity leave at the earliest opportunity to outline the procedure and establish if they are eligible for paternity leave and pay. The employee should be advised that they will be required to sign a declaration confirming their eligibility and confirm:

- the expected date of the baby’s birth
- whether they wish to take leave as two consecutive weeks or two blocks of one week
- when they want their paternity leave to start.

An employee adopting a child should notify their manager as soon as reasonably possible but for:

- leave – no later than seven days of their co-adopter or partner being matched with a child and
- pay – 28 days before they want their pay to start.

The employee must submit a Notification of Paternity Leave form to their manager at least 28 days before the start of their planned paternity leave.

It is recognised that the dates agreed may need to be changed nearer the time to coincide with the exact date of birth and discharge home.

4.3 Duration and timing of paternity leave

An employee cannot start their paternity leave until the birth of the baby or date of adoption. Employees can choose to take two consecutive weeks or two blocks of one week. Odd days or non-consecutive days or weeks cannot be taken.

Paternity leave must be completed within 52 weeks after the baby is born or the child is adopted and can start on any day of the week.

An employee can choose to start their leave:

- on the actual date of the baby’s birth (whether earlier or later than expected)
- on a date (which the employee has notified in advance) falling a specified number of days after the actual birth date (whether earlier or later than expected).

4.4 Still birth

In the sad event that an employee's partner gives birth to a stillborn baby after 24 weeks of pregnancy, the employee will be eligible to receive the paternity leave and pay to which they were entitled. Similarly, if the baby is born alive but then dies, the employee will be entitled to paternity leave and appropriate pay.

4.5 Attending antenatal appointments

Partners of a pregnant employee are entitled to time off with pay to accompany them to antenatal appointments. "Partner" includes the spouse or civil partner of the pregnant woman and a person (regardless of sex) in a long-term relationship with them. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions for and intend to apply for a parental order for the child born through that arrangement.

The employee must agree with their manager in advance any time off to attend antenatal classes with their pregnant partner. Managers should look at ways to support employees to attend these classes where possible, such as annual leave, time off in lieu, flexible working, changing rotas, etc.

5 Pay during paternity leave

Employees with 52 weeks or more continuous NHS service at the beginning of the EWC and continue to be employed up to the date of birth are entitled to OPP. In such cases, OPP will be paid at the employee's basic wage (not including supplements or enhancements) for the weeks taken.

Employees who have not been employed for 52 weeks at the EWC but have been employed for 26 weeks at the fifteenth week before the EWC will be paid SPP, at current statutory paternity pay rates (details can be found at the HMRC website). Paternity leave will be unpaid for employees not eligible for OPP or SPP.

6 Your terms and conditions

6.1 Contractual rights

During the period of paternity leave, all contractual rights are retained

6.2 The right to return to work

At the end of the paternity leave period all substantive employees have an automatic right to return to work in the same job.

6.3 Organisational change

In the event of organisational change, employees on paternity leave will be managed in the same way as all other employees for the purposes of consultation and communication. They will receive written documents, letters and notifications and will be invited to attend formal meetings where appropriate. All organisational change will be managed in line with GHC's Organisational Change Policy.

6.4 Vacancies

Employees on paternity leave will be advised of vacancies and opportunities for promotion that are advertised through expression of interest and not advertised on NHS Jobs. Employees will not be treated any differently in the selection for such opportunities.



Pay protection and excess travel

1 What this policy covers

This policy outlines the protection of pay and conditions of service arrangements for staff affected by an organisational change initiated by GHC. It should be read in conjunction with GHC's Organisational Change Policy.

This policy does not apply where pay is affected as a result of changes:

- requested by the individual(s) or their representative(s)
- made by mutual agreement between an individual and their manager
- as a result of employee competence concerns, hearing outcome or disciplinary action
- as a result of redeployment because of ill health, where the reason has been recognised as work-related under the provisions of Agenda for Change
- that are part of a negotiated settlement.

Staff currently receiving time-limited protection under previous protection arrangements will continue to receive protection under arrangements at that time.

2 Definitions

Additional earnings/enhancements mean additional shift allowances or payment for other additional duties. This is normally calculated on the basis of the weekly or monthly earnings average of the 12 months prior to the last day of the previous post or date of start with GHC if this is within the 12-month period.

Basic salary is the pensionable salary earned by the employee performing their contracted hours, calculated over 12 months and based on current rates. It does not include any temporary upgrading.

“Basic salary is the pensionable salary earned by the employee performing their contracted hours, calculated over 12 months and based on current rates”

Length of service means the period of continuous employment with GHC or the NHS without a break or as otherwise determined in line with the Agenda for Change NHS Terms and Conditions of Service.

Period of protection means the length of service during which pay will be protected or excess travel paid.

Redeployment date means the date on which the employee starts employment in the new post under these arrangements.

3 Principles

The protection arrangements in this policy aim to support the management of change by helping to obtain a balance between the need to:

- achieve the business plans and contractual obligations of GHC within available resources
- retain the skills, commitment and expertise of staff
- take account of the aspirations of staff, their wellbeing and domestic commitments
- treat staff fairly and reasonably.

In operating this policy, GHC requires staff to be adaptable, which may mean: taking on a new role; a variation in role or responsibilities; changing working team or location; changing hours of work; and, in some cases, having to re-train.



Staff affected by organisational change who do not secure a post at their substantive band within the new structure are expected to actively consider posts at a lower band.

4 Responsibilities

- GHC is responsible for ensuring that managers are aware of their responsibilities under this policy.
- Managers are responsible for following the principles and processes in this policy, while ensuring the appropriate paperwork is completed and that Payroll is notified of the employee's pay protection arrangements.

5 Pay protection in practice

5.1 Protection of basic pay

Basic pay protection applies to any employee who, as a consequence of organisational change, is required by management to move to a new post or to reduce their contracted working hours and who, as a result, is faced with reduced basic salary. Under the terms of this policy, eligible staff will continue to receive a protected basic salary for a period based on their length of service. The protected salary will be the employee's basic salary as at the start date of their trial or redeployment into a new post.

Pay protection will normally only be offered for redeployment to a post limited to one band below the existing substantive post. All other terms and conditions of employment will be those applicable to the new post.

Payment for additional duties/hours, including enhancements, will only be paid once the total earnings for the period in which the extra work was undertaken exceeds the total amount of protected earnings and will be limited to the balance over the total protected earnings.

5.2 Periods of protection

The period of pay protection is based on the length of continuous service as detailed at the top of this page.

During the period of protection, the protected basic salary will "mark time" (ie it will not be increased either by increments or pay awards).

<u>Length of service</u>	<u>Period of protection</u>
Less than 3 months of continuous NHS service	No pay protection
More than 3 months but less than 1 year of continuous NHS service	6 months protection of basic pay
More than 1 year up to 2 years of continuous NHS service	12 months protection of basic pay
More than 2 years of continuous NHS service	24 months protection of basic pay

Where a part-time employee is moved to a new post and downgraded, with their hours the same or fewer than before, basic pay protection entitlement is assessed using actual hours worked in the new post, paid at the previous post's hourly rate. If the hours in the new post exceed hours worked previously, protection entitlement is based on:

- hours worked previously at the previous rate
- additional hours in the new post are paid at the new post's rate of pay.

Protected pay will continue during any period of paid maternity leave.

At the end of pay protection, the employee will be paid the salary appropriate to the hours/band of the new post. The manager will need to discuss the employee's salary increment point with HR, because it will depend on the job role and employee's relevant experience.

During the period of protection, if an employee is affected by a further organisational change where pay protection is applicable because a further reduction in banding results, a new period of protection will start from the implementation date of the further organisational change. Any remaining time of the first pay protection will continue until the end of that pay protection period, and then the new pay protection period will take effect.

5.3 Protection of additional earnings

Eligible staff will receive protected pay, as shown in the table on the next page, from the date of redeployment or date of change in shift pattern or required reduction in their contracted working hours. All other terms and conditions of employment will be those applicable to the post in the new working pattern.



Length of service where additional earnings were accrued	Period of protection
Less than 1 year of service in post where additional earnings were accrued	12 weeks' additional earnings protection
1-5 years of service in post where additional earnings were accrued	6 months' additional earnings protection
More than 5 years of service in post where additional earnings were accrued	9 months' additional earnings protection

The amount of protected pay will be the difference, on the date the trial, redeployment or transfer starts, between the contracted pay in the new post and that which would have been paid in the previous working pattern.

The calculated amount will:

- not be increased during the period of protection
- be non-pensionable and will not count towards overtime or any other salary-related payments in the new post.

The periods of protection that will apply are:

- where contractual hours are reduced, short-term protection applies for periods set out in the table above (ie staff will be paid for contractual hours of work that applied to the substantive contract held before reorganisation during this period of protection)
- where appropriate, staff will be required to work the hours paid.

5.4 General conditions

If a suitable alternative post becomes available at the previous banding during the period of pay protection, an employee may be required to move to that post, if agreed with the employee and the new manager. If an employee unreasonably refuses to move to a post at their former banding, they will lose their right to pay protection, and it will stop with immediate effect.

Staff on fixed-term contracts with more than 12 months' continuous service are only entitled to protection for the period of their fixed-term contract.

Basic pay protection is conditional on an employee working any overtime or additional hours (if working part time) up to the level at which earnings in the new post equal the protected earnings, wherever this is reasonably practicable.

Protection of additional earnings is also conditional on an employee undertaking any reasonable overtime or shift work, including on-call requirements, up to the level at which the earnings in the new post equal the protected earnings. Such requests should be in line with the patterns of their previous post.

Under the provisions of the NHS Pension Scheme, staff may apply to preserve their pension benefits based on the previous level of pay where, through no fault of their own, they are downgraded. Employees who wish to consider this option should contact the Pension Manager at the earliest opportunity to discuss the process and timescales involved.

6. Excess travel in practice

6.1 Excess travel reimbursement

Employees who have to change their base as a result of organisational change may be reimbursed their extra daily travelling expenses.

The calculation for reimbursement is the difference between home to new base mileage and home to old base as determined by the route in the expenses system, for example:

Home to old base = 10 miles
 Old base to home = 9 miles
 Total journey = 19 miles

Home to new base = 15 miles
 New base to home = 14 miles
 Total journey = 29 miles

Increase in distance travelled is 10 miles
 Total amount of eligible mileage to claim = 10 miles

The Agenda for Change mileage and public transport rates in place at the time will be the rate paid, depending on if an employee travels by a private vehicle or public transport.



Excess travel will be payable from the date of the change of base and can only be claimed on days an employee actually travels from/to their home to their new base. All claims must be made through GHC's expenses system.

6.2 Periods of protection

Entitlement to excess travel pay protection is determined by length of continuous service as follows:

Length of service	Protection entitlement
Less than one year	12 weeks additional mileage
One to five years	6 months additional mileage
More than five years	12 months additional mileage

6.3 Excess travel and periods of absence

Sickness absence – excess travel will not be paid whilst an employee is absent due to sickness. On their return to work an employee will be able to claim excess travel payments for the remainder of the original entitlement period. The period of entitlement will not be extended.

Career break – excess travel will not be paid whilst an employee is on a career break. On their return to work the employee will receive excess travel payments for the remainder of the original entitlement period. The period of entitlement will not be extended.

Maternity or adoption leave – if an employee is on maternity or adoption leave when their base is changed, the period excess travel is payable will start from the date their maternity or adoption leave ends. This includes if they take annual leave before returning to work. If an employee starts maternity or adoption leave during their period of entitlement to excess travel, they will receive their remaining entitlement on return to work.

6.4 General conditions

Employees must notify their manager of any change to their home address. The effect on excess travel will be as follows:

- an employee will not be able to any claim for additional excess travel if their new home address is further away from their new base
- if the new home address results in a lesser excess mileage, the amount of excess travel to be claimed will be recalculated accordingly and the lesser amount paid.

There may be some occasions where the employee travels from home to a location that is not their base, and the journey is longer or shorter than their normal travel to a new base. The maximum travel claim that can be made for is the difference between their usual home to new base mileage, and the distance they are travelling that day.

There is no entitlement to be reimbursed for any additional costs resulting from the change of base, eg car parking.

In certain exceptional circumstances excess travel may be paid as a one-off lump sum payment. The basis of any such payments will be agreed in consultation with staff side and be specific to each situation. GHC is not required to agree to requests from staff seeking a lump sum payment as an alternative to monthly payments.

6.5 Further organisational change

Where an employee is affected by a further organisational change the effect on excess travel will depend upon the location of the second new base as follows:

- if the second new base is closer to home than the first new base, the home to base mileage will be less. Therefore the amount payable for excess mileage will reduce accordingly for the remainder of the entitlement period
- if the second new base is further away from home than the first new base the home to base mileage will increase. There will be a further period of entitlement to excess mileage starting on the new date of change.



The first new base will be treated at the substantive base when calculating the excess mileage if the second new base is closer to home than the original base then the entitlement to excess travel will end on the date of the change

- if an employee changes base twice in a 12-month period but the first move was a transitional arrangement agreed at the outset, the excess travel entitlement will start on the original date of change, with no additional period being payable from the date of the second change. The mileage payable will be adjusted accordingly.

6.6 Temporary transfer

When GHC requires an employee to carry out temporary duties at a place other than their permanent base, involving daily travel to their temporary base, they may be reimbursed their excess travelling expenses on the basis of the rates and eligibility criteria in this policy. This includes secondments to meet significant organisational need at the specific request of management. Where staff apply through normal recruitment and selection processes for a temporary role or secondment, the employee will not be eligible for excess travel.

7 Right of appeal

If the matter is not resolved, the employee can appeal using GHC's appeal procedure.



Probation

1 What the policy covers

This policy provides an overview of GHC's process for reviewing and supporting new employees during their initial months in post.

During the probation period, if it becomes apparent that the individual is not suited to the position or is incompetent, it may eventually result in dismissal.

2 Principles

- GHC is committed to ensuring that all new employees understand the expected standards of performance, conduct and attendance, and that they are provided with timely and effective support to settle into their new job.
- This policy applies to all GHC employees commencing substantive or fixed-term employment except medical staff.
- During the probation period, the Disciplinary, Improving Performance and Supporting Attendance policies will be followed. However, following one of these policies does not take precedence over this policy.

3 Responsibilities

Managers have a responsibility to:

- ensure this policy is applied consistently and in a way that does not discriminate
- meet with the employee to discuss the job description, person specification and key areas of the role to ensure the employee understands what is expected of them and what their performance will be measured against
- provide local induction, training and support help the employee to achieve expected standards and

document the role's key areas as a part of the induction process and ensure sign off when completed

- ensure regular progress meetings take place, including the first, second and third review meetings
- take necessary supportive action at the earliest opportunity if required standards are not being met.

New employees should ensure that they:

- attend and actively participate in corporate and local inductions
- fully understand the standards of performance, conduct and attendance expected of them during their probation period and beyond
- discuss with their manager any concerns they may have in relation to meeting these standards
- are fully prepared for their review meetings.

4 Policy in practice

4.1 Probation period

New employees joining GHC will be required to complete a six-month probation period. The probation period for new employees on a fixed-term contract of less than six months will be the length of the contract.

4.2 Probation review meeting

Any concerns regarding performance should be raised with the member of staff at the earliest opportunity. The manager will undertake three review meetings as follows:

- an induction review meeting, to be held after the employee has been in post for 2-4 weeks
- a middle review meeting, to take place after the employee has been in post for 12 weeks (ie mid-way through the probation period)
- a final review meeting, to take place two-three weeks before the end of the six-month probation period.

Probation review meetings will take place in accordance with the following principles:

- all probation review meetings will be scheduled in advance and their outcome confirmed in writing to the employee using the Probation Review form
- the timing of meetings may be brought forward and/or additional review meeting(s) during the probation period may be required as determined by the manager
- the meetings will be a two-way confidential discussion, to identify where there are areas of both positive performance and any areas of concern
- managers should provide all possible support to their new team members to give them a fair opportunity to become fully integrated and productive employee.

If the employee's performance is satisfactory, the manager will inform the employee that they will continue with their probationary period or continue with their employment for the period specified in their employment contract (at the final review meeting).

If an employee passes their six-month probation period, they will receive confirmation in writing from their line manager, with a copy placed on their personal file.

If the employee's performance has not met the standards required, the manager must seek advice from HR prior to the meeting. Where there are minor areas of concern, the manager will identify if additional support can be given to address the concerns, so that the employee can continue with their employment contract.

Should the performance fall significantly short of the standard expected, and where all reasonable support has been provided, a probation hearing meeting will be arranged with a senior manager to consider the matter. The employee should be informed of this at the final/extension review meeting and confirmed in writing. If appropriate notification is not given before the end of the probation/extension period, it could result in the probation period being confirmed by default. HR advice must be sought before a manager informs an employee.

The employee will be informed in writing in advance of the meeting and an HR representative will also attend. GHC reserves the right to hold this meeting without notice in exceptional circumstances.

“If an employee passes their six-month probation period, they will receive confirmation in writing from their line manager, with a copy placed on their personal file”

The employee will receive written confirmation of the decision of the probation hearing meeting within seven calendar days.

There is no specific right of appeal during the probation period, however, GHC will consider using a modified version of its generic appeal procedure. An appeal must be made in writing, within seven calendar days of the original decision, setting out the grounds for the appeal.

4.3 Probation extension

An extension to an employee's probation period should only be put in place at the final review meeting where there are specific identified concerns. The reasons for the extension must be explained and then recorded on the Probation Review form.

The manager should seek HR advice prior to any decision to extend an employee's probation period. Any extension of a probation period should be for no more than three months and only one extension will be granted. The extension will be confirmed in a letter to the employee and a copy placed on the employee's personal file.

If an employee is absent due to maternity or paternity leave or in other exceptional circumstances, the probation period should be suspended until they are able to return to work. At which point, the probation period will restart to ensure a full six months' of work is considered.

4.4 Employees recruited to a new role

If an employee transfers to a different post at GHC during their probation period, the length of the original probation period will continue and the responsibility to complete the assessment of the employee will transfer to the new manager.



Professional registration

1 What this policy covers

This policy aims to ensure that professional registration of all staff in posts subject to registration with a professional body is kept up to date.

