

AGENDA

Meeting: STAFFING POLICY COMMITTEE
Place: Orkney Room, 2nd Floor, County Hall East Wing, Trowbridge
Date: Wednesday 18 May 2011
Time: 10.30 am

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic and Members' Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713035 or email roger.bishton@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Allison Bucknell
Cllr Rod Eaton
Cllr Mike Hewitt
Cllr David Jenkins
Cllr Francis Morland

Cllr John Noeken
Cllr Mark Packard
Cllr Jane Scott OBE
Cllr John Smale

Substitutes:

Cllr Ernie Clark
Cllr Peter Colmer
Cllr Mary Douglas
Cllr George Jeans

Cllr Howard Marshall
Cllr Bill Moss
Cllr Christopher Newbury
Cllr Jonathon Seed

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PART I

Items to be considered while the meeting is open to the public

1. **Apologies for absence**

2. **Minutes of Previous Meeting** *(Pages 1 - 6)*

To confirm the minutes of the meeting held on 5 April 2011. (Copy attached)

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

If you would like to make a statement at this meeting on any item on this agenda, please register to do so at least 10 minutes prior to the meeting. Up to 3 speakers are permitted to speak for up to 3 minutes each on any agenda item. Please contact the officer named on the front of the agenda for any further clarification.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of the agenda (acting on behalf of the Director of Resources) no later than 5pm on **Wednesday 11 May 2011**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6. **Appointment of Sub-Committees**

The Committee is asked to:

- (i) agree the size, and
- (ii) appoint the members and substitute members (up to three for each Party Political Group) to each of the following Sub-Committees:
 - (a) Senior Officers Employment Sub-Committee – previous members being Cllr Mike Hewitt, Cllr David Jenkins & Cllr Jane Scott.
(Substitute Members: Cllr Rod Eaton, Cllr Bill Moss, Cllr Mark Packard & Cllr John Smale.)
 - (b) Appeals Sub-Committee – previous members being Cllr Rod Eaton, Cllr John Noeken & Cllr Mark Packard.
(Substitute Members: Cllr Allison Bucknell, Cllr Mike Hewitt, Cllr David Jenkins & Cllr John Smale.)
 - (c) Grievance Appeals Sub-Committee – previous members being Cllr Allison Bucknell, Cllr Mike Hewitt & Cllr Mark Packard.
(Substitute Members: Cllr Rod Eaton, Cllr David Jenkins, Cllr Bill Moss & Cllr Jonathon Seed.)

7. **Flexible Working, Flexitime and Job Share Policies** *(Pages 7 - 42)*

A report by the Service Director HR & OD is attached.

8. **Honoraria Policy** *(Pages 43 - 50)*

A report by the Service Director HR & OD is attached.

9. **Acting Up Policy** *(Pages 51 - 60)*

A report by the Service Director HR & OD is attached.

10. **Disability Support in the Workplace Policy and Procedure** *(Pages 61 - 86)*

A report by the Service Director HR & OD is attached.

11. **Smoking Policy** *(Pages 87 - 90)*

A report by the Service Director HR & OD is attached.

12. **Date of Next Meeting**

To note that the next meeting is scheduled to be held on Wednesday 20 July 2011, starting at 10.30am.

13. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be considered as a matter of urgency. Urgent items of a confidential nature may be considered under Part II of this agenda.

PART II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

STAFFING POLICY COMMITTEE

DRAFT MINUTES OF THE STAFFING POLICY COMMITTEE MEETING HELD ON 5 APRIL 2011 AT COMMITTEE ROOM 5 - COUNTY HALL, TROWBRIDGE.

Present:

Cllr Allison Bucknell (Chairman), Cllr David Jenkins, Cllr Francis Morland, Cllr John Noeken, Cllr Mark Packard and Cllr John Smale

Also Present:

Cllr Christopher Newbury

28. Apologies for absence

Apologies for absence were received from Cllr Mike Hewitt and Cllr Jane Scott.