2 Principles

The policy applies to all GHC staff, whether employed on a permanent or temporary basis or contracted in, working in posts that require mandatory professional registration/licence. Providers of workers such as locums, agency and in-sourced staff must ensure compliance with this policy.

3 Responsibilities

All staff employed in posts subject to registration with a professional body must ensure that their registration is kept up to date and that they comply fully with their professional codes of conduct and practice. Professional staff must inform their appropriate professional registration body of any personal circumstance change (eg change of name or address).

The HR Workforce team, Nursing, Quality and Therapies team and managers are responsible for undertaking an annual check of the registration status of all professionals.

The registered practitioner is responsible for informing their professional body and GHC of any police or criminal investigations or offences relating to them.

Where contractors and agency/bank workers are employed through the Temporary Staffing Team, the temporary staffing manager is responsible for checking to ensure that the practitioner is professionally registered to practice.

“All staff employed in posts subject to registration with a professional body must ensure that their registration is kept up to date and that they comply fully with their professional codes of conduct and practice”

If a practitioner fails to conform to registration obligations set by their professional registration body and/or within their contract of employment, their authority to practice in the role may cease. Therefore, practitioners must ensure that their registration is maintained and the details they include are accurate.

4 Policy in practice

New employees must provide evidence of their professional registration and qualifications prior to starting work at GHC. Copies of such evidence will be kept on their personal file.

Any staff not directly employed (and therefore not on the GHC payroll system), must have their professional registration checked and confirmed to GHC by their employer. This includes professionals who are independent contractors, on placement, work experience or who have an honorary contract.

5 Monitoring of professional registration

GHC will hold professional registration details for staff on its Electronic Staff Record (ESR). The HR Workforce team will identify lapses of registration and notify the individual and their manager by email.



The HR Workforce team will check registrations for professions and contact the manager, employee and Head of Profession about any registrations approaching expiry dates during that month.

The manager will receive regular notifications from ESR regarding team registration expiry dates.

Professional registration renewals for the NMC, GMC and HCPC professions are automatically uploaded to ESR. Registrations for other professions are updated manually by the HR Workforce team.

Any conditions or undertakings notified to GHC regarding a person's professional registration may result in investigation under GHC's Disciplinary Policy.

6 Identifying a lapse of registration

If a practitioner fails to register or a registration body removes their permission to practice, they will be in breach of their contract of employment and should cease practice immediately.

HR and the Head of Profession will ensure that the following options are considered by the relevant manager:

- the employee may be able to undertake duties allowed for a non-registrant and receive the appropriate pay
- the employee may be allowed to work in another temporary role for which they have the required skills and do not require a valid registration. They will receive the pay rate associated with that temporary position
- the employee may be allowed to take outstanding annual leave until the registration is renewed
- the employee may be suspended without pay until the registration is renewed.

Under no circumstances can an employee be allowed to practice without registration. It is for the relevant manager to determine which of the above options is appropriate, taking into account all of the circumstances and service needs. Managers should seek advice from HR and the Head of Profession.

The manager will advise the employee that they must act immediately to have their professional registration reinstated. The manager will require evidence that the

employee has made the relevant application and payment to the professional body within three working days of being made aware of the lapse. Normally a maximum of four weeks will be allowed for the employee to have their registration reinstated.

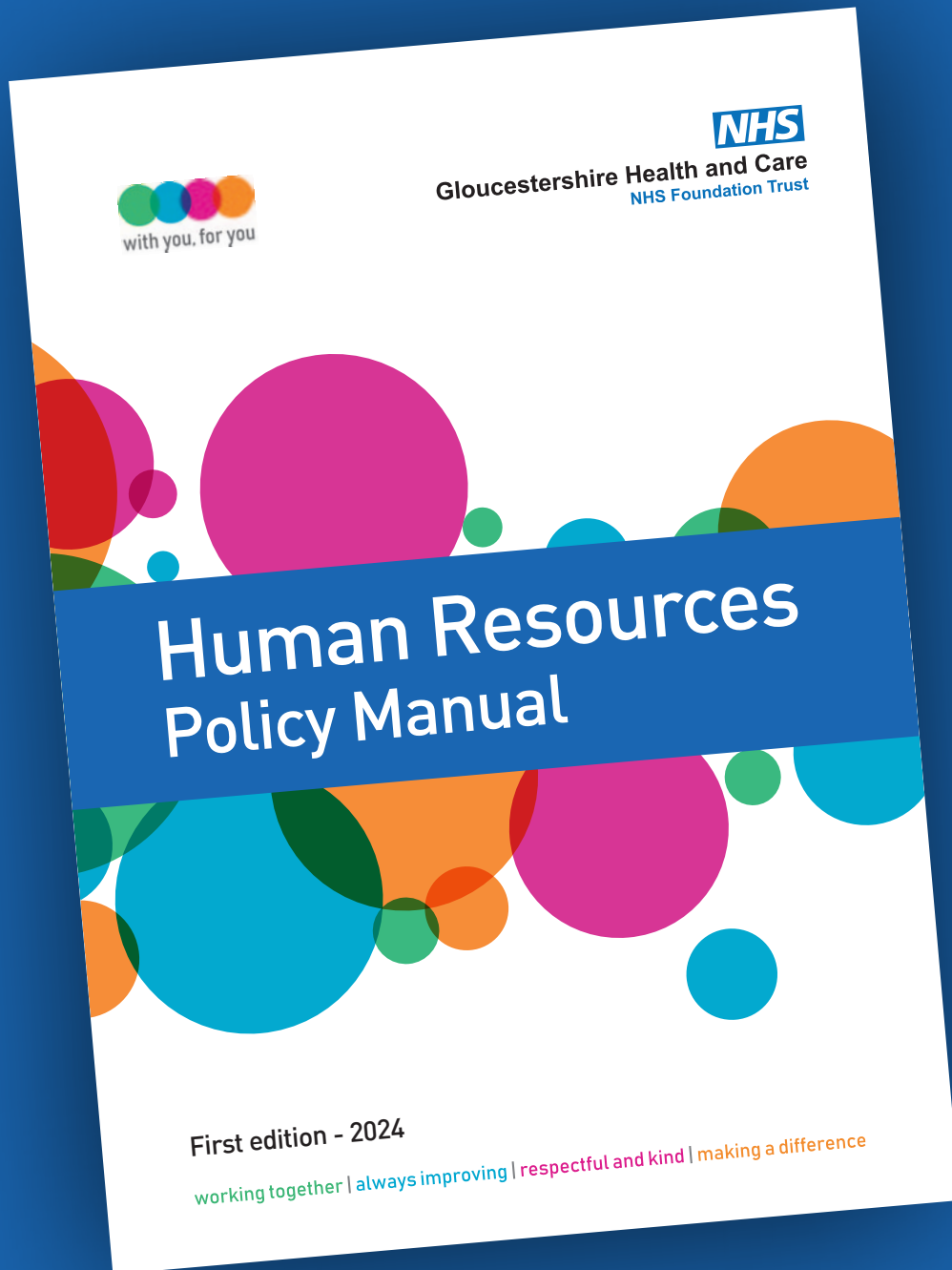
Deliberate or unreasonable failure by the employee to renew their professional registration and provide evidence of this may result in action being taken under GHC's Disciplinary Policy.

Failure to maintain professional registration could have potentially serious implications for the staff member and GHC.

7 Staff groups covered by professional registration

The following staff groups must be registered with the relevant professional body:

- all nursing, midwifery and health visitors must be registered with the Nursing & Midwifery Council (NMC)
- all medical staff must be registered with the General Medical Council (GMC) and hold a Licence to Practice
- allied health professionals and scientists must be registered with the Health and Care Professions Council (HCPC). The HCPC is responsible for regulating arts therapists, biomedical scientists, chiropodists/podiatrists, clinical scientists, dieticians, hearing aid dispensers, occupational therapists, operating department practitioners, orthoptists, paramedics, physiotherapists, practitioner psychologists, prosthetists and orthotists, radiographers and speech and language therapists
- dentists and dental nurses must be registered with the General Dental Council (GDC)
- pharmacists and associated support roles must be registered with the General Pharmaceutical Council (GPC)
- social workers must be registered with Social Work England.



You can access any of the forms mentioned in this manual, as well as action cards and other guides, through the HR Operations section of Indigo, the GHC staff intranet site.



Recruitment

1 What this policy covers

This policy sets out GHC's recruitment process and standard for recruitment and selection to support high-quality care, comply with legislation and follow best practice. It explains the roles and responsibilities of those involved and outlines the key stages of the process.

2 Principles

GHC is committed to providing a transparent, professional, credible and equitable process for handling all internal and external applications for job vacancies by:

- complying with GHC's diversity, equality and inclusion principles
- ensuring that appropriate qualification requirements and UK registration requirements are met for appointments to all posts
- ensuring that NHS employment standards are met
- ensuring that essential documentation such as contracts of employment are issued in a timely manner.

This policy covers all appointments made by GHC except for Chief Executive, Director, Non-Executive Director and Medical Consultant appointments.

3 Responsibilities

Recruiting managers are responsible for:

- ensuring that they complete GHC's recruitment training and know how to use GHC's recruitment system before undertaking any recruitment
- following GHC's recruitment process and providing all necessary information promptly to support an effective process

- considering all options available to them when filling a vacancy and discussing vacancy authorisation with budget holders and finance managers before creating a vacancy
- keeping in touch with candidates during the recruitment process and onboarding new starters successfully
- ensuring that their support staff are sufficiently trained on GHC's recruitment system when assisting with the recruitment process.

All staff involved in the recruitment process are responsible for:

- completing GHC's recruitment training before taking part in recruitment activities
- making selection decisions fairly, based on applicants' values, skills and capabilities
- declaring if they have a close personal or family relationship with an applicant as soon as they are aware of the individual's application and avoiding any involvement in the decision-making process.

The Recruitment team is responsible for:

- supporting managers to find the best candidates
- providing guidance on using GHC's recruitment system
- ensuring that the recruitment process is conducted in a professional, timely and responsive manner, in line with NHS Employers recruitment standards and regulations
- focusing on the team's priority to complete pre-employment checks and issue offer letters/contracts.

The Finance team will authorise vacancy requests in a timely manner and liaise directly with recruiting managers if they have any questions.

4 Policy in practice

4.1 Creating the vacancy

When a post becomes vacant you should first assess the need for the post against the team's and service's workforce needs and budget.

You should review the existing job description and person specification or create a new one to accurately reflect the post's requirements and ensure that:

- the job description sets out the main duties to be undertaken by the postholder
- the person specification sets out both the essential and desirable criteria in terms of skills, knowledge and experience for the post.

The criteria in the person specification should be directly related to the post and applied equally to all applicants. When writing the person specification you should ensure that the criteria you use do not indirectly discriminate against certain groups of applicants.

If you have changed a job description and person specification or created a new one, you will need to submit it for job evaluation before the post can be advertised.

Once you have the job description and person specification finalised, you should request authorisation for the post through Trac.

There may be times where you need temporary cover for a post. Any vacancies for temporary posts that will be for more than 12 weeks have to be advertised. You can seek advice on temporary cover arrangements from HR.

4.2 Advertising

All roles are advertised through Trac, including roles that are internal-only or expressions of interest. It may be possible to appoint directly for roles that are temporary cover arrangements lasting for less than 12 weeks, without them being advertised on Trac.

The minimum time a post can be advertised is seven calendar days. If you would like any additional targeted social media support for a vacancy, contact the Communications team once the vacancy is live.

Any GHC employee who has been 'acting up' into the post cannot automatically be placed in the role. They will need to apply to be considered for it if it is advertised as a longer-term or substantive post.

4.3 Shortlisting

GHC employees subject to the formal redeployment process should be considered first for suitable vacancies before they are made available to other applicants.

Shortlisting has to be carried out by the named individuals on Trac, using the pre-set shortlisting criteria. If you need to change any of the people shortlisting for a vacancy in Trac, contact the appropriate designated Recruitment colleague or the Recruitment team.

When shortlisting:

- you should shortlist all suitable applicants. For roles Band 3 and higher, this includes suitably qualified applicants who do not currently have the right to work in the UK. It is a directorate-level decision as to whether direct international recruitment is possible
- you must shortlist any applicants who apply under the Disability Confident Scheme if they meet the essential criteria on the person specification.

GHC has a legal obligation to comply fully with the provisions of the Rehabilitation of Offenders Act. This means applicants may not be required to disclose all spent convictions on their application, it will depend on the type and length of the convictions or if the role is exempt from the Act.

You can provide constructive feedback to applicants who have not been shortlisted if they request it.

4.4 Interviews

You will need to send shortlisted candidates the details of the interview at least seven calendar days before the interview. This should include:

- any time, location, link or meeting invite details they will need
- details of any tasks or assessments the interview will involve

- asking if there are any particular arrangements or reasonable adjustments that could be considered to enable them participate fully in the selection process if they have a disability.

Interviews should be carried out by at least two people, one of whom should be the manager for the post. Other members of the interview panel should hold a post of the same band or higher than the vacancy being interviewed for.

When carrying out an interview:

- all interview tasks and questions should be based on the person specification and asked of all candidates
- the structure should be the same for all candidates
- it should include values-based questions
- all interviewers should take accurate notes that reflect the key points of the interview
- interviewers should use the GHC interview scoring sheet template to assess the candidates.

If you are asked for feedback from any candidate, refer to the notes you took during their interview. Interviewers should be aware that candidates can request to see the notes of their interview and any other notes made about them during the recruitment process.

Following the verbal acceptance of an offer from the successful candidate, call the unsuccessful candidates to tell them know the outcome. If appropriate, as part of that conversation, you may wish to talk to them about adding them to the Talent Pool. Once the vacancy is moved to outcome in Trac, all unsuccessful candidates will receive an automated rejection email from Trac.

4.5 Offers and pre-employment checks

After the successful candidate has accepted your verbal offer, move the candidate to 'offer pending' on Trac. This will trigger a conditional offer letter being sent to the candidate.

All offers of employment are made subject to satisfactory references, Working Well clearance, checks of qualifications, right-to-work checks and other checks as appropriate, for example, a Disclosure and Barring Service (DBS) check.

These pre-employment checks:

- are processed by the Recruitment team
- are conducted in Trac
- must meet the criteria required by NHS Employers recruitment standards and regulations.

The successful candidate has to cover the cost of a DBS check if one is required. DBS checks for existing GHC staff moving to a new role, and those joining from Gloucestershire Hospitals NHS Foundation Trust into a similar role, will not normally be required, unless:

- the new role significantly changes their role, responsibilities, or level of contact with vulnerable groups
- a check against one or both barred lists is required.

GHC reserves the right to withdraw a conditional offer of employment if:

- a candidate knowingly withholds information or provides false or misleading information during the recruitment process
- GHC and/or the candidate is not able to fully satisfy all of the required pre-employment checks within a timely manner.

Once all the pre-employment checks are complete a final offer and contract will be sent to the successful candidate with a confirmed start date. If the candidate is external, their start date will coincide with a GHC corporate induction.

Usually, successful candidates will not be able to start work until all required checks have been completed. Occasionally, where necessary and possible, you may request the successful candidate is risk assessed to establish if they can start work before the completion of DBS or receipt of all references. The risk assessment must be approved by a Service Director (or equivalent) and a senior member of the HR Operations teams.



Redeployment

1 What this policy covers

This policy provides a fair framework for GHC's formal redeployment process to try to find suitable alternative employment for employees who are subject to a formal HR process that involves redeployment as a potential outcome.

2 Principles

Sometimes, as a result of a formal HR process or Working Well advice, employees cannot continue in their current role. GHC will make all reasonable attempts to identify suitable redeployment opportunities where possible, so that it can retain the knowledge and skills of experienced employees. The redeployment process requires a consistent approach, while recognising some differences are appropriate where redeployment is an outcome following a formal hearing.

This policy applies to all employees with a permanent contract who have been through a formal HR process listed below (this list is not exhaustive):

- organisational change, including where employees have been placed 'at risk'
- capability arising as a result of ill health, which will also be managed in line with GHC's Supporting Attendance policy
- following a career break (or in exceptional cases, a secondment if agreed at the outset), when an employee's post is not available for them to return to
- at risk due to being unable to find a new job share partner
- a formal hearing where the outcome is to explore redeployment as an 'action short of dismissal'.

Employees being redeployed because of an organisational change process, ill health, following a career break or secondment, or unable to find a new job share partner, will be prioritised over employees using the process because of a hearing outcome.

The policy does not apply to:

- Executive Directors and Non-Executive Directors
- any employee who asks to voluntarily move to an alternative post
- bank workers
- employees on fixed-term contracts where it is clear their post was advertised on a fixed-term basis and the reason for the contract ending is the end of the fixed term. If a person on a fixed-term contract is being made redundant, or needs to be redeployed for another reason, this policy will apply.

3 Responsibilities

For redeployment for cases other than an action short of dismissal:

- redeploying managers will manage the redeployment process, ensuring that the employee is supported and informed throughout the process
- redeploying managers will keep in regular contact with the receiving manager and redeployed employee during a trial period
- recruiting managers will prioritise employees on the redeployment register over other applicants and offer them the post if they are appointable
- recruiting managers will discuss the situation with HR if an employee on the redeployment register is not appointable at interview, before informing any applicants of the outcome, and provide detailed feedback to the employee on reasons they were not appointable
- employees on the redeployment register will participate fully in the redeployment process, including attending meetings and actively searching and applying for suitable alternative employment.

In redeployment cases that are an action short of dismissal, the chair of the panel will have the necessary discussions with colleagues to determine if a potential suitable alternative vacancy exists for the employee following the hearing.

4 Policy in practice for redeployment as a hearing outcome

A hearing panel may decide redeployment should be explored as an action short of dismissal. This could happen as part of an outcome to a disciplinary, capability or probation hearing.

In such cases, up to seven calendar days from the date the hearing took place will be allowed for the panel chair to determine if a potential suitable alternative vacancy exists in GHC. During this time you will either need to take accrued annual leave or be placed on special paid leave.

To be considered suitable for the alternative employment, you need to meet all essential criteria for the role, with just on-the-job training required to undertake the full duties. If a potential suitable post is identified, an informal meeting will be arranged for the receiving manager to ensure your suitability for the role.

There is no right to a formal trial period. The receiving manager should monitor your progress for four weeks after you start in post and feed back any issues to the panel chair.

Your transfer to the new post will be subject to the grade and terms and conditions (including pay) relating to that post.

Where agreement to be moved to an alternative post is reached, you will not have the right of appeal against redeployment as an outcome of the process. If you refuse any redeployed role offered to you or if the redeployment process is unsuccessful, dismissal will be unavoidable.

“Suitable alternative employment should normally carry broadly similar levels of responsibility to your current role and be the same band or lower”

5 Policy in practice for other redeployment processes

5.1 Redeployment register

If you are going through the redeployment process, you will be placed on the redeployment register for 12 weeks. Where redeployment is due to your substantive post not being available at the end of a career break or secondment, the process will need to start at least 12 weeks before the end date of your career break/secondment.

You will be expected to look at GHC’s advertised vacancies and notify HR of any posts you apply for. HR will review advertised posts and send you details of potentially suitable posts.

5.2 Suitable alternative employment

Suitable alternative employment should normally carry broadly similar levels of responsibility to your current role and be at the same band or lower.

In establishing if an alternative job is suitable, factors that will be considered include:

- your qualifications, skills and experience
- the essential criteria in the person specification
- your current band and hours/shift patterns
- reasonable distance from your current base, dependent on your personal circumstances and the level of post
- any reasonable adjustments you require because of an underlying health condition or disability.

Permanent employment will always be sought before fixed-term posts are considered as suitable alternative employment. If you are redeployed into a fixed-term post, 12 weeks before the end of the fixed-term contract, you will be placed on the redeployment register again and the redeployment process restarted to try to secure you further employment.

“If redeployed, you will have a four-week trial period in the post. During the trial you will be supported, given an induction and on-the-job training (if applicable)”

Redeployment to a higher banded post will only be considered in exceptional circumstances in organisational change situations and must be authorised by a Director. You can apply for higher banded post through the normal recruitment process if a suitable opportunity arises.

5.3 Selection process

Once a potential suitable alternative post has been identified or applied for (depending on the reason for the redeployment), HR will contact the recruiting manager, who will assess if you meet the essential criteria of the post. If so, you will be offered an interview or other form of assessment to determine if you are appointable, before any other person being considered (except other people on the redeployment register).

5.4 Training

If you do not quite meet one or more of the essential criteria, the recruiting manager will consider if you could meet it within a reasonable timescale with suitable training. A reasonable timescale is normally up to one month. Suitable training is what may be offered to any external candidate taking up the role and only required so you meet all the essential criteria. It does not include training for personal development.

Where such training is required, the recruiting manager cannot refuse to offer you a trial unless another employee on the redeployment register has been put forward for the same post and scores more highly at interview.

5.5 Trial period

If redeployed, you will have a four-week trial period in the post. During the trial you will be supported and given an induction and on-the-job training (if applicable). The manager should agree with you objectives to be achieved during the trial to monitor your progress and suitability. The trial will be evaluated using essential criteria for the post and/or these objectives. During the trial period the redeployment process will be paused.

If the trial is successful, you will be confirmed in post and the redeployment process will end. If the trial is

unsuccessful, the redeployment process will restart from when it was paused for the trial.

5.6 Refusing suitable alternative employment

If you believe a post offered to you is unsuitable, you will be asked to outline your reasons in writing. The redeploying manager will then take these reasons into consideration and seek HR advice. The redeploying manager will confirm in writing if GHC considers the post is suitable alternative employment or not and the reasons for this decision.

If you unreasonably refuse suitable alternative employment, you will be removed from the redeployment register and will not be considered under this policy for any further suitable posts that may arise. The decision to remove you from the redeployment register will only be taken after consideration of all relevant factors, which will include offering you an opportunity to appeal against the suitability of the role. If you are displaced as a result of an organisational change process and you unreasonably refuse to accept or apply for a suitable alternative post, you will not be entitled to any redundancy pay that may otherwise have been payable.

5.7 Unsuccessful redeployment process

GHC will make all reasonable attempts to identify suitable redeployment opportunities. However, if at the end of the redeployment period a post has not been identified, consideration will need to be given to ending your contract of employment, in accordance with the relevant policy and/or process.

If you are given notice to end your employment, you will usually remain on the redeployment register during your contractual notice period. GHC reserves the right to pay in lieu of notice, which would result in you leaving GHC and having your contractual notice period paid as a lump sum, with your termination date being the date you were informed of this decision.

5.8 Redundancy

Redundancy is regarded as the last resort and all reasonable steps to avoid compulsory redundancy will be taken. Redundancy is not payable following capability – ill-health or action short of dismissal processes.

5.9 Pay protection and excess travel

Pay protection and excess travel will only apply in organisational change circumstances.



Relocation

1 What this policy covers

This policy covers financial assistance available to staff appointed to key posts who need to relocate. It explains how to apply for relocation expenses. It applies to individuals recruited externally to hard-to-fill Band 5 posts and above and all medical posts.

2 Principles

- Reimbursements of costs will only be paid for the first substantive appointment and apply equally to staff who purchase or rent property.
- Staff must disclose any other relocation assistance paid to them or a member of their household because only one set of costs associated with a specific relocation cost can be claimed. Failing to disclose this could result in disciplinary action.
- Claims must be submitted within 12 months of the date of appointment.
- All paperwork will be kept on the employee's file to ensure accurate records are maintained.

3 Qualifying circumstances

- GHC may reimburse relocation expenses incurred by staff who need to move home as a result of taking up employment at GHC. Relocation expenses will be reimbursed subject to staff moving from at least 40 miles away from their new work base to a permanent home within a 25-mile radius of their new work base.
- Internal applicants are not eligible.
- These arrangements will only apply to hard-to-fill Band 5 posts and above and all medical posts. In exceptional the recruiting manager can present a case to the Director of HR and OD to enable relocation expenses to be applied where appropriate to overcome particular recruitment difficulties.
- Any claim must be discussed and agreed at the point a job offer is made. The expected duration of

the employment must be at least two years.

- If the employment contract is less than full time (ie 37.5 hours per week), payments will be pro-rata.

3.1 Applying for relocation expenses

- Where reimbursement is agreed, staff should submit the Claim for Relocation Expenses form.
- No relocation expenses will be paid until the individual has signed and returned their contract of employment and started in post.

3.2 Repayment of expenses incurred

- GHC will require employees to repay all or part of the reimbursed costs of the relocation should they leave within two years of the appointment that gave rise to the expenses.

3.3 Scope of relocation expenses

Reasonable relocation expenses (supported by receipts) will be paid to a maximum of £8,000, subject to HMRC rules. Reasonable expenses incurred may include:

- Removal of furniture and personal effects, including packing and insurance.
- Temporary storage of personal effects if a direct move to the new residence is not possible.
- Professional fees incurred in connection with the selling of the old residence and the purchase of a new residence, eg estate agent fees, surveyor fees, legal fees or stamp duty.
- If individuals are unable to find suitable accommodation (rented or owned) consideration may be given to reimburse extra daily travelling expenses from home to work, paid at the public transport rate. Individuals would need to satisfy GHC they were making every effort to find suitable accommodation. These expenses would be part of the £8,000 limit and payable for up to one year.

Individuals moving from overseas can claim for a one-way economy class or equivalent airfare for themselves and their immediate accompanying family.



Reporting unfitness to practice

1 What this policy covers

To ensure that you maintain high standards of practice you are responsible for maintaining your fitness, competency and suitability to practice and work in healthcare throughout your career.

GHC has a responsibility to ensure that its staff are fit and safe to carry out their role. Where there is evidence that questions your fitness to practice or to work in certain roles, GHC have may have to refer you to your professional body or another external organisation.

This policy sets out when GHC may consider making such a referral. It covers all GHC staff except medical and dental staff, who are covered by Maintaining High Professional Standards in the Modern NHS.

2 Principles

Referrals may be considered:

- when a specific concern comes to light
- as a result of formal disciplinary or performance procedures
- as a result of a serious health-related issue that impairs your practice as a registered practitioner
- if GHC becomes aware that you have been charged or convicted of a criminal offence, have failed to report a criminal conviction or caution, you have not reported being charged with a criminal offence, or you have been subject to relevant civil proceedings in relation to children
- when it has been identified you may pose a potential threat to vulnerable groups.

Information about the matter will only be shared with staff who are involved in the decision about a potential action or referral to protect your confidentiality. Depending on the circumstances this may include a Professional Lead, the Safeguarding Lead, your

manager, a HR manager, the Director of Nursing, Quality & Therapies and/or the Deputy Director of Nursing, Quality & Therapies.

Your manager will share what information they can with you about the referral. However, sometimes the external organisation may place restrictions on what information your manager is able to tell you.

3 Responsibilities

- You are responsible for maintaining your fitness and competency to practice.
- If you feel you are not fit to practice, refrain from doing so until you have regained that competency and/or your fitness to practice.
- GHC is responsible for considering if a referral should be made when it becomes aware of potential concerns about fitness, competency or suitability to practice or work in a healthcare setting.
- GHC will aim to ensure the process for considering making a referral to a professional body or external organisation is fair and consistent.
- GHC's Professional Leads are responsible for making referrals to professional bodies, the LADO and the Disbarring and Vetting Service.
- Your manager is responsible for supporting you as appropriate if a referral is made.

4 Making a referral

All the available relevant information will be carefully considered before any decision is made about whether you should be referred. Depending on the situation, a referral may be made to:

- your professional/regulating body if you are a registered practitioner (eg NMC, HCPC), in which case the appropriate Professional Lead is responsible for submitting the referral
- the Local Authority Designated Officer (LADO), in



which case the Safeguarding Lead will be responsible for submitting the referral

- the police, in which case it will depend on the situation as to who makes this referral, it may be your manager, a senior manager or a Local Security Management Specialist
- the Disbarring and Vetting Service, in which the Safeguarding Lead will be responsible for submitting the referral.

4.1 Referrals due to disciplinary or performance procedures

It is likely a referral to the relevant body will be made following any disciplinary hearing where a registered professional is dismissed. The disciplinary panel would need to give clear reasons to justify any recommendation for this not to happen. Where the outcome is serious or gross misconduct, disciplinary hearings are also likely to result in referral. There may also be other cases where the outcome is not dismissal or gross misconduct, but it is still appropriate to consider a referral to a professional body. The HR support to the panel will contact the relevant Professional Lead about the case following the hearing.

Where the outcome of an improving-performance process is dismissal of a registered practitioner, the appropriate Professional Lead will use any relevant guidance on reporting lack of competence to decide if a referral should be made. The HR support to the panel will contact the relevant Professional Lead about the case following the hearing.

4.2 Referrals as a result of a health-related issue

Where there is a serious health-related issue that impairs a registered practitioner's ability to practice or practice safely, their manager should seek advice from HR and the Professional Lead to understand if or when fitness to practice should be reported. It may be necessary to seek Working Well advice before a decision is made.



Resolution

1 What this policy covers

GHC is fully committed to ensuring that you are managed in a supportive, consistent, fair and effective way. This policy is designed to support you should you wish to raise a grievance, including issues relating to equality and inclusion. A grievance is any concern, problem or complaint relating to your employment. This policy should be read in conjunction with the Freedom to Speak Up and Respect and Dignity at Work policies.

2 Principles

This policy applies to all staff employed by GHC, including employees seconded out to other organisations. It does not apply to bank workers, although they may still raise concerns as necessary, which will be considered by GHC. It does not apply to staff seconded into GHC or agency staff.

The grievance procedure aims to resolve issues or complaints at the lowest appropriate level and as informally as possible with minimal delay and conflict. Interventions such as facilitated discussions and mediation will be encouraged at any stage of the process wherever appropriate with the aim of resolving issues in as positive a way as possible.

At any stage of the procedure it may be determined that your concerns should be considered under an alternative policy as appropriate, depending on what new information comes to light.

2.1 Issues this policy covers

Any employment-related concern or complaint from an employee or group of employees about their work, working environment or working relationship, such as:

- local terms and conditions of employment
- working practices
- dissatisfaction with an action your manager has taken or proposes to take.

All grievances must be raised, informally or formally, within three months of the incident or concern unless there are exceptional circumstances preventing this.

There are a range of options for you to seek advice or raise concerns in a different way, or to raise concern anonymously where this is more appropriate, before raising the matter with your manager as a grievance. These include:

- Freedom to Speak Up
- Vivup (GHC's employee assistance programme provider).

2.2 Issues not covered by this policy

The following are not covered by this policy:

- any outcome of a disciplinary hearing or other process that has its own appeals process
- nationally agreed terms and conditions of employment
- organisational change
- public interest disclosures
- any issue outside GHC's control or responsibility.

If you believe a working relationship with a colleague has become strained or broken down or you feel you are being harassed, victimised or the subject of discrimination, you should refer to the Respect and Dignity at Work policy.

“GHC is fully committed to ensuring that you are managed in a supportive, consistent, fair and effective way”

3 Responsibilities

You are responsible for:

- raising concerns in an appropriate and clear manner
- being realistic about the outcome you are seeking
- taking part in open discussions about your concern and working to find mutually appropriate solutions
- respecting confidentiality and only sharing information with agreed parties.

Managers are responsible for:

- taking all workplace concerns seriously and dealing with them appropriately
- working with the staff involved to find mutually acceptable solutions
- signposting staff to sources of support that they can access.

4 Collective grievance

If more than one person raises a grievance and you are seeking resolution as a group, you may raise a collective grievance using this policy and the same process will apply. The group should be represented at meetings by a maximum of three of the people raising the grievance.

5 Procedure

5.1 Informal stage

In the first instance, as soon as you identify a problem or concern you should raise it with your manager (or their manager if the issue involves your manager) with the aim of resolving your grievance informally. This could be by discussing the matter or putting your concerns in writing.

Outline your concerns and provide as much information as possible. It is often helpful to:

- explain the nature of the problem
- provide dates and times of any specific incidents or examples
- give the names of any witnesses
- detail any action already taken

- be clear and specific about the resolutions or outcomes you are seeking.

When your manager receives this information they will arrange a meeting with you within 14 calendar days and seek advice if they need it. The purpose of meeting is to ensure that your manager fully understands the issue and the outcome you are seeking, and discuss any next steps so the problem can be resolved informally. Where necessary, they may need to speak to other people or find out further information to establish the most suitable resolution after they have spoken to you.

Once they have done this, your manager will discuss any resolutions and a way forward and confirm the main points discussed in writing. They will explain what you can do if you are not satisfied with the outcome and/or it is not possible to reach a resolution informally.

5.2 Formal stage

If the informal process did not give the outcome you were seeking and you feel you have reasonable grounds for moving to the formal stage, you should complete the Grievance Notification form and send it to the manager who dealt with your informal grievance. You must do this within seven calendar days of receiving the outcome of the informal stage.

The manager will acknowledge receipt within seven calendar days and inform their HR manager about your grievance. Formal grievances will be considered within four weeks of a grievance being acknowledged, where possible. If not possible, for example, because the matter is complex or individuals cannot attend meetings, any delays should be discussed with you, with progress updates provided.

An appropriate manager will be identified to explore resolution to your grievance. They will arrange a meeting with you as soon as reasonably practical. At the meeting the manager will:

- check their understanding of the issue that you are raising
- discuss the resolutions you are seeking as an outcome
- allow you to expand on the concerns you've outlined
- review any further documentation provided

- decide if they need to seek further information to enable them to reach a decision.

You can be supported by a trade union representative or work colleague who is a GHC employee. The manager will be supported by HR.

Depending on the nature/seriousness of the concerns raised, interim measures may need to be considered while further information is gathered, such as a temporary change to duties or a move for those involved.

After any additional information gathering is completed, the manager will contact you to arrange a second meeting to inform you of their findings and outcome, including any next steps, unless you wish to receive the outcome in writing only. Where the outcome involves others, after speaking to you, the outcomes/next steps will be discussed with them as appropriate. It may not be possible to share details of the actions relating to other staff due to GHC's duty of confidentiality to all staff.

The outcome will be confirmed in writing, usually within seven calendar days of the meeting, and include:

- a summary of findings
- any recommended actions (due to data protection restrictions you cannot be advised about any precise action or outcome relating other individuals as a result of the grievance)
- the outcome, which could be to:
 - find in favour of all grounds – meaning your grievance is upheld
 - find in favour of some but not all grounds – meaning your grievance is partially upheld
 - not find in favour of any grounds – meaning your grievance is not upheld.

5.3 Appeal

You can appeal if you have grounds to believe:

- the procedure has not been followed correctly
- the decision reached was not fair, reasonable and/or consistent with similar decisions within GHC
- the decision was not appropriate in light of the evidence presented.

You must appeal in writing within seven calendar days of receiving the outcome. The outcome letter will detail how to submit your appeal. Any appeal will be heard in line with the GHC appeal process.

6 Status quo working

During any stage of the process the status quo will remain (ie the procedures, policies, working and management arrangements which applied before you raised the issue) until the process is exhausted. Exceptionally, the status quo may be set aside when it is agreed by both parties to do so or when maintaining the status quo would mean breaches of statutory, mandatory or regulatory obligations, or delays might compromise service delivery. Only a Director or the Director of HR and OD can vary the status quo for a collective grievance.

7 Grievances in relation to other procedures

If you submit a grievance during another formal process and your grievance is directly related to the issue being addressed by that formal process, the manager to whom you submit it must seek HR advice before taking any further action. Usually grievances raised while staff are subject to formal proceedings are only heard after the other formal process has been completed.

However the process may be paused if your grievance relates to:

- discrimination, or bullying/harassment allegations
- deviations from the formal procedure.

8 Withdrawing a grievance

You may decide to withdraw your grievance at any stage. If you do, you will not be able to re-submit the same grievance in the following six months. Depending on the nature and substance of your grievance, it may be determined that it is appropriate to follow up on the issues you raised, even if you do not wish to pursue it.

9 Leaving GHC

If you are planning to leave GHC's employment and have raised a grievance, you may leave before there has been time to complete the grievance process. If so, the process will usually end without being completed on your last day of service. Occasionally, the process may continue due to the specific nature or substance of your grievance.