29. Minutes of Previous Meeting

Resolved:

To confirm and sign the minutes of the Committee meeting held on 9 March 2011 as a correct record.

30. Declarations of Interest

There were no declarations of interest.

31. Chairman's Announcements

There were no Chairman's announcements.

32. Public Participation

There were no members of the public present or councillors' questions.

33. **Amendment to Redundancy Policy - Re-employment by Wiltshire Council**

Consideration was given to a report by the Service Director HR & OD which proposed an amendment to the redundancy policy which was agreed in October 2010.

It was reported that the current redundant policy included a clause covering re-employment by Wiltshire Council which had caused some misunderstanding amongst staff. It had led to the belief that employment with the Council might be possible four weeks after dismissal, this not being correct.

After some discussion,

Resolved:

To amend the re-employment by Wiltshire Council clause in the Redundant Policy to read as follows:-

“Re-employment by Wiltshire Council

Voluntary Redundancy

If you were dismissed on redundancy grounds, and received a voluntary (enhanced) redundancy payment, you may be considered for re-employment to posts within Wiltshire Council after the minimum statutory period of four weeks has elapsed subject to the following conditions:

- **The post did not exist and was not foreseeable at the time of the dismissal.**
- **The vacancy has been advertised in accordance with Wiltshire Council policy and procedures.**
- **The appointment was made on the basis of the best person for the job with regard to the usual selection procedures.**
- **The appointment has corporate director approval**

These conditions will apply for 12 months from the date of your dismissal, after which you may be considered for re-employment to any post within Wiltshire Council.

Compulsory Redundancy

If you were dismissed on compulsory redundancy grounds these conditions will not apply and you may be considered for re-employment to any post within Wiltshire Council after the minimum statutory period of four weeks has elapsed”.

Additional FAQ'S – Re-employment by Wiltshire Council.

I have volunteered for redundancy, and my application has been accepted. I understand re-employment by Wiltshire Council will not be possible for 12 months after I leave. However I am interested in working in a school, does the policy prevent my re-employment in a school as well?

If you are dismissed on grounds of redundancy, and in receipt of a voluntary (enhanced) redundancy payment, then re-employment by Wiltshire Council after the minimum statutory period of four weeks has elapsed is restricted for 12 months from the date of your dismissal. This includes schools where the employer is Wiltshire Council, (i.e. Community and Voluntary Controlled schools), but would not apply where the council is not the employer.

The re-employment by Wiltshire Council clause in the policy refers to the restriction not applying if the post did not exist and was not foreseeable at the time of the redundancy. What posts are included in this?

The restriction on re-employment by Wiltshire Council applies to any post that existed, or was proposed, at the time of dismissal. Posts include any permanent, temporary, interim, agency or consultancy roles in the council.

The restriction does not include re-employment into posts that are newly created after redundancy, i.e. in new service areas, or where new types of work are being carried out. Newly created posts will not include existing jobs which change as a result of service re-design.

I have left the council on grounds of redundancy and received a voluntary (enhanced) redundancy payment. I would now like to register with the council to do casual relief work, or temporary work via the Wiltshire Temporary Agency. Does the restriction on re-employment prevent this?

Yes, you will be prevented from re-employment, after the minimum statutory period of four weeks has elapsed, in any temporary roles with the council for a period of 12 months from the date of your dismissal. This includes any work available via the relief bank or the Wiltshire Temporary Agency.

Any work you do for the council during the four weeks immediately following your dismissal will require you to repay your redundancy payment.

34. **Amendment to Appointments Policy and Procedure - Service Redesign**

Consideration was given to a report by the Service Director HR & OD which recommended an addition to the Appointments Policy and Procedure which had been agreed in October 2010. It was noted that the current policy covered service re-design but there was no process to deal with a service re-design where no redundancies were required.