If you submit a grievance after your employment with GHC has ended, it will not be pursued if it is established that you could have raised the matter before your last day of service. If it was not possible for you to raise the grievance before you left GHC, a decision will be made about using the grievance process, based on the issue being raised and/or the resolutions you are seeking.

10 Exceptions

You cannot raise a second grievance on the same or related grounds within six months of an outcome/ resolution being issued, unless any action agreed as a result of the original grievance has not been completed.

Any grievance considered to be frivolous, vexatious or malicious will not be considered using the resolution procedure. Examples of this may be:

- persistently pursuing a grievance where the resolution procedure has been fully and properly implemented and completed
- seeking to prolong contact by continually raising further concerns or questions upon receipt of a response
- unwillingness to accept documented evidence as being factual
- focusing on a matter to an extent which is out of proportion to its significance and continuing to focus on this point (recognising that determining this can be subjective and careful judgement must be used in applying these criteria to ensure that there is evidence to support this conclusion).

If there is evidence that demonstrates that your grievance is frivolous, vexatious or malicious, it will be considered if disciplinary action is appropriate. This decision would only be taken after advice is sought from HR, and if appropriate, discussing the matter with you. If disciplinary action is considered, GHC's disciplinary procedures will be followed. The evidence collected as part of the original grievance may be used as the basis of any report required for use in the disciplinary process.



Respect and dignity at work

1 What this policy covers

GHC is fully committed to promoting a fair and harmonious working environment in which everyone is treated with civility and respect.

It recognises that sometimes conflict or unwanted behaviour in the workplace may occur, so this policy is there to promote good working relationships by providing ways for you to constructively and quickly resolve problems with a colleague or where you feel a working relationship is breaking down. This policy sits alongside the Trust's Freedom to Speak Up and Resolution policies.

2 Principles

- This policy applies to all GHC employees, because everyone has a responsibility to create a culture of positive relationships at work.
- In the first instance, problems with relationships at work should be dealt with informally and quickly, because most people will simply want to improve the relationship as soon as possible.
- You should attempt one or a combination of the informal methods before starting a formal process. Only in exceptional circumstances will the formal process take place without using the informal process first.
- All steps in the process are confidential, although for concerns and issues to be resolved information and feelings between the parties concerned will need to be shared.

3 Responsibilities

You are responsible for:

- treating everyone with civility and respect
- behaving in a way that reflects GHC's values and maintains a positive working environment

- not excluding, bullying or harassing colleagues or colluding with others to bully, harass, victimise or discriminate against others
- reporting unacceptable behaviour through appropriate channels and participating in resolution processes to enable issues to be resolved at the earliest possible stage.

Managers are responsible for:

- setting and maintaining appropriate workplace standards and challenging unacceptable behaviour
- treating all staff equally, fairly and with respect and being mindful of how their own behaviour and actions are perceived, no matter how well intentioned
- taking complaints of unacceptable behaviour seriously, dealing with them promptly and appropriately, seeking to resolve issues at the earliest possible stage.

4 Recognising poor relationships or inappropriate behaviour

4.1 Inappropriate or unwanted behaviour

Inappropriate or unwanted behaviour is not always immediately obvious and it can take many forms that vary over time. It may arise from misunderstandings or lack of awareness, or it could be deliberate and malicious. There is no one definition or type of behaviour that can be experienced as bullying or harassment, but they could be understood to be:

- bullying – persistent offensive, intimidating, malicious or insulting behaviour, or an abuse of power that makes you feel upset, undermined, humiliated or threatened
- harassment – unsolicited or unwelcome remarks or actions by an individual or group, which causes you to feel upset, threatened, humiliated, patronised or otherwise distressed or which interferes with your job performance, undermines your job security or



creates an intimidating or otherwise unpleasant working environment.

Examples of inappropriate behaviour could include:

- verbal or physical threatening behaviour, including microaggressions
- unwelcome sexual advances or unwanted physical contact
- making jokes or derogatory comments about a person, team or group
- spreading malicious rumours or making malicious allegations
- unfair treatment
- undervaluing a colleague's contribution or persistent criticism
- placing unreasonable demands on and/or over-monitoring performance
- misuse of power or position.

4.2 Firm but fair

It is important to recognise the difference between firm but fair management and behaviour that is bullying or harassing in nature, because managers have to be able to carry out their duties without the threat of vexatious or malicious complaints. All managers have a responsibility to ensure that their staff perform to an acceptable standard, therefore it is reasonable to expect your manager or supervisor to monitor your behaviour and performance in an appropriate and justifiable manner.

If this happens you may find the situation challenging, but carrying out these actions in themselves do not constitute bullying or harassment by your manager, the difference lies in how your manager carries out these duties. Sometimes differing perceptions can make it difficult to understand the difference between firm, fair management and bullying and harassment. The table at the bottom of the page shows how firm but fair management can differ from bullying and harassment.

“It is not always easy to speak up about things that upset you or cause you concern or that you may see happening to others”

5 Policy in practice

5.1 Raising a concern with your colleague

It is not always easy to speak up about things that upset you or cause concern or that you may see happening to others. However, a person may not know that their behaviour is unwelcome. Therefore, if you feel able to, you should have an open and honest discussion about the issue or behaviour directly with your colleague face to face. If you can discuss your concerns it may help them to understand how their behaviour is affecting you and give them a chance to change it. This could prevent a situation from getting worse and becoming more difficult to resolve.

Firm but fair

- Considerate of your individual needs and style when communicating with you individually.
- Determined to achieve the best results, being reasonable and fair about how this is done.
- Insists on high standards and behaviours within the team and offers support to achieve these.
- Seeks to understand any perceived deterioration in performance before forming views or taking action.
- Willing to ask for views when introducing changes.

Bullying and harassment

- Aggressive, inconsistent or unfair behaviour or communication.
- Determined to achieve results, but is unreasonable and inflexible about how this is done.
- Insists on high standards but blames you or others when things go wrong.
- Loses temper, regularly degrades you or other team members in front of others.
- Has fixed opinions, believes that they know best and is not prepared to consider your views if things go wrong.



When talking to your colleague it is important to:

- choose an appropriate time and place for the conversation
- be clear about what you have found challenging or what is causing you concern, using specific examples
- use a non-confrontational approach and give your colleague the opportunity to respond.

It can be useful to keep a diary of events to show how the relationship has changed over a period of time, including steps you have taken to address problems.

5.2 Informal processes

If discussion with your colleague has not resolved the issue, approach your manager to get their support and advice. If the concern is about your manager, raise the matter with their manager.

You can talk to your manager first, after which they will need you to outline your concerns in writing. It will be helpful for you to give your manager as much information as possible. This should be specific information about the behaviour or concern, including where possible:

- the name of the colleague involved
- the nature of the problem
- dates and times of any specific incidents or examples
- names of any witnesses

- any action already taken to improve the relationship.

After your manager has received this information, they will arrange a meeting with you within seven calendar days to better understand the issue and discuss next steps, with a view to resolving the problem informally. They may seek HR advice before or after the meeting.

To fully engage with this process, you need to be honest and open about what has led to this situation and be focussed on how things can improve. You and your manager may explore the following options to informally resolve the issue:

- discussing the concern with your colleague, if you have not already done so or you and your manager agree it is worth trying this approach again
- facilitated/supported conversation
- mediation.

5.3 Facilitated/supported conversation

A facilitated/supported conversation is when your manager, or an appropriate manager, will provide support for you to have a conversation with your colleague to:

- address the concerns raised with those involved
- understand the situation from the perspectives of those involved
- sensitively explore the impact of the concerns on those involved and where appropriate, upon the service
- start rebuilding the relationship.

The facilitating manager will meet with the involved parties separately to explain the purpose of the discussion, before bringing you together. The intended outcome would be a realistic solution accepted by everyone involved, including ensuring that everyone understands the standards of behaviour and performance expected of them. The manager will then set out their expectations in writing to each party.

It is expected a facilitated meeting will usually have taken place before a formal process is started. All parties are expected to take part unless there are exceptional circumstances. If you are not willing or able to take part in a facilitated meeting, it may prevent an informal resolution and could result in the manager implementing an alternative resolution.



“Mediation is a structured and constructive approach to help find a resolution and start rebuilding the relationship”

5.4 Mediation

If a facilitated conversation has not resolved the matter, mediation may be considered. Mediation is a structured and constructive approach to help find a resolution and start rebuilding the relationship.

Mediators are independent colleagues who have been trained in mediation. They will create a safe environment for all parties involved to explore the inappropriate behaviour and resolve issues and conflict. The outcome aims to reach agreement, which remains strictly confidential between the two people involved and should be confirmed in writing. Only information agreed by both parties will be shared with your manager, so they can provide additional support.

All parties involved need to agree to take part for the mediation to be used. It is a voluntary process, and no judgement will be made if the offer of mediation is not taken up. However, it is hoped all staff would be willing to engage positively in mediation to help improve working relationships.

5.5 Formal process

If the informal process did not lead to the outcome you wanted and/or you have reasonable grounds to move to the formal stage, you should outline your reasons and send this to your manager (or the manager who supported the informal process). Provide as much detail as possible, including where possible:

- the name of the colleague involved
- the nature of the problem
- dates and times of any specific incidents or examples
- any relevant documentary evidence
- names of any witnesses
- any informal actions or processes already taken to improve the relationship.

Your manager will acknowledge receipt within seven calendar days and inform their HR manager about your concerns. If you submit a formal concern without first having attempted to resolve matters informally it may be decided to support you to try to reach an informal resolution first.

An appropriate manager will be identified to explore your concerns. They will arrange a formal meeting with you as soon as reasonably practical. At the meeting the manager will do some or all of the following:

- fully explore your concerns with you
- check their understanding of the issue you are raising
- discuss the resolutions you are seeking
- review any documentation and evidence provided
- review the outcome of informal meetings and stages, and any subsequent developments.

You can be supported by a trade union representative or work colleague who is a GHC employee. The manager will be supported by HR.

The manager will decide if they need to gather further information or whether the matter should be considered under another process so that a decision about the most suitable outcome or resolution can be reached. Depending on the nature and seriousness of the concerns raised, interim measures may need to be considered while the information gathering takes place, such as a temporary change to duties or a temporary move for parties involved.

Once any additional information gathering is completed, the manager will arrange a second meeting, this time to inform you of their findings, the outcome and any recommendations, so far as they are able to. After speaking to you the other party will also be advised of outcomes and recommendations, as appropriate. The outcome will be confirmed in writing to all parties, usually within seven calendar days of their individual meetings. Outcomes may include (but are not limited to):

- further steps to improve working relationships (ie formal mediation)
- temporary or permanent redeployment of those involved
- case referred to a disciplinary hearing
- case to be considered under other relevant procedure.



6 Appeal

You have the right to appeal if you have grounds to believe:

- the procedure has not been followed correctly
- you do not believe the decision was reached objectively/fairly
- the decision reached was not appropriate in light of the evidence presented.

You must appeal in writing within seven calendar days of receiving the outcome. The outcome letter will detail how to submit your appeal. Any appeal will be heard in line with GHC's appeal process.

7 Withdrawing your concerns

You may decide to withdraw from this process, but first your manager will seek to understand your reasons for withdrawal. Depending on the nature or substance of your concerns, it may be necessary to follow up on the issues raised, even if you do not wish to pursue it.

8 False and vexatious allegations

GHC takes seriously its duty of care for all staff. As such, the starting point will be that any concerns raised under this policy are genuine and you are encouraged to address any concern you may have. However, where it is concluded that false concerns were made but based on a genuine, albeit mistaken, belief, you will be advised of the potentially serious nature of the mistake and appropriate steps taken to resolve any damage the mistaken belief may have had on the working relationship.

If there is evidence the concern raised was not made in good faith, it will be treated as having been with malicious intent and dealt with in line with the appropriate Trust policy.



Retirement

1 What this policy covers

This policy applies to all employees and enables GHC to manage their retirement, while helping staff to better understand their options should they wish to retire.

This policy should be read in conjunction with GHC's Flexible Working and Improving Performance policies.

2 Principles

- GHC is committed to creating a positive and inclusive environment, respecting equality and diversity, and encouraging good relations between people of all ages.
- GHC recognises the valuable contribution made by employees of all ages.
- Unless it has been agreed otherwise, employees wishing to retire will be expected to work their contracted notice periods.

3 Responsibilities

- GHC will ensure that this policy is applied fairly and consistently.
- Managers are responsible for ensuring that the practical application of this policy.
- Employees considering retirement should ensure that they understand the associated processes and financial implications before submitting their formal notice.

4 Policy in practice

Line managers should have regular conversations with their employees about their expectations, development needs and future plans, including through their annual appraisal review.

Employees can indicate a date at which they plan to retire from NHS service (their "indicated retirement date"). Should the employee change their mind, GHC will usually accommodate their request to continue working beyond the original indicated retirement date, if the recruitment process to fill the role has been completed.

Should an employee decide to retire, they must resign from their post giving at least their contractual notice. But if they wish to receive their NHS pension payments immediately upon retiring, it is advised that a minimum of three months' notice is given.

Once an employee has given formal notice to leave, GHC is under no obligation to agree if they subsequently wish to withdraw their notice.

Any untaken annual leave that is paid to an employee when they retire will extend their last payable day of service. If they intend to return to work after retiring, the extended last day of service will need to be taken into account when establishing the date they can return.

5 Return to work at GHC

For employees who are considering retirement, but want to return to work at GHC there are several ways they may be able to do this:

- through an open recruitment process to apply for a post within GHC
- joining GHC's Temporary Staffing Team
- speaking to their manager about accessing the retire and return scheme.

Please note, however, that there is no automatic right to return to work.

Employees who have retired but wish to return to working at GHC, must have a minimum of a 24-hour break between their retirement date and the date of their re-engagement with GHC.

In accordance with the NHS Terms and Conditions of Service, reckonable service for redundancy purposes or mutually agreed resignation schemes will begin from the date employees in receipt of NHS pension benefits are re-engaged.

Before applying to return to work, employees should consider the implication of any future earnings on their pension payments.

6 NHS Pension Scheme

Flexibilities within the NHS Pension Scheme can enable members to take a different approach to retirement, by working to a later age in a way that can meet their needs and those of GHC.

Options for flexible working must be discussed and agreed by GHC and the employee in accordance with our Flexible Working Policy.

For further advice please contact the Pensions team or visit the NHS pension website at:

 www.nhsbsa.nhs.uk/pensions

7 Support for employees intending to retire

Employees who are within two years of their expected retirement date can attend a pre-retirement course during work time. This should be an in-house or other appropriate retirement course covering topics useful in preparing for retirement such as:

- pensions and pensioner's rights
- financial investment
- health and home security.

Further details are available on Care to Learn.

“Employees who are within two years of their expected retirement date can attend a pre-retirement course during work time”



Secondary employment

1 What this policy covers

This policy provides guidance on how additional employment can be undertaken while you are a GHC employee.

It is designed to ensure that you can maintain a high quality professional service when working for GHC, while being able to take on other work without it:

- impacting negatively on your role here
- being a conflict of interest
- there being any adverse health and safety implications for you, your colleagues or service users.

This policy will also help to prevent you or GHC contravening legislation on working time, including the total hours worked, breaks between work periods and annual leave.

1.1 Definitions

In this policy the term “secondary employment” covers:

- any additional employment within GHC over and above your contracted hours
- external bank, locum or agency work
- paid employment inside and outside of GHC including on-call service provision to other services
- work you may undertake as a self-employed person
- private practice
- voluntary work outside of the Trust which may impact on your paid job
- reservist occupations.

2 Principles

- In many situations, it is accepted that secondary employment will not constitute a conflict of interest in relation to your work for GHC. However, to avoid any doubt, it is important that there is total transparency about these arrangements, so there is no appearance or accusation of such a conflict.

- While GHC recognises that for career progression or financial reasons you may wish to undertake secondary employment, it has a duty to ensure that you do not engage in other paid or unpaid work that may conflict with the interests of GHC, or affect your performance or attendance under your contract of employment with GHC.

3 Responsibilities

- All staff must adhere to the terms of this policy. Failure to comply, or ignoring the refusal of a request, may result in disciplinary action under the GHC Disciplinary Policy or investigation by the Local Counter Fraud Service.
- Managers are responsible for ensuring that staff are made aware of this policy, and that the process to notify GHC of any secondary employment is followed by their team.
- Where you are undertaking secondary employment, it is your responsibility to ensure that your performance in your primary post is not affected.
- It is also your responsibility to notify your manager immediately if your secondary employment ceases or substantially changes (eg the number of hours worked or pattern of shifts).

4 Policy in practice

4.1 Conditions

You are permitted to undertake additional work, providing GHC is satisfied that this does not conflict with:

- national terms of conditions of employment and/or your own contract of employment
- the reputation of GHC, or bring GHC into disrepute
- your performance in your GHC role
- your wellbeing and levels of sickness absence
- the wellbeing or safety of your colleagues or service users.



As a minimum, secondary employment arrangements should be reviewed on an annual basis as part of your appraisal. While on annual leave from your substantive post you can only undertake paid additional employment outside of GHC if your manager has agreed in advance.

4.2 Notification of secondary employment

Pre-employment

Those offered jobs at GHC will be asked to disclose secondary employment they intend to continue after starting employment with GHC, using the Secondary Employment Notification form.

The manager should discuss secondary employment with preferred candidates and consider setting parameters to ensure that there is no adverse impact on their GHC role. In the case of new starters, this discussion will take place before they start in the role or at the latest as part of their local induction.

If a secondary employment declaration is not acceptable and the appointee wishes to continue with their conditional offer of employment, they must confirm in writing they will have ceased secondary employment before taking up employment with GHC.

During employment

If you are considering taking up secondary employment, including bank, locum and agency work, you must declare your intention by completing the Secondary Employment Notification form.

On receipt of the form, your manager will meet with you to discuss the secondary employment and potential impact on your current primary job, paying particular attention to performance, attendance and any potential conflicts of interest. Having considered all the factors, they will decide whether the secondary employment would be detrimental or not.

Your manager will confirm the decision in writing and put a copy on your personal file.