The proposed amendment to the policy would provide an additional informal consultation process to enable the Council to try and reach an informal mutual agreement with all affected employees, prior to initiating the formal redundancy process. The trade unions were being consulted on this amendment to the policy but to date no formal response had been received. The UNISON Branch Secretary advised that some staff might be wary of a change to their contracts and it would be important to explain the reasoning for this change very carefully. The Service Director HR&OD agreed and indicated that this would require the support of not only the managers but also Trade Union representatives in communicating and explaining the positive aspects to this change in policy.

After further discussion,

Resolved:

To approve the proposed amendment to the Appointments Policy and Procedure, subject to the agreement of the Trade Unions.

35. **Date of Next Meeting**

Resolved:

To note that the next meeting was scheduled to be held on Wednesday 18 May 2011, starting at 10.30am.

36. **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 - 10.55 am)

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE

18 May 2011

FLEXIBLE WORKING, FLEXI-TIME AND JOB SHARE POLICIES

Purpose of Report

1. The purpose of this report is to present a harmonised flexible working policy, flexi-time policy and job share policy which will replace the current Ways of Working policy and toolkit.

Background

2. Wiltshire County Council introduced the Ways of Working (WOW) policy in 2006 (revised in 2008).
3. This policy was designed to modernise and introduce flexibility into the more traditional working arrangements prevalent at the time.
4. WOW was also adopted as the term for the ICT arrangements (e.g. cryptocards) required to enable people to access these new working arrangements.
5. Each of the ex-district councils also had their own flexible working policies.

Main Considerations for the Council

6. Since "WOW" was introduced the culture of the organisation has changed. In particular LGR and subsequent workplace transformation projects have led to flexible working becoming "the way we work".
7. The ICT infrastructure has changed to support this with the introduction of laptops, wifi internet connection and voice over internet phones.
8. A new suite of flexible working policies and toolkits have been created. These will replace the current "Ways of Working" policy and "Ways of Working toolkit" which are currently large single documents covering every type of flexible working arrangement.
9. The term "WOW" is no longer appropriate and will not be used within the new flexible working policy and will be phased out as ICT policies and procedures are updated.

Flexible working policy

10. The new “flexible working policy” is the main, overarching document which outlines the council’s approach to flexible working.
11. It is designed to support managers in taking a proactive, team based approach to flexible working, rather than reacting to individual requests, although there is still a process for individuals to apply to work flexibly.
12. This is based on the approach that all employees now work flexibly to a greater or lesser extent (for example sharing “team space”, hot-desking, accessing flexi-time etc.).
13. There is also a toolkit of guidance including:
 - Guidance for managers - Considering a flexible working proposal flowchart
 - Guidance for managers - talking to your team about flexible working
 - Guidance for managers – flexible working checklist
 - Employee form - Proposal for flexible working
 - Flexible working - One to one meeting format
 - Template letter – flexible working proposal agreed
 - Template letter – flexible working proposal declined
 - Flexible working – review meeting format
 - Guidance for managers - Equal opportunities in flexible working
14. Underpinning this are policies which outline and give further details about each of the main flexible working arrangements:
 - Flexi-time scheme
 - Job share
 - Home working
 - Term time working
 - Part time working
 - Compressed hours
 - Annualised hours
 - Time off in lieu
15. The flexi-time policy and job share policy are presented today, with the remaining policies currently being finalised and due to come to future JCC meetings, with the aim to have the whole suite of policies complete by October 2011.

Flexi-time policy

16. The flexi-time policy has been revised having taken into account both the current Wiltshire Council and ex-district policies.
17. The new policy is designed to be flexible around a set of key rules.

18. Managers will work with their teams to agree a flexi-time scheme which meets the needs of their service (agreeing whether the team works non-standard hours, whether there is a requirement for core hours etc.).
19. Managers may not alter the settlement period, debit and credit limits or break requirements outlined in the policy.
20. Following feedback from the unions the recording for training courses has been relaxed to enable employees to claim for additional hour where attendance on the course is a requirement of their role (rather than requested for self development).
21. The policy incorporates a transition period to enable ex-district staff to use up any accrued flexi leave, or to reduce their debit hours down, to come in line with the new policy. This transition period will run for three months from the effective date of this policy.