4.3 Private practice

Staff who undertake private work in the same capacity as their GHC role may not advertise or promote their work in the course of conducting their NHS duties, nor do so on Trust premises. They will need to make their own arrangements in relation to payments, invoicing,

contracts, liability, insurance and equipment, including IT hardware and software.

Service users, patients or carers who ask about seeing a practitioner on a private basis or accessing similar or related services on a paying basis should be referred to a reputable register or website.

4.4 Withdrawing permission

There may be circumstances where it is necessary for GHC to retract permission given for your secondary employment. This will only happen after your manager discusses it with you.

Examples of situations where permission may be withdrawn include if your secondary employment is having an adverse impact on your performance, attendance or time-keeping, a new conflict of interest arises, or if you fail to access an appraisal or supervision, or fail to attend mandatory training because of your secondary employment.

If you decline, it will be investigated. The findings of the investigation will be shared with you and your manager and Human Resources will advise on the appropriate next steps.

5 Appeal

If your manager rejects your application for secondary employment, you may appeal using GHC's appeals procedure.

6 Sickness

You must inform your manager, who will seek guidance from Human Resources and Working Well regarding the prospect of you continuing any secondary employment where you are unfit for GHC work.

You are normally required to refrain from secondary employment while on sick leave. Working elsewhere while on paid sick leave from GHC, without having obtained permission from GHC beforehand, could be regarded as fraud, and/or a disciplinary matter, which will be dealt with under GHC's Disciplinary Policy and/or investigation by the Local Counter Fraud Service.

However, if you have two different types of work that enables you to work in one post while sick in another, you will not be entitled to Statutory Sick Pay, but you may be eligible to receive Occupational Sick Pay for the post you are unable to perform, if supported by Working Well.

7 Attendance/time-keeping

Any adverse impact on attendance and/or time-keeping as a result of your secondary employment will be considered and action taken as appropriate.

8 Working Time Regulations

GHC must ensure that you comply with the Working Time Regulations, and if you have secondary employment and regularly work more than 48 combined hours per week, you must sign a Working Time Regulations opt-out form.



Secondment

1 What this policy covers

This policy sets out GHC's approach to arranging and managing secondment opportunities within, into and out of GHC. It applies to all GHC employees.

2 Principles

Where possible, GHC will support secondment arrangements and opportunities. Secondments will usually be between three and 12 months in length. At the end of a secondment you should usually return to your substantive post. However, there will be some cases where this is not possible.

You must have authorisation from your manager before you apply for a secondment. While every effort will be made to support a secondment, there is no right to a secondment and it may not always be possible to agree a secondment request.

3 Responsibilities

Substantive line managers will:

- consider all secondments requests fairly, taking into the account the benefits to you, the team, the department and/or GHC, as well as the impacts on service delivery and any cost implications
- explain the secondment arrangement to the person backfilling the role, including that the secondment may need to end early
- liaise with the Finance team to ensure that the seconding organisation/department is invoiced appropriately for the secondee.

Line managers during the secondment will:

- follow GHC's Recruitment policy and process when filling a secondment opportunity

- undertake day-to-day management of the secondee during the secondment, liaising with the substantive manager or their employer as appropriate
- ensure an induction programme for the secondee.

Employees will:

- ensure that they get their manager's agreement before applying for a secondment
- work flexibly and cooperatively with staff and team members in their secondment working environment
- keep in touch with their substantive manager during their secondment
- discuss any potential changes in the secondment arrangement with their substantive manager
- ensure they understand the implications of the secondment on their pay, pension and other terms and conditions.

4 Policy in practice

Before you apply for a secondment, you must discuss it with your manager. Your manager may have concerns about:

- the impact of the arrangement on service delivery
- the knock-on effect for other members of staff in covering your work
- the cost implications of the proposed arrangements
- whether you are subject to any formal HR procedure
- whether you are employed on a temporary contract.

Your manager will make every effort to facilitate a secondment, but sometimes it will not be possible. The final decision about if you can be released rests with your manager. If they cannot release you, your manager will explain the reasons for their decision and then confirm it in writing.

“Before you start a secondment you must agree keep-in-touch arrangements with your substantive manager”

Secondment opportunities will usually be for between three and 12 months on a full-time or part-time basis, depending on circumstances. Anything outside of this must be agreed at Service Director level or equivalent.

4.1 Recruitment

Where a secondment is for three months or more, the normal recruitment process should be followed for advertising and identifying a preferred candidate. If the role requires certain employment checks, they must be completed before the secondment can start.

The substantive line manager and secondment line manager should both contact the Finance team to ensure any recharging arrangements are put in place.

4.2 Keeping in touch

Before you start a secondment you must agree keep-in-touch arrangements with your substantive manager. This will ensure that you have the opportunity to keep your manager informed of any changes in your personal circumstances or if you gain new skills. It will also enable your manager to keep you informed of any changes within the team or service.

4.3 End of secondment

If a secondment is for 12 months or less, you will normally return to your substantive post. In exceptional cases where a secondment longer than 12 months is agreed, before you take up the secondment you will be advised in writing that GHC cannot guarantee your substantive post will be available at the end of the secondment period.

If so, GHC will make all reasonable efforts to find a suitable alternative role for you, if available, in line with the redeployment process. If a suitable alternative role is not available, your contract of employment may be terminated. In such cases, in exceptional circumstances, a redundancy payment may be paid.

4.4 Other conditions

If you wish to take up a secondment in a lower banded post than your substantive post, your pay and other benefits will not be protected.

If your team or service is subject to an organisational change process during the secondment, you must make yourself available to take part in any processes related to the re-organisation.

Any period of time spent with another employer within or outside of the NHS on an agreed secondment will not affect your continuity of service with GHC.

5 External secondments

If you are arranging a secondment with an external organisation the following also applies:

- you need to seek your manager's approval before making an application for a secondment opportunity outside of GHC
- all secondments outside of GHC need to be approved at Service Director level or equivalent.

If it is agreed that you can be released for an external secondment, a formal secondment agreement will be entered into and signed by the seconding organisation and your substantive line manager on behalf of GHC.

GHC's external secondment agreement is available from HR. If the seconding organisation wishes to arrange a secondment on the basis of a differently worded agreement your manager should seek HR advice.

5.1 Other conditions

You and your manager are both responsible for ensuring that the secondment line manager is aware of any relevant GHC policies and procedures.

Your substantive line manager and your secondment line manager are responsible for ensuring that these are applied correctly. If there are any conflicts regarding policies and procedures, they should be referred to the HR departments of both organisations.

Your contract of employment will remain with GHC, which will continue to pay you. GHC will invoice the seconding organisation for your pay and associated costs during the secondment, in line with the secondment agreement.

5.2 Ending the secondment early

The termination of a secondment by any of the parties will be subject to an agreed notice period (usually four weeks). If an external secondment ends early at the request of the seconding organisation or you, GHC will attempt to temporarily redeploy you if your substantive post is not immediately available. However, if this is not possible, GHC is not obliged to provide work or payment to you until the date on which the secondment was last agreed to end. This may result in you being unpaid for a period if the secondment ends early in these circumstances.

6 Secondments into GHC

If an external applicant is offered the role and wishes to take the post as a secondment from their employer, they must:

- confirm their employer has agreed to this
- facilitate their substantive manager contacting the secondment line manager at GHC to agree the arrangements.

A formal secondment agreement between GHC and the secondee's employer must be signed to ensure that GHC does not incur any liabilities as a result of the secondment. Advice must be sought from HR in relation to this.

Before an external secondee starts work with GHC, the appropriate recruitment checks must have been completed or the employing organisation will need to confirm that they have carried them out. The secondee must attend corporate induction at the start of their secondment.

6.1 Other conditions

The secondee will continue to be paid by their employer, who will invoice GHC for the appropriate costs, including salary. GHC will pay the secondee at the appropriate rate for the banding of the role and their experience, in line with the Starting Salary policy. The secondee will normally retain their existing terms and conditions (ie those of their employing organisation). The secondee will remain the employee of their substantive employer at all times during the secondment. The method for claiming expenses will be depend on the systems of the substantive employer. The secondment line manager at GHC and the secondee's substantive line manager are expected to arrange for the secondee to claim approved expenses via the seconding organisation, which will then charge GHC for the costs.

The reporting procedures for different types of leave (eg annual leave, sickness absence, special leave) should be clearly stated within the secondment agreement. The substantive line manager should be updated on leave taken on a monthly basis by the secondment line manager.

The secondee's entitlement to annual and public holidays will be in line with the terms and conditions of their substantive employer, although the application of this may differ during the secondment. Any variations to this must be detailed within the secondment agreement.

The secondment line manager will be responsible for the secondee's day-to-day management. They will liaise with the secondee's substantive line manager if any significant concerns about the secondee arise. Any disciplinary or other formal action against the secondee will need to be undertaken by the secondee's substantive employer, in accordance with their policies and procedures.



Shared parental leave

1 What this policy covers

Shared parental leave enables eligible parents to choose how to share the care of their child during the first year of life or adoption.

All eligible employees have a statutory right to take Shared Parental Leave (SPL). There may also be an entitlement to some Shared Parental Pay (ShPP).

This policy provides an overview of your statutory rights and explains the notification process and what your statutory ShPP entitlements are.

2 Principles

- While GHC recognises its statutory responsibilities and supports the principle of SPL, decisions in respect of when the leave is taken will need to take account of service demands.
- Leave granted in respect of this policy must be used for caring for your child. Use for any other purpose and fraudulent claims could result in disciplinary and criminal action being taken against you.

3 Responsibilities

- GHC aims to ensure that applications for SPL are treated appropriately in accordance with this policy and in a way that does not discriminate.
- Managers are responsible for actioning requests for SPL in accordance with this policy.
- Employees wishing to take SPL should comply with the procedures and timescales outlined in this policy.
- Human Resources can advise managers and employees about the various GHC policies.

4 Policy in practice

4.1 Eligibility for SPL

To qualify for SPL you must:

- share responsibility with the other parent from the day of the child's birth or adoption placement
- be an employee (bank workers are not eligible) and still be an employee when taking SPL.
- (or your partner must) be eligible for maternity pay or leave, adoption pay or leave or Maternity Allowance
- have worked continuously for the same employer for at least 26 weeks by the end of the fifteenth week before the due date or by the date you are matched with your adopted child.

You must remain employed by GHC while you take SPL. During the 66 weeks before the week the baby's due date (or the week you are matched with your adopted child) the person with whom you wish to take your SPL with must:

- have been working for at least 26 weeks (they do not need to be continuous) and do not necessarily need to be working at the date of birth/adoption or when you start SPL or ShPP



“An employee taking maternity leave cannot return to work before the end of the compulsory two weeks of maternity leave following the birth. If you are adopting, the person claiming adoption pay must take at least two weeks of adoption leave”

- have earned at least £390* in total in 13 of the 66 weeks (add up the highest paying weeks, they don't need to be in a row).

* Please note that this is the 2023 rate and this may change.

Notifying GHC

If you are entitled and intend to take SPL, you must notify your line manager of your entitlement and intention to take to SPL at least eight weeks before your intended leave by using the Shared Parental Leave Notification form.

Requesting further evidence of eligibility

Within 14 days of the SPL entitlement notification being given, you must give your manager:

- the name and business address of your partner's employer (if the employee's partner is no longer employed or is self-employed their contact details must be given instead)
- in the case of biological parents, a copy of the child's birth certificate (or where one has not been issued, a declaration of the time and place of birth)
- in cases of adoption, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.

To take SPL, the employee must produce this information within 14 days of the employer's request.

4.2 Booking and taking SPL

You can only start SPL or receive ShPP once the child has been born or placed for adoption. The mother (or the person getting adoption leave or pay) must do one of the following:

- end any maternity or adoption leave by returning to work with her employer

- give the employer at least eight weeks “binding notice” (ie a decision that can't normally be changed) of the date when they plan to end any maternity or adoption leave
- end any maternity pay, Maternity Allowance or adoption pay.

The parent or adopter must give at least eight weeks' notice to the employer (for maternity or adoption pay) or to Jobcentre Plus (for Maternity Allowance) if they have not returned to work.

You can start SPL or ShPP while your partner is still on maternity or adoption leave and pay as long as they have given binding notice to end it.

Two weeks compulsory maternity/adoption leave must be taken before SPL can start. SPL must be taken within one year of the birth of the child or the date the child was placed with the family in cases of adoption.

The maximum amount of SPL potentially available is 50 weeks. The actual number of weeks of SPL available is calculated based on the amount of maternity or adoption leave taken.

Booking blocks of leave

You can book up to three separate blocks of SPL (“discontinuous leave”) instead of taking it all in one go (“continuous leave”), even if you are not sharing the leave with your partner.

If your partner is also eligible for SPL, you can take up to three blocks of leave each. You can take leave at different times or both at the same time.

Example one

An employee and their partner are both eligible for SPL. The employee goes on maternity leave two weeks before their baby is born. They give notice to their employer that they will take 16 weeks of maternity leave.

Since they have given binding notice, their partner can start SPL as soon as the baby has been born (as long as their partner has given at least eight weeks' notice to their employer).



You must tell your employer about your plans for leave when you apply for SPL. You can change these plans later, but you must give your employer at least eight weeks' notice before you want to begin a block of leave.

Splitting blocks of leave

If your employer agrees, you can split blocks into shorter periods of at least a week.

Cancelling decisions to end maternity or adoption leave

Changes to end maternity or adoption leave can be made if:

- the planned end date has not passed and
- they have not already returned to work.

One of the following must also apply:

- you find out during the eight-week notice period that neither of you is eligible for SPL or ShPP, thereby necessitating an earlier return to work
- the mother/parent or adopter's partner has died
- the mother/parent tells her employer less than six weeks after the birth (and she gave notice that she was going to return before the birth).

Discussions regarding SPL

If you are considering or taking SPL, you should contact your line manager to arrange an informal discussion as early as possible regarding your potential entitlement and to discuss your plans.

Upon receiving a notification of entitlement to take SPL where the leave is to be continuous, your line manager

may wish to meet with you to discuss the detailed arrangements. However, the leave will be agreed, because it is a statutory entitlement and the SPL dates will be confirmed to you in writing within 14 days of notification.

Where the request is for discontinuous leave, if this can be agreed without further discussion, a meeting may not be necessary and the SPL dates will be confirmed to you in writing within 14 days of notification. However, in some circumstances it may be necessary for a meeting to be held with your line manager to discuss how the leave proposal could be mutually agreed.

All requests for discontinuous leave will be carefully considered case by case, weighing up the potential benefits to you and GHC against any adverse impact to service delivery. Agreeing to one request will not set a precedent.

If the original proposal for discontinuous leave or other options cannot be agreed, this will be confirmed in writing within 14 days after which you can request to take continuous leave.

Variations to arranged SPL

Each variation or cancellation notification made by you, including notice to return to work early, will usually count as a new notification and be counted against the three notifications to which you are entitled. However, a change as a result of a child being born early, or as a result of GHC requesting it be changed and you agreeing, will not count as further notification and therefore will not affect your overall entitlement of three. GHC will confirm any variation in writing.

4.3 Statutory ShPP

You will receive ShPP if you are an employee and one of the following applies:

- you are eligible for Statutory Maternity Pay (SMP) or Statutory Adoption Pay (SAP)
- you are eligible for Statutory Paternity Pay (SPP) and your partner is eligible for SMP, Maternity Allowance (MA) or SAP.

If you are eligible and you or your partner end maternity or adoption leave and pay (or MA) early, you can't take the rest of the 52 weeks of maternity or adoption leave as SPL.

Example two

An employee finishes their maternity leave at the end of October and takes the rest of their leave as SPL. They share it with their partner, who is also eligible. They each take the whole of November as their first blocks of SPL. The partner then returns to work.

The employee also returns to work in December. They give their employer notice that they'll go on leave again in February – this is their second block of SPL. Their employer agrees to a two-weeks-on, two-weeks-off, work pattern during the block.

You should take the rest of the 39 weeks of maternity or adoption pay (or MA) as Statutory ShPP.

How much pay you will get

ShPP is £156.66 a week or 90 per cent of your average weekly earnings, whichever is lower (please note that this is the 2022/23 rate and may change). This is the same as the lower rate of SMP.

5 Terms and conditions during SPL

During the period of SPL, your contract of employment continues without change and you are entitled to receive all your contractual benefits, except for salary.

Pension contributions will continue to be made during any period when you are receiving ShPP, but not during any period of unpaid SPL. Your employee contributions will be based on actual pay, while GHC's contributions will be based on the salary that you would have received had you not been taking SPL.

5.1 Annual leave

SPL is granted in addition to your normal annual holiday entitlement. You are reminded that holiday should wherever possible be taken in the year that it is earned. Where an SPL period overlaps two leave years, you should agree with your manager how best you can take all of your annual leave entitlement.

5.2 Contact during SPL

Before your SPL begins, your manager will discuss arrangements for you to keep in touch during your leave. GHC reserves the right to maintain reasonable contact with you from time to time during your SPL. This may be to discuss your plans to return to work, ensure you are aware of any possible promotion opportunities, talk about any special arrangements to be made or training to be given to ease your return to work or simply to update you on developments at work during your absence.

5.3 SPL In Touch days

You can agree to work at GHC (or attend training) for up to 20 days during SPL without bringing your period of SPL to an end or impacting on your right to claim ShPP for that week. These are known as "SPL In Touch" or "SPLIT" days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.

Example three

An employee decides to start their maternity leave four weeks before the due date and gives notice that they'll start SPL 10 weeks after the birth (taking a total of 14 weeks' maternity leave). They normally earn £200 a week.

They are paid £180 (90 per cent of their average weekly earnings) as SMP for the first six weeks of maternity leave, then £139.58 a week for the next eight weeks. Once they go onto SPL, they're still paid £139.58 a week.

Any SPLIT days worked is a matter for agreement between you and GHC. If you undertake a SPLIT day, you will receive full pay for any day worked. If a SPLIT day occurs during a week when you are receiving ShPP, this will be effectively "topped up" so that you receive full pay for the day in question. Any SPLIT days worked do not extend the period of SPL.

SPLIT days can only be taken during SPL, they cannot be taken during a period of annual leave.

5.4 Returning to work after SPL

You will have been formally advised in writing by GHC of the end date of any period of SPL. You are expected to return on the next working day after this date, unless you notify GHC otherwise. If you are unable to attend work because of sickness or injury, normal arrangements for sickness absence will apply.

On returning to work after SPL, you are entitled to return to the same role and terms and conditions if your aggregate total statutory maternity/paternity/adoption leave and SPL amounts to 26 weeks or less. The same role is the one you performed immediately before commencing maternity/paternity/adoption leave and the most recent period of SPL.

On returning from SPL you are entitled to return to the same or similar role on no less favourable terms of employment.



Starting salary

1 What this policy covers

This policy sets out the process for agreeing starting salaries to ensure that all staff receive equal pay for work of equal value, in line with the Agenda for Change terms and conditions of employment.

2 Principles

This policy is based on the principle of providing fair and equitable remuneration to those who work for GHC and applies to all staff employed on Agenda for Change terms and conditions, including bank workers. In accordance with Agenda for Change, every post has a salary band that has been determined in accordance with GHC's job evaluation procedure. Decisions about starting salaries on the national pay bands must demonstrate fairness and equity.

3 Responsibilities

- Recruiting managers should familiarise themselves with this policy before making any salary offer to a candidate.
- Recruiting managers will ensure that any Request For Starting Salary Above Minimum Request forms are submitted and approved before making any verbal offer of a salary to a candidate.
- The Recruitment team will advise recruiting managers and monitor this policy's implementation.
- The Recruitment and Workforce teams will seek confirmation of previous NHS service and salary for candidates.

4 Policy in practice

Ordinarily, starters new to GHC will be placed on the lowest pay point within a band. New starters with

previous reckonable NHS service may be appointed to a higher pay point within a band. The step at which they are appointed will depend on years of relevant experience within that band.

Incremental credit will not be given for reasons other than years of experience, qualifications or significant knowledge and skills beyond the person specification requirements. It will not be given due to market forces or for extra responsibilities. If there are difficulties in recruiting staff, the recruiting manager should discuss with HR other options that can assist with recruitment and retention.

4.1 Validating starting salary requests

All requests for starting salaries above the minimum must be made and validated before a salary offer is made to a candidate. Otherwise the candidate will be appointed to the minimum of the band.

The recruiting manager must complete and submit a Request For Starting Salary Above Minimum Request form, ensuring that they include the salary being sought and detailing the evidence to support the request, such as:

- relevant experience
- where the previous relevant experience was acquired
- the nature and content of the role being appointed to
- knowledge previously acquired
- transferability of the skills.

Evidence may come from the application form, interview process, references or the job descriptions of the candidate's previous posts. Any application for a starting salary higher than the minimum that is likely to have an impact across a profession must be referred to and countersigned by the appropriate Professional Lead.

The request will be reviewed by HR and either authorised or rejected. The recruiting manager will be

informed of the decision as soon as possible or if there are any significant delays to forms being reviewed.

If a request is rejected, the recruiting manager may be asked to provide additional evidence to support the incremental credit being sought. After this, if the starting salary cannot be agreed between the recruiting manager and HR, the request will be passed to a senior member of the HR team, who will discuss it with the recruiting manager's line manager and reach a final decision.

4.2 Internal applicants

GHC employees moving from one post to another on the same pay band, and where the recruiting manager deems the experience is directly relevant to the new role, may enter the band at the same incremental point they are currently on.

Internal candidates who have applied for a post that is a promotion will be offered a salary in accordance with the Agenda for Change terms and conditions.

If a candidate is taking up a post in a different profession or staff group, they must have years of relevant experience in line with existing post-holders and external applicants to be offered a salary above the minimum. Otherwise it could result in an inexperienced member of staff being paid more than a more experienced member of the team.

Internal candidates offered a second or subsequent post at the same band as another post they already hold will be paid:

- at the same pay rate as their existing post, where the two posts are directly comparable; they should retain their existing incremental date
- the same as an external candidate if the post is significantly different the candidate, including the need for a starting salary above minimum request to be made if appropriate; they will acquire the incremental date of the appointment to the new post.

Where someone has a part-time post with GHC and applies for a second or subsequent post within GHC, their appointment and starting salary will be applied in accordance with this policy.

4.3 Existing NHS staff joining from other NHS trusts

Where a candidate joins GHC from another NHS employer, the following should be used to agree a salary above the minimum:

- if the post with GHC is a promotion, national terms and conditions will be applied
- if the post with GHC is at the same banding as the previous post, proof of current banding and salary must be obtained
- a check to ensure that the previous post and the new post with GHC are sufficiently similar and to establish the individual's knowledge, skills and experience are directly relevant
- a check to ensure that the candidate's previous salary does not reflect any locally agreed salary uplift
- the candidate must meet significant aspects of the desirable criteria on the person specification.

4.4 Returnees to the NHS

For a candidate returning to NHS employment, any breaks in NHS service may be disregarded when deciding the incremental point. This means the candidate does not necessarily need to start again at the bottom of the scale if they have had a break in service.

When deciding if incremental credit is given for some or all previous NHS service, recruiting managers should consider:

- the nature of previous experience
- if the candidate has kept their continuous professional development up to date, if relevant
- when the experience was gained. Experience acquired five or more years ago should be scrutinised to ensure that it is directly relevant, given any changes to service delivery, approaches to clinical care or improvements in technology.

Sometimes recruiting managers may also be able to accept relevant experience gained outside the NHS. Recruiting managers should consider where and when the experience was acquired, the actual content of the role and the knowledge and skills acquired.

4.5 Candidates without previous NHS experience

Candidates without previous experience of working in the NHS will normally be appointed on the minimum point of the pay band.

There may be cases where candidates have relevant and quantifiable experience, knowledge and skills that go significantly beyond the essential criteria set out in the person specification, and meet all of the desirable criteria. Where appropriate, recruiting managers may be able to recognise this by offering new entrants a salary above the minimum of the scale. The reasons for making this decision, supported by evidence, must be fully documented on the Request For Starting Salary Above Minimum Request form. The recruiting manager must be able to justify their decision, including the impact on:

- others already in post
- others outside the immediate department
- local consistency.

4.6 Appointments to a post at a lower band

If a candidate is voluntarily applying for a post at a lower band, they will need to demonstrate years of relevant experience to be appointed above the minimum of the pay band. This is the case for both internal and external candidates.

NHS candidates (external or internal) may keep their existing incremental date where their existing NHS post and the lower-banded post they are applying for are significantly comparable. Where the posts are significantly different, the incremental date will be the date they commence in the new post.

4.7 Appointment to posts requiring a specific qualification

Where a post requires a specific professional or registerable qualification, credit will only be given for experience and years of experience post-qualification on the basis that it is unlikely that the candidate would have been working at the required level without the qualification.

There may be occasions when equivalent experience can be considered as an alternative to a specified qualification. The person specification should make it clear where experience 'equivalent' to a qualification will be acceptable.

4.8 Bank workers

Employees with a substantive contract of employment with GHC and a bank assignment for a similar role of the same band will be paid the same rate of pay as their substantive post for any bank assignment undertaken.

Those who leave GHC's employment, return to work on the bank and are offered an assignment that is significantly similar to the substantive post they previously held, can be offered a salary that reflects their pay point at the date they left. Individuals who leave GHC and subsequently are offered an assignment for a different role will need to have their salary agreed using the normal starting salary procedure.



Supporting attendance

1 What this policy covers

There may be times when you cannot attend work because of illness or health-related reasons. When this happens GHC wants to ensure that you are properly supported and treated fairly, so you can return to work as soon as possible. But there is also a need to review and manage your absence to minimise the impact on GHC.

This policy explains how sickness absence should be reported, the effects of sickness on your pay and annual leave and how short- and long-term absences are managed. If you are in your probation period and take time off work because of sickness, your manager will review this using both the Supporting Attendance and Probation policies.

For this policy, the following definitions apply:

- **short-term sickness absence** – absence of fewer than 28 consecutive days, usually odd days or a few days at a time, throughout the year
- **long-term sickness absence** – absence of more than 28 consecutive days
- **underlying health condition** – an illness or injury that has a substantive and long-term negative effect on your ability to do normal daily activities or attend work, which may be reduced through treatment, how you manage it and/or reasonable adjustment by GHC if necessary.

2 Principles

GHC's management of sickness absences is based on the following principles:

- you should make every reasonable effort to attend work if you are well enough to do so
- if you are unable to attend work, it should be reported and recorded

- your manager will consider your health needs based on your individual circumstances
- if you have an underlying medical condition, your manager will work with you to try to support your attendance at work, seeking Working Well advice and making reasonable adjustments, where necessary and feasible
- your manager will listen to you during meetings and take account of any mitigating factors
- all managers are required to consistently and proactively support staff to attend work and manage staff sickness absence due to the significant impact of sickness absence on GHC services
- short and long-term sickness absences are not mutually exclusive, so, in certain situations you may be managed under the processes for both short and long-term absence.

3 Responsibilities

You are responsible for:

- following the correct reporting procedures if you are unable to attend work
- not remaining at work if you are too unwell to be there
- informing your manager at the earliest opportunity if you are aware of changes to your health and wellbeing that may impact your ability to do your job
- attending Working Well appointments and meetings with your manager
- adhering to this policy; if you fail to do so it may result in your absence being recorded as unauthorised and unpaid leave.

Your manager is responsible for:

- managing the sickness absence of the team fairly and consistently
- encouraging and supporting you to maintain good attendance using this policy
- ensuring that your sickness absence is recorded



- supporting you to recognise if you are not well enough to attend work.

Working Well is responsible for:

- providing impartial professional medical advice to you and your manager about your health, wellbeing and the potential interaction with your job role.

4 Reporting and recording absence

4.1 Reporting absence

You must personally notify your manager by telephone as soon as possible on the first day of your absence. This should be before the start of your shift/normal working day or at the latest within one hour of your normal starting time. Keep trying to contact your manager (or their nominated deputy) until you speak to them directly. You should:

- explain the nature of your sickness (highly sensitive and personal information need not be disclosed)
- advise how long you think you may be absent, if known
- tell them if you intend to see a GP or medical practitioner
- tell them if your sickness absence is related to a workplace incident
- agree with your manager how you will keep in contact to update them of progress and how they can contact you.

While you are absent your manager may contact you for an update on how you are feeling and to find out when you expect to return to work.

Diarrhoea and vomiting-related sickness requires you to be symptom-free for 48 hours before returning to work. Your whole absence will be recorded as sickness absence, but only the actual sickness period will count towards any absence triggers. The symptom-free 48 hours will not count towards absence triggers, because this is only required for infection-control purposes.

If your absence is pregnancy-related it will be recorded as sickness, but it will not count towards any absence triggers.

If you leave work due to sickness part-way through the working day it will be recorded as follows:

- if you have completed half or more of your working day's hours before your absence starts – a whole day worked, but your manager will make a note of the time and reason you left work
- if you have completed less than half of your working day's hours before your absence starts – a full day of sickness absence
- if a pattern emerges of you going home sick part-way through your working day – a full day of sickness absence.

If there is concern regarding the number of times you go home part-way through the day, your manager will address it with you, seeking advice from HR as appropriate.

4.2 Sickness absence certification

For any sickness absence you must provide the following certification:

- **for absences up to seven calendar days (including non-working days)** you need to complete a self-certification form
- **for absences of eight calendar days or more (including non-working days)** you can complete a self-certification form for the seven calendar days if needed, after this you must provide your manager with a medical certificate (also known as a Fit Note). Medical certificates must be submitted within seven calendar days of being required, otherwise the absence will be recorded as unauthorised. You may be able to return to work before your medical certificate expires if you feel fully recovered. In some instances you may be referred to Working Well to ensure any support required is considered before your return.

4.3 Return to work and wellbeing meeting

Following any period of sickness absence, your manager will ask you to attend a return to work and wellbeing discussion. Ideally this should take place before you start any shift or duties, either before or on your first day back to work. This is to:

- welcome you back to work and better understand the reason for your sickness absence
- check that you feel fit to be at work and discuss any agreed support and/or reasonable adjustments

- ensure that your absence has been recorded correctly
- consider if any support could be offered to help improve your future attendance, including whether a referral to Working Well may be beneficial
- advise you of the dates, frequency and pattern of your absence and if you have met a trigger for managing short-term absence
- inform you of what may happen if further absence(s) arise (eg attend an absence review meeting)
- review any reasonable adjustments that have been made for you or that are required
- update you on anything new or that may have changed during your absence
- confirm any agreed phased return plan already agreed in advance if you are returning from long-term sickness absence.

Your manager will complete a return-to-work form, which is the record of the discussion, and you should give your manager any outstanding medical certificates. A copy of the form will be placed on your personal file and you can ask for a copy.

5 Representation

You are entitled to be accompanied by a work colleague or trade union representative at all formal meetings identified in this policy, except return-to-work and wellbeing discussions.

6 Short-term sickness absence

6.1 Absence triggers

The triggers for a short-term sickness absence meeting are:

- three episodes of absence in a rolling six-month period or less
- five working days in total of absence in a rolling six-month period or less
- five episodes in a 12-month rolling period or less
- 10 working days in a 12-month rolling period or less
- any patterns of absence that give cause for concern or significantly impact your role or service.

Where you have tried to return to work, but a further absence relating to the same illness occurs, this will be considered as one episode where this happens within two days of returning.

6.2 Short-term sickness management

There are four stages in the management of our short-term sickness absence:

- informal absence review
- first formal absence review
- second formal absence review
- final formal absence review.

6.3 Informal absence review

If you have sickness absence and breach a trigger, your manager will speak to you about your absences to:

- advise you that you are being placed on the informal stage of the absence management process
- explain that this means your attendance will be monitored for three months
- remind you of the absence triggers and confirm what may happen if you continue to breach the triggers set.

The discussion may take place as part of supervision or one-to-one sessions, a return-to-work and wellbeing meeting, or at an informal meeting arranged specifically. As part of the discussion the following may be covered:

- if you are receiving any further treatment or support from your GP or other medical professional
- what support may be beneficial, such as a Working Well referral, fast-track physiotherapy or other services you could access
- if there may be an underlying health condition and if so, how you can best be supported in managing this at work.

At the end of the informal review period your manager will speak to you again. During this discussion your absence level in the informal review period will be looked at and you will be informed of any next steps. There are three possible outcomes:

- no further action if you have no further absences or you are within the triggers. However, if further absences occur within three months of this discussion taking place, the informal review stage will be re-invoked
- informal review stage is extended if your absence level has improved but there are still some concerns (the extension will normally be for three months)
- proceed to first formal absence review stage if the absence triggers set have been exceeded.



6.4 First formal absence review

If you have further sickness absence and breach a trigger, your manager will arrange a first formal absence review meeting. You will be given at least seven calendar days' written notice of the meeting.

At the meeting your manager will talk through your absences to ensure that you are aware of your absence levels and what this means. They will listen to anything you would like to say and will discuss with you potential ways to improve your attendance. As part of the discussion, the following may be covered:

- if you are receiving any further treatment or support from your GP or other medical professional
- what support may be beneficial, such as a Working Well referral, fast-track physiotherapy or other services you could access
- if there may be an underlying health condition and if so, how you can best be supported in managing this at work
- any impact that extra hours, bank or overtime or secondary employment may have on your health and attendance
- any personal issues that may be contributing to your health and wellbeing, and if there is any support available that you could access
- any further ongoing concerns your manager has regarding your health and wellbeing or further information that may need to be sought.

Your manager will then:

- advise you that you are being placed on the first formal stage of the absence management process
- explain that this means your attendance and absences will be monitored for six months, in line with the triggers for managing short-term absence
- advise you if any restrictions will be placed on your working additional hours
- inform you that a review meeting will take place at the end of the monitoring period
- confirm what may happen if you breach a trigger again during the monitoring period.

Your manager will send you a letter within seven calendar days of the meeting confirming the main points discussed.

Your manager may arrange a midpoint check-in after the first three months if there are reasonable adjustments in place, to review if they working or if you have continued to have episodes of sickness absence.

At the end of the first formal review period your manager will invite you to a meeting. During the meeting your absence level in the first formal review period will be looked at and you will be advised of any next steps. Your manager will send you a letter within seven calendar days of the meeting confirming the main points discussed. There are three possible outcomes:

- no further action if you have no further absences or are within the triggers. However, if further absences occur within six months of this discussion taking place the first formal review stage will be re-invoked
- first formal review stage is extended if your absence level has improved but there are still some concerns about it. The extension will normally be for six months
- proceed to second formal absence review stage if the absence triggers set have been exceeded.

6.5 Second formal absence review

If you have continued to breach triggers during the first formal review stage, a second formal absence review meeting will be arranged. Your manager will take you through the same process as set out in the previous stage. This will include advising you at the meeting:

- that you are being placed on the second formal stage of the absence management process
- your attendance and absences will be monitored for six months, in line with the triggers for managing short-term absence
- if any restrictions will be placed on your working additional hours
- what may happen if you breach a trigger again during the monitoring period.

You will be asked to attend Working Well at this stage, if this has not yet already happened, to ensure that you are fully supported and your manager can make informed decisions about your health condition and other factors. If you do not consent to the Working Well report being released the process will continue and decisions regarding your health and wellbeing may be made without the benefit of their medical advice.

Your manager may arrange a mid-point check-in after the first three months if there are reasonable adjustments in place, to review if they working or if you have continued to have episodes of sickness absence.

At the end of the second formal review period your manager will invite you to a meeting. During the meeting your absence level in the second formal review period will be looked at and you will be advised of any next steps. Your manager will send you a letter within seven calendar days of the meeting confirming the main points discussed. There are three possible outcomes:

- no further action if you have no further absences or you are within the triggers. However, if further absences occur within six months of this discussion taking place the second formal review stage will be re-invoked
- second formal review stage is extended if your absence level has improved but there are still some concerns. The extension will normally be for six months
- proceed to final formal absence review stage if you have continued to breach the absence triggers.

6.6 Final formal absence review (capability hearing)

A final formal absence review will be arranged if your absences have continued to breach absence triggers during the second formal stage and when any other options available have been explored with you. The meeting will be heard by a panel of two managers, who will be supported by HR.

Before the meeting your manager will write a report outlining your absence history to date, the absence management process followed, any support you have had and any adjustments that have been made to enable you to carry out your duties. Your manager will attend the meeting to present a summary of their report. You will be able to respond and the panel will listen to what you say.

The panel will consider whether:

- the policy has been followed fairly
- you have been given the opportunity to respond and say everything you would like to say
- there are any mitigating circumstances that may not yet have been considered
- the service can continue to support your levels of absence or not, and the reasons behind this

- any actions taken have been proportionate and reasonable in the circumstances
- any actions taken are consistent with previous similar cases within GHC.

If you or your representative can't attend for reasonable circumstances beyond your control, a further date will be arranged. If you cannot attend the rearranged date you will be asked to confirm why. The panel will consider whether to hold the meeting virtually, to allow you to submit a written response for them to consider or to go ahead in your absence. If you have a representative, they may agree to attend on your behalf in your absence. In the case of non-attendance without any mitigating circumstances submitted ahead of the meeting, it will be held in your absence.

Your meeting invite letter will be sent seven calendar days before the meeting. You will also be sent a copy of your manager's report ahead of the meeting. If you wish to submit any documents for the panel to consider, you must send these at least three calendar days ahead of the meeting, so they can be shared and reviewed in advance.

Once they have considered all of the information presented, the panel will determine if you should be dismissed on grounds of capability due to ill health. The outcome will be confirmed in writing within seven calendar days of the meeting. It will include information about any agreed actions or if you have been dismissed your notice period.

6.7 Right of appeal

Following a final formal review hearing, if you have been issued with a formal warning or dismissed, you will have a right of appeal. The appeal must be made in writing, setting out the grounds of the appeal to the Director of HR & OD, in line with GHC's appeal process.

6.8 Stage of entering the process

The process will usually start at the informal stage. However, there may be circumstances when it is appropriate to start after the informal stage, for example, if you have been taken off an absence review stage within the last three (informal)/six months (formal stage) or if there is a pattern of your absences being managed under the short-term sickness absence process.



6.9 New employees

If you are in your probation period, sickness absence will be managed in accordance with GHC's Supporting Attendance and Probation policies. If you have completed your probation but have less than two years' service and your sickness levels are high, your manager may decide to refer the matter to a final formal review meeting before the process for managing short-term sickness absence has been exhausted. Your manager must seek advice from HR before making this decision. At the meeting the panel may consider your dismissal.

6.10 Patterns of sickness absence

There may be situations where a pattern of absence seems unacceptable, for example, regular absences on certain days/shifts, before or after annual leave, around school holidays, public holidays or certain times of the year. If your manager has concerns about the pattern of your sickness absence, they can manage your attendance in accordance with the process for short-term absence.

7 Long-term sickness absence

Long-term sickness is any absence of more than 28 consecutive calendar days. This may include absences due to illness or injury, planned or unplanned hospitalisation and underlying health conditions (including disability).

Long-term sickness absence will be kept under review by your manager from an early stage and will require regular and ongoing reviews. Your manager will contact you to arrange regular informal health and wellbeing discussions while you are off. You may also be required to attend formal health and wellbeing meetings while you are off. If you are too ill to attend these in person, alternative arrangements will be considered, including Teams or telephone calls.

7.1 Informal health and wellbeing discussions

It is important that your manager maintains regular contact with you during your absence, to ensure that you are properly supported while you are off work. Therefore, your manager or their deputy will arrange to meet or speak to you every four weeks, unless you agree to have more regular contact. These discussions could take place at your place of work, by Teams or a telephone call, at another GHC site or a neutral place.

Very occasionally the discussions may be able to take place at your home if your illness means you are unable to attend any other venues. You can also speak to your manager about your health and wellbeing at any time outside this process if you have any concerns.

The purpose of the health and wellbeing discussion is to:

- see how you are feeling
- understand your current prognosis, recovery or situation
- find out about any planned treatment or appointments
- organise or discuss a Working Well referral
- discuss the latest medical information and fitness to work advice
- find out if there is anything further that can be done to support your return to work
- provide you with an update on the team and any recent changes
- remind you of the health, wellbeing and emotional support available
- agree next steps (eg contact, meeting dates, return to work).

It is often helpful to have Working Well advice to inform the discussion around any planned return to work, including a phased return or reasonable adjustments to enable you to carry out your role. Your manager should tell you when they make a Working Well referral. If you do not consent to the Working Well report being released, it may be necessary to make decisions regarding your health and wellbeing and any return to work without the benefit of medical advice.

If after six months you continue to be unwell and there is no foreseeable return to work, or your health condition significantly impacts your ability to carry out your role, your manager will arrange a first formal ill-health meeting with you to explore your options. This may include considering if you are able to continue your employment. A second formal ill-health meeting will take place after nine months if you are still absent from work.

The formal ill-health meetings may take place sooner if medical advice indicates that you are unlikely to return to work or your health condition will significantly affect your ability to do your role.

7.2 First formal ill-health meeting

A first formal ill-health meeting will be arranged if you have been absent from work for six months, or earlier if medical advice indicates that you are unlikely to return to work or your health condition will significantly affect your ability to do your role. You will be invited in writing at least seven calendar days before the meeting date.

At this meeting your manager, supported by HR, will review the latest Working Well advice, the possibility of a return to work and any arrangements to support this. The following may be discussed with you:

- any reasonable adjustments already in place
- whether there are any further reasonable adjustments that could be considered
- redeployment to another role, where this is an option, including whether this can be accommodated with reasonable adjustments
- ill-health retirement, where this is an option
- mutual agreement to end your employment, if this is something you wish to consider
- keep in touch arrangements if you are not well enough to return to work at this time.

After the meeting the main points discussed will be confirmed in writing.

7.3 Second formal ill-health meeting

A second formal ill-health meeting will be arranged if you have been absent from work for nine months, or earlier if medical information indicates that you are unlikely to return to work or your health condition will significantly affect your ability to do your role. You will be invited in writing at least seven calendar days before the meeting date.

At this meeting your manager, supported by HR, will review the latest Working Well advice, the possibility of a return to work and any arrangements to support this. The following may be discussed with you:

- any reasonable adjustments already in place
- whether there are any further reasonable adjustments that could be considered
- redeployment to another role, where this is an option, including whether this can be accommodated with reasonable adjustments
- ill-health retirement, where this is an option
- mutual agreement to end your employment, if this is something you wish to consider.

Where possible, your manager will plan your return to work with appropriate support and discuss this with you.

Having considered all available options, if there is no likelihood of you returning to work at that time or in the immediate future a final ill-health meeting will be arranged, unless you wish to pursue one of the other options discussed.

7.4 Final ill-health meeting (capability hearing)

A final ill-health meeting will be arranged when the options discussed the previous meeting have been considered and rejected, if following the second formal ill-health there is no likelihood of you returning to work, and/or where the service is unable to support your ongoing sickness absence. The meeting will be heard by a panel of two managers, who will be supported by HR.

Before the meeting your manager will write a report outlining your absence history to date, the absence management process followed, any reasonable adjustments considered or already in place and the impact of absence on your team/the service that have been made to enable you to carry out your duties.

Your manager will attend the meeting to present a summary of their report. You will get the chance to respond and the panel will listen to anything else you wish to say, including whether there has been any significant change in your circumstances, before a final decision is made.

The panel will consider whether:

- the policy has been followed fairly
- you have been given the opportunity to respond and say everything you would like to say
- there are any mitigating circumstances that may not yet have been considered
- the service can continue to support your levels of absence or not and the reasons behind this
- any actions taken have been proportionate and reasonable in the circumstances
- any actions taken are consistent with previous similar cases within GHC.



If you or your representative are unable to attend for reasonable circumstances beyond your control, a further date will be arranged. If you cannot attend the rearranged date you will be asked to confirm why. The panel will consider whether to hold a virtual meeting, to allow you to submit a written response for them to consider or to go ahead in your absence. If you have a representative, they may agree to attend on your behalf in your absence. It will be held in your absence in the case of non-attendance without any mitigating circumstances submitted ahead of the meeting.

Your meeting invite letter will be sent seven calendar days before the meeting. You will also be sent a copy of your manager's report ahead of the meeting. If you wish to submit any documents for the panel to consider you must send these at least three calendar days ahead of the meeting, so they can be shared and reviewed in advance.

While it is hoped you will return to work and resume normal duties, it is recognised that this may not be possible. Therefore, the panel will consider if your employment should be ended because of a lack of capability caused by ill health. The outcome of this meeting will be confirmed in writing within seven calendar days of the meeting, including information about your notice period and right of appeal, if appropriate.

7.5 Right of appeal

Following a final ill-health hearing, if you are issued with a formal warning or dismissed, there will be a right of appeal. The appeal must be made in writing, setting out the grounds of the appeal to the Director of HR & OD, in line with GHC's appeal process.

7.6 Recurrent long-term absences

You may have ongoing health-related issues that cause you to have repeated long-term sickness absences. Your manager will seek to support you, however, they also must address the negative impact unexpected, prolonged and/or repetitive long-term absences can have on the quality and continuity of service provision.

If you have three or more long-term absence episodes within a period of 24 months or less your manager will arrange a formal meeting to consider and review your ability to attend work regularly. You will be invited in writing and given at least seven calendar days' notice of

the date. At this meeting your manager, supported by HR, will discuss with you:

- what reasonable adjustments have been made and how effective they are
- the latest Working Well advice
- how you might be further supported to attend work regularly
- if redeployment to another role might be appropriate.

After this meeting has taken place, if you have a further episode of long-term sickness within six months, your manager will arrange a second formal meeting. You will be invited in writing and given at least seven calendar days' notice of the date. At this meeting your manager, supported by HR, will discuss with you any remaining options to help you sustain regular attendance that may be available. If it is determined at the meeting there are no remaining options to explore and you are likely to continue being unable to sustain regular attendance, a final ill-health meeting will be arranged, in line with the process described in section 7.4.

8 Key guidance during short- and long-term absence

8.1 Working Well

You should be asked to attend Working Well during either the short or long-term sickness absence procedures if:

- you continue to breach triggers under the short-term sickness procedure
- you have been off work because of sickness for 28 days or more or if a date of return has not been indicated
- you have suffered an illness or injury that may impact on your ability to carry out your role
- your absence is due to work-related stress or musculoskeletal problems and in your role you are required to undertake breakaway, physical intervention activities or manual handling duties
- you, your manager or a medical practitioner requests a change of duties on medical grounds
- you wish to be considered for ill-health retirement
- an assessment is required following an injury sustained at work.

You do need to attend Working Well appointments if you are referred by your manager. If you have any concerns about this you can contact Working Well in advance of your appointment

Working Well may provide recommendations about changes to your workplace, working pattern or work practice to help you return to work or improve your attendance. All recommendations will be considered by your manager, taking into account the impact on service delivery and other team members. If necessary, Working Well may ask for consent to contact your GP or specialist for a medical report. Confidentiality will be maintained in line with the consent you give.

8.2 Outcome following Working Well advice

Once your manager receives your Working Well report you will usually be asked to a meeting with them to discuss it. This may be as part of health and wellbeing/ill-health meetings or it may take place outside of these. The discussion will review the advice and discuss options for supporting you in work, back to work, or where you are not yet fit to return to work, your manager will talk you through the next steps.

8.3 Phased return to work and temporary alternative duties

To help and support you to return to work following long-term sickness, Working Well may suggest a phased return involving either temporary adjustments to certain duties or a temporary reduction of working hours over a short period. This will normally be supported for two weeks on full pay if your absence has been for three months or longer. After two weeks, any non-worked time of your phased return will be recorded as annual leave, accrued TOIL or in exceptional circumstances authorised paid leave (for a maximum of a further two weeks).

A phased return to work will usually be completed within four weeks. In some circumstances, Working Well may advise a phased return should be longer than four weeks. Your manager will consider and discuss the options to support this extended phased return with you, up to a maximum of eight weeks on an exceptional basis, following advice from HR and authorisation from the Service Director (or equivalent). Any extensions beyond this must be approved in advance by the Director of HR and OD.

When returning on a phased basis you will be expected to work at least 50% of your contracted hours and return to your full contracted hours at the end of the phased return.

Working Well may advise a short period of alternative duties on your return to help you to build up to the full duties of your role. Alternative duties can be agreed for a maximum of eight weeks, after which you must be able to return to completing your full duties.

Alternative duties may involve temporary adjustments to your role or you working in another role or at another site for an agreed period of time. In each case there must always be a genuine need for those alternative duties to be carried out.

Alternative duties cannot be extended beyond eight weeks without the express agreement of both the Service Director (or equivalent) and the Deputy HR Director. Any agreement to an extension of alternative duties must include a review date of the arrangement.

8.4 Disability-related sickness absence

If you have a long-term health condition protected under the Equality Act 2010, the Trust has a duty to consider reasonable adjustments that enable you to return to work and/or effectively carry out your role. Therefore, you should let your manager know about any condition that requires reasonable adjustments to be considered. Proposed adjustments will be individual to each person, their health need and the requirements of their role. Examples of potential adjustments that may be considered could include, but are not limited to: authorised leave for specialist treatment, equipment or bespoke accessibility requirements, additional time to complete key objectives.

According to the Equality Act 2010: "A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities". "Long-term" means the condition must last, or be likely to last, for more than 12 months, or is likely to last for the rest of the person's life. People with cancer, multiple sclerosis or HIV/AIDS are defined as disabled from the date of diagnosis, regardless of the illness's impact on their life at the time of diagnosis.



“If you are sick on a bank holiday you will receive sick pay as normal, but you will not be given a substitute leave day for that bank holiday”

8.5 Reasonable adjustments

Sometimes to support you back to work or to stay in work if you have a long-term health condition, your manager may consider temporarily or permanently adjusting your duties or work pattern, specialist equipment or temporary or permanent redeployment. This could be a reduction in hours, a change to specific tasks, a change to working hours, a different work environment, additional support, training or redeployment. Where reasonable adjustments are put in place, they will be confirmed in writing and a copy placed on your personal file.

If it is advised by Working Well, consideration may be given to adjusting the absence monitoring triggers as a reasonable adjustment. This can only be agreed by your manager after they have sought HR advice. Absence monitoring triggers can usually only be adjusted once.

8.6 Management of injuries and diseases

If you have been injured because of an accident at work or an incident while on duty, if you have contracted a disease in the course of your GHC employment or if you have developed a condition attributable to your work, you must tell your manager and ensure that it is recorded appropriately.

If your manager determines the disease or injury was caused through your work, the episode will still be recorded as sickness absence and sick pay will be paid as appropriate. Your manager may need advice from Working Well to determine this. The work-related nature of the absence may be taken into consideration as mitigation when managing absence under this policy, if advice is sought from HR.

8.7 Injury allowance

Employees working under NHS terms and conditions may be eligible for injury allowance where the criteria are met. This is a top-up payment to sick pay or reduced earnings when on a phased return to work, to 85% of pay for up to 12 months.

This is payable if you are off work and on authorised sickness absence or an agreed phased return with reduced pay or no pay due to an injury, disease or other health condition that is wholly or mainly attributable to your NHS employment. If you believe you may be eligible for injury allowance you need to speak to your manager.

8.8 Mutual agreement to end employment

If you are on long-term sickness absence and believe there is no prospect of a return to work within a reasonable timeframe, you may request a formal ill-health meeting or bring forward your next one to discuss your options in relation to your ongoing employment, including mutually agreeing to end your employment.

If it is mutually agreed to end your employment, this will be on the basis that you are no longer able to fulfil the duties of your role on grounds of ill health, effective from the date of the meeting. You will receive notice pay in lieu, together with any outstanding accrued annual leave entitlement or other payments accrued to the date of dismissal. This will be confirmed in writing within seven calendar days of the meeting.

8.9 Ill-health retirement

If you are a member of the NHS Pension Scheme with at least two years' service, are below the normal retirement age for the scheme and have been advised by a medical practitioner you are unlikely to be able to return to work because of ill health, you may be eligible to retire on the grounds of ill health. The decision about if you get ill-health retirement is made by NHS Pensions, not GHC. If you wish to explore this option you should talk to your manager.

8.10 Redeployment

Where Working Well advice is that you are unable to return to work in your current role on a long-term or indefinite basis for health-related reason, use of the redeployment process may be considered to help you find a permanent suitable alternative role within GHC.

8.11 Cosmetic surgery

If you need time off for cosmetic surgery related to a medical or psychological condition which is supported by a medical certificate (eg to correct a disfigurement sustained in an accident), this can be treated as sick leave. Any pre-appointments should be treated as a medical appointment.

If you have cosmetic surgery because you wish to change your appearance (eg a face-lift or weight-loss surgery not supported by a medical certificate), you will need to take the time off as annual leave, TOIL or unpaid leave. If that treatment results in you becoming unfit for work, the usual sickness absence provisions will apply.

8.12 Working while absent

You should not undertake any paid or unpaid employment, including voluntary work, while on paid or unpaid sick leave. This includes work completed through staff bank. If you are found to do so, disciplinary action may be taken. It may also be investigated as fraudulent activity by the Local Counter Fraud Service.

8.13 Medical special leave (suspension)

If you are unwell while at work and as a result your manager believes your health, safety or welfare or that of others may be at risk, they have a duty to talk to you about their concerns and suggest you go home. If you refuse to go home your manager will seek advice from HR to consider if medical special leave needs to be implemented. Medical special leave has to be approved by HR and the Service Director (or equivalent).

If you are placed on medical special leave:

- your manager will make an urgent referral to Working Well
- you will be paid your normal rate of pay until advice is received from Working Well or your GP on the suitability of your return to work.

If the medical advice received is that you are fit to return to work, the medical special leave should end with immediate effect and a return to work date agreed. The period of medical special leave will not be recorded as sickness absence and will not count towards any triggers for managing absence.

If the medical advice is that you are fit to return to work but your manager has concerns about you returning due to the specific nature of your role, your manager will contact HR to seek further advice. Temporarily redeploying to a different role or area and the possibility of you remaining on medical special leave may be considered, if it is appropriate.

If the medical advice received is that you are not fit to

return to work, the medical special leave will end with immediate effect and the whole period of absence, including the period of medical special leave, will be recorded as sickness absence. You will need to provide medical certificates to cover the absence in line with normal reporting arrangements. If you fail to submit medical certificates in these circumstances, the absence will be recorded as unauthorised, unpaid absence.

8.14 Authorised paid leave and suspension

If you are on authorised paid leave (including special leave) or suspended in accordance with the Disciplinary policy and subsequently become unwell, you must follow the normal sickness absence-reporting procedures for the period of your ill health. The period will be recorded as sickness absence and you will be paid in line with your contractual sick pay entitlement until you are declared fit to return to work.

8.15 Confidentiality

Information shared during the sickness management process will be protected in line with legislation.

9 Effects of sickness on your terms and conditions of employment

9.1 Sick pay

Any sick pay entitlement will be paid in accordance with your contract of employment and current national/local terms and conditions. You must follow the reporting and certification process to ensure that you receive any sick pay entitlement.

9.2 Annual leave

If you are sick while on annual leave, you will be eligible to reclaim those days affected as long as you followed the proper absence-reporting procedures during the period you were unwell and have provided the appropriate medical certificates to cover the period of your sickness (eg self-certification form and/or fit note).

If you are sick on a bank holiday you will receive sick pay as normal, but you will not be given a substitute leave day for that bank holiday. Your manager will need to deduct the bank holiday from your leave entitlement.

If you have a period of pre-booked leave for a planned holiday during sickness absence, you should discuss with your manager if you still intend to take this time as leave.

You can take annual leave while you are signed off sick and it will not break the period of sickness absence. You will need to inform your manager of the dates you wish to book which will be recorded as annual leave rather than sickness absence. You may need to provide confirmation from a medical practitioner or Working Well that taking this annual leave will not be detrimental to your recovery.

You will continue to accrue annual leave during periods of sickness. If you are unable to take all of your annual leave entitlement because of long-term sickness, you will be entitled to carry over your remaining statutory accrued annual leave into the next leave year.

If you have an annual leave request declined and are subsequently sick on the date(s) for which the leave was requested, you may be required to provide medical certification.



Trade union recognition

1 What this policy covers

The policy, agreed between GHC and those formally recognised trade unions (referred to as staff-side colleagues) listed further on, establishes a framework for consultation, negotiation and the provision of information.

This policy is supplemented by other documents aimed at regulating the conduct of industrial relations within GHC including the terms of reference of the Local Negotiating Committee (medical and dental staff).

This policy applies in respect of all matters of common interest including:

- pay and conditions of service for all staff, excluding those whose pay and conditions are not covered by national agreements
- employment policies and procedures and issues arising from their application, except those that apply solely to GHC Directors
- working conditions, including health, safety and welfare if unresolved by GHC's Health and Safety Committee
- working practices
- mechanisms for negotiation or consultation with the recognised trade unions.

2 Principles

To ensure maximum effectiveness and positive working relationships, GHC and trade unions agree that they:

- have a common objective in ensuring the effective delivery of health services to the benefit of patients and users of GHC
- recognise the importance of good industrial relations and the efficient use of resources to achieve effective health care delivery



- recognise that they must work together to foster an environment that encourages trust, communication, cooperation, high standards and appropriate levels of support for staff and which reflect GHC's values and behaviours
- acknowledge the value of up-to-date, regular information about important changes that affect employees and the need to take early account of staff views
- are committed to developing policies and procedures that promote equality in line with relevant legislation and best practice
- are committed to resolving disputes informally in the first instance wherever possible.

3 Responsibilities

GHC recognises:

- its responsibility in keeping trade unions fully informed in a timely fashion about GHC business objectives, including strategic and operational plans and the means of implementing them



- the trade unions' responsibility to represent their members' interests, and accepts its legal obligation to disclose relevant information for collective bargaining and consultative processes.

The trade unions recognise:

- management's responsibility to plan, organise and manage the activities of GHC board to achieve the Business Plan and fulfil the objectives determined by GHC board
- their role to ensure that colleagues' views are fully represented and their members are supported in dealing with workplace issues
- that GHC has a responsibility to keep employees directly informed of its activities without removing the requirement under this Agreement to negotiate and consult through recognised processes on appropriate matters.

4 Policy in practice

4.1 Joint Negotiating and Consultative Forum

The JNCF provides the opportunity for management representatives and staff side colleagues to meet with the aim of:

- ensuring staff-side colleagues' views are taken into account in response to matters of business discussed. These views will also include collective opinions of the staff-side colleagues
- informing staff-side colleagues about GHC's performance and plans and involving them in influencing local strategy and planning
- consulting upon and negotiating issues that impact solely and exclusively on GHC that are outside national collective bargaining arrangements
- consulting on a range of GHC HR policies that are outside national collective bargaining arrangements
- reporting GHC's board, finance and operational business.

The JNCF or an appropriate sub-group will negotiate matters for local determination, as directed by the national terms and conditions. The JNCF does not replace the national collective bargaining arrangements in place for Agenda for Change, Medical and Dental, Very Senior Manager National Terms and Conditions of Employment.

Matters relating to individual cases are outside the JNCF's scope. However, where the principles of an individual case highlight potential shortcomings of an existing policy or process the principles of the case can be discussed whilst maintaining anonymity.

Management representatives on JNCF will include the Chief Executive, Director of HR and OD and/or other relevant Executive Directors or their Deputies as appropriate. Staff-side colleagues will be drawn from representatives of the recognised trades unions representing GHC's workforce.

Either the Director of HR and OD or the JNCF Chair will chair JNCF meetings. For JNCF to be quorate there must be three management representatives and five staff-side representatives (to include the Staff Side Chair or Vice Chair) from a minimum of two different trade unions.

Meetings will normally be held every two months. 'Extraordinary' meetings of the JNCF can be called if agreed by both sides. The Staff Side Chair and Vice Chair will have monthly one-to-one meetings with the Chief Executive or Director of HR and OD.

4.2 Recognised trade unions

GHC will consult and negotiate with those organisations listed on the next page. GHC may consider recognising additional trade unions in the future if appropriate.

Normally staff should be represented by a staff-side colleague employed by GHC, although in certain circumstances it will be appropriate for staff to be represented by external representatives from a recognised trade union.

4.3 Trade union representative appointments

GHC will recognise workplace stewards, learning representatives and health and safety representatives. The trade union regional/national office should notify the Director of HR and OD when representatives are accredited, who will confirm the individual has been accepted as a representative and that facilities will be made available to them in accordance with this policy. Copies of this confirmation will be sent to the new staff-side colleague, their manager and the Chair/Vice Chair of Staff Side.



If a staff side colleague resigns from their representative role they should notify their manager and the Director of HR and OD in writing.

Accredited representatives will abide by their current conditions of employment.

In the event of disciplinary action against an accredited trade union representative, no action will be taken until the full-time officer of the trade union concerned has been informed in person. They will have the opportunity to be accompanied by full-time officers in connection with any disciplinary hearing.

4.4 Time off for trade union representatives

GHC will provide trade union representatives with reasonable time off to undertake the duties of their role, including training.

Permission for time off will not be unreasonably withheld, but it will be subject to the demands of the service. The amount and frequency of the time off granted is not precisely defined (further guidance is available). The time off must be recorded.

Staff-side colleagues will give their manager appropriate notice at the earliest opportunity for time off to attend meetings, committees or training courses. If the time is one day or more the staff side colleague must apply using the appropriate form.

Trade union representatives may be asked to undertake additional trade union duties, such as policy review meetings and job evaluation panels.

4.5 Facilities

GHC will contribute to the funding of the establishment of a full-time Staff Side Chair and a part-time Vice Chair. The Chair and Vice Chair will be seconded in at least the same pay band as their substantive role for a period of one year and GHC will fund equivalent backfill for their substantive role.

GHC will provide reasonable facilities to enable staff-side colleagues to conduct their roles effectively. In particular it shall grant reasonable requests for:

- a joint unions' office space and private meeting rooms as required
- the use of telephones, lockable drawers and notice boards for unions

Trade unions recognised by GHC

For the purposes of negotiating and consulting, GHC recognises the following trade unions:

- British Association of Occupational Therapists (BAOT)
- British Dental Association (BDA)
- British Dietetic Association (BDA)
- British Medical Association (BMA)
- Chartered Society of Physiotherapists (CSP)
- College of Podiatry (COP)
- General Municipal Boilermakers (GMB)
- Guild of Hospital Pharmacists (GHP)
- Royal College of Nursing (RCN)
- Royal College of Speech and Language Therapists (RSLT)
- Society of Radiographers (SOR)
- Unison (UNISON)
- Unite (UNITE)

- electronic notice board/space on the GHC intranet
- stationery and photocopying facilities
- use of email, intranet/internet and internal mailing systems.

Through the payroll function GHC will arrange the deductions of monthly subscriptions to the trades unions from salaries following written requests from the trade union member and shall stop making deductions when given written notice to do so. The amounts collected will be passed to the appropriate trades unions within 30 days of receipt.



Working from home

1 What this policy covers

Working more flexibly may benefit you by giving you a more favourable work-life balance, while it can also help GHC to better manage space and resources. This policy provide guidance and support when considering working-from-home arrangements, whether long or short term. GHC may ask you to work from home and will explain the reasons for this to you.

2 Principles

Homeworking will be accommodated if a manager and employee agree that homeworking is safe, appropriate and effective. All relevant GHC policies will apply in the same way to those working at home. Regular home workers are still required to attend GHC sites for meetings, supervision and training.

3 Responsibilities

- GHC will ensure that applications for homeworking are managed consistently and effectively.
- Your manager will approach applications to work from home positively and where agreed put in place processes for effectively managing home workers.
- Your manager will ensure that you complete the Home Working Checklist, DSE Workstation Checklist, risk assessments are carried out and reviewed regularly, and maintain an up-to-date staff emergency contact list.
- Every GHC staff member must adhere to this policy.
- You are responsible for considering any potential risks to your health and safety and alerting your manager at the earliest opportunity if you are aware of changes to your health and wellbeing that may impact your ability to do your job.

4 Policy in practice

Options for homeworking:

- working from home primarily
- working flexibly both at home and at GHC
- working from home as part of a return-to-work plan or reasonable adjustments being made
- working from home because of exceptional circumstances (eg as part of business continuity planning, personal safety or to protect NHS services).

4.1 Requesting a meeting to discuss WFH

You or your manager can raise the option of working from home. You should discuss how this may work in relation to your job using the Working from Home Checklist to support the conversation and help reach an agreement.

Not all roles will be suitable for home working, each situation needs to be considered on its own merits. Consideration should be given to:

- the impact on service delivery
- the impact on other staff/departments
- any financial impact
- any impact on your health, safety and wellbeing
- suitable IT equipment and software needed, as well as dedicated workspace.

4.2 Care arrangements

Other than in exceptional circumstances and with prior agreement with the manager, if you work from home regularly you should not undertake caring responsibilities for dependants. You may be required to demonstrate that you do not have care responsibilities during your working hours as part of considering home working requests.

4.3 Health and safety

When you are working from home we will ensure, so far as is reasonably practicable, your health, safety and welfare are maintained and you will be expected to do the same. Therefore, you must complete a working from home risk assessment, including a checklist for display-screen equipment. If there are significant risks that cannot be rectified, homeworking may not be suitable.

If working from home is agreed, you should maintain your workstation and surroundings, taking account of the advice provided and agreed during the assessment process. In the unfortunate event of an accident, incident or dangerous occurrence, please notify your manager immediately by telephone and then complete the appropriate actions agreed with your manager.

4.4 Supporting health and wellbeing

It is important that your wellbeing is supported when you are working from home. This includes being part of a team and ensuring regular communication and support. It is also important that you consider how to maintain your own health and wellbeing while working from home. Your manager will discuss this with you during the working-from-home assessment meeting and will regularly review this with you.

4.5 Sickness absence reporting

The normal sickness absence reporting will apply if you cannot work because of sickness. Please contact your manager as soon as possible if you become ill while homeworking.

4.6 Trial period

A trial period is recommended initially, to see how effective working from home is for you, your role and the team/department. You and your manager will meet at the end of the trial period to discuss the effectiveness and agree if it will be a long-term/regular agreement.

After a trial period, if you or your manager do not believe working from home is beneficial or appropriate, you will discuss and agree arrangements for returning to work at GHC. This may mean arrangements need to be put in place before you can return to work at GHC.

4.7 Security and confidentiality

If you are working from home, relevant GHC policies, procedures and rules continue to apply. Therefore, it is important that you can continue to follow expected

security, information governance and confidentiality protocols as if you are working at GHC. Any breach should be reported to your manager as soon as possible.

4.8 Planning permission/business rates

You must check if you need planning permission or will have to pay business rates for working at home. For advice check with your local council about planning permission and HMRC on business rates. GHC will not take responsibility for this.

4.9 Reimbursement of expenses

GHC will not contribute towards the costs of working from home or household bills. If you have one, your GHC mobile telephone must only be used for work calls. If a Trust mobile is not provided (as working from home is occasional), work-related call costs will be refundable if they are not included in your phone contract.

4.10 Access to and meetings at your home

During working hours you must allow reasonable access to your home by your manager or other authorised person, as requested. You should be given notice of the visit and wherever possible, a mutually convenient date/time agreed. Any pets should be appropriately controlled. Your home should not be used for meetings with your manager or colleagues unless mutually agreed. It should never be used for meetings or appointments with service users.

4.11 Reviewing the agreement to work from home

A review and evaluation of working from home will be completed during your appraisal. This will include conversations about any effects on your health and wellbeing. Regular conversations on how you are managing working from home should also be part of routine discussions with your manager. This will ensure that if there are any problems or concerns they are addressed as soon as possible.

4.12 Ending working from home

If circumstances or the needs of the service change, or if it is determined that the arrangement should end for another reason, your manager will discuss this with you. If you do not wish to continue working from home, you should arrange to meet your manager to discuss possible options for returning work at GHC.



Working hours

1 What this policy covers

This policy, which applies to all staff (except medical and dental staff, who are covered by a separate national agreement), details the conditions that apply to working practices to ensure compliance with the Working Time Regulations (WTR).

It is expected that in most areas of everyday working practice, the regulations and the nationally determined agreements and guidance provide information to enable management and staff to ensure that their working practices comply with the regulations. This policy will provide appropriate local guidance to ensure comprehensive compliance with the regulations.

Staff undertaking work in addition to their post at GHC should also read the Secondary Employment Policy, and are reminded that under the terms of the policy they must inform their manager if they are undertaking work outside of GHC.



2 Principles

- In accordance with the regulations and this policy, no GHC staff member will suffer through seeking to enforce their legal rights within the regulations.
- The intention of this policy is to ensure that the health and safety of employees is not compromised by the pattern or duration of hours they work.

3 Responsibilities

- GHC is responsible for ensuring compliance with this policy.
- GHC will identify and seek agreement, from individuals or via collective agreement as appropriate, for the use of the available exceptions or exemptions to enable working patterns that meet GHC's operational needs, while not compromising health and safety.
- GHC managers and heads of department are responsible for ensuring the practical application of this policy at a local level.
- All staff are required to comply with GHC reporting and record-keeping procedures relating to this policy.

4 Policy in practice

4.1 Maximum weekly working time

The maximum average working week for all staff is 48 hours, inclusive of hours worked on call, unless they have completed the form to opt out of this. This includes all work undertaken, for GHC and any other employer.

The reference period over which average hours will be calculated will be 17 weeks. The reference period will determine, for the purposes of the regulations, whether or not hours worked are more than those specified in the regulations. GHC will work to ensure that staff do not work more than 48 hours on average over any period of four weeks or more.

You may choose to agree to work more than 48 hours averaged over a 17-week period and also later change your decision of agreeing to work more than 48 hours.

The decision to exercise this option is an individual, voluntary one and no pressure should be placed on you to take this option. Each agreement may either relate to a specified time period or apply indefinitely and should be recorded in writing using the form, which can be found on the intranet.

Working time will include time taken for training purposes, civic and public duties, health and safety and trade union duties.

4.2 Night work

The “night period” is defined as 11pm to 6am and staff who regularly work at least three hours during the “night period” are “night workers”.

Night workers who deal with special hazards or whose work involves heavy mental or physical strain should not work longer than eight hours on average in any 24-hour period, calculated over a period of 17 weeks. Staff cannot opt out of this limit.

At the time of finalising this policy, no area has been identified within GHC where night workers face hazards of the type described above.

4.3 Breaks

Staff have the same right to rest breaks wherever they are working (ie in the workplace or at home). All breaks are unpaid.

Daily rest breaks

You should normally have an uninterrupted rest period of not less than 11 hours in each 24-hour period. However, exceptions are allowed where full daily rest cannot be taken because a worker is changing shifts.

Normally, the equivalent compensatory rest should be allowed for. In exceptional circumstances, where this is not practicable because of the contingencies of the service, daily rest may be less than 11 hours.

In-work breaks

Where the working day is longer than six hours, you must take an uninterrupted break of at least 20 minutes. Rest breaks must be taken during the period of work and should not be taken either at the start or the end of

a period of working time. You should be able to take your rest break away from your workstation.

Weekly rest

You are also entitled to either:

- 24 hours of rest in a seven-day period
- 48 hours of rest in a 14-day period; this can be one block of time or two separate 24-hour breaks.

4.4 Health assessment for night workers

Night workers are entitled to a health assessment, which is done using a questionnaire. If you wish to request an assessment you should contact Working Well.

4.5 Employing young people

A young person is defined as someone who is above school-leaving age yet under 18. Any young person working for GHC will therefore be 16 or 17 and special rules concerning them will apply.

A young person is entitled to take at least 30 minutes' break if their shift lasts more than 4.5 hours. Staff aged 16 and 17 will work no more than eight hours a day and 40 hours a week. A young person should have 12 hours rest between working days and two days off every week. A young person cannot opt-out of the Working Time Directive to work more than 48 hours a week.

“You should normally have an uninterrupted rest period of not less than 11 hours in each 24-hour period. However, exceptions are allowed where full daily rest cannot be taken because a worker is changing shifts”



NHS
Gloucestershire Health and Care
NHS Foundation Trust