Job share policy

22. This policy has been revised having taken into account both the current Wiltshire Council and ex-district policies.
23. There were few differences between these policies and the main changes were to format and language.

Environmental Impact of the Proposal

24. None.

Equalities Impact of the Proposal

25. No negative impacts have been identified.

Risk Assessment

26. None

Options Considered

27. None

Recommendation

28. That Staffing Policy Committee agree this updated policy.

Barry Pirie
Service Director
HR & OD

Report Author: Paula Marsh, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this Report: None

Wiltshire Council Human Resources

Flexible Working Policy (formerly Ways of Working)

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

Wiltshire Council is committed to flexible working and recognises the benefits it can bring to:

The whole organisation	Improved productivity, reduced absenteeism, better recruitment and retention, optimised property estate usage, reduced costs and increased workspace utilisation.
Teams and departments	Increased service flexibility and productivity, better able to meet the equality and diversity agenda
Individual employees	Improved motivation and morale, increased productivity, better work-life balance, reduced levels of stress.
Customers	Shaping services around their needs and concerns.
The environment	Reduced business mileage, lower carbon footprint.

This policy supports managers in developing a more flexible workforce in line with operational service needs.

Go directly to:

[Main principles of flexible working](#)

[How to apply to work flexibly](#) – employees guide

[How to deal with a flexible working request](#) – managers guide

Information about specific flexible working arrangements can be found here (**will be links**):

- [Flexi-time scheme](#)
- [Term time working](#)
- [Part time working](#)
- [Compressed hours](#)

- Job share
- Annualised hours
- Home working
- Time off in lieu

Who is covered by this policy?

All Wiltshire Council employees.

Whilst recognising that some posts lend themselves more easily to flexible working than others, there is an opportunity to encourage innovation, challenge the norm and use flexible working to help us achieve our goal to provide customer focused, inclusive and positive 'can do' services.

In addition please note – parents and carers have the statutory right to request a variation to their contracts so that they can work more flexibly. Requests made under this legislation must be dealt with under the [Flexible Working for Parents and Carers of Adults](#) policy.

What are the main points?

1. Flexible working focuses on outputs and achievements, on “what you do” rather than on “where you do it”.
2. Flexible working relies on a high level of trust between managers and employees and between members of a team.

Initiating flexible working

3. Wherever possible a team approach should be taken, with managers talking to their teams about how flexible working could work for them.
4. Individuals can request flexible working but a team approach must generally be taken when deciding whether the request can be agreed.
5. The decision should be based on feasibility and operational merits alone. Employees do not need to justify their reasons for requesting flexible working.

Team space

6. Flexible working encourages the most efficient use of team space, ensuring employees have access to appropriate equipment but that use of facilities is optimised.

7. Regardless of working arrangements no employee will have ownership of a personal workspace, except in the case of a disabled employee who has had reasonable adjustments made to their workspace. Desk space will be shared.
8. All employees will be expected to maintain a clear desk, meaning that all personal items, paperwork etc. are stored in designated storage areas enabling other people to use the work space.

How does this policy apply to me?

9. If you want to request to work flexibly you should:
 - Consider the flexible working options available. You may want to combine several flexible working arrangements (for example working part time and from home).
 - Discuss flexible working with your manager – it may be more appropriate to discuss options as a team, rather than apply on an individual basis.
 - Complete the form “[Proposal for flexible working](#)”
10. If you agree to work less hours as a result of flexible working you should consider the impact this may have on your pension provision, annual leave, bank holidays, some allowances, sick pay and maternity pay which are pro rata to contracted hours.
11. Your manager will normally hold a [one to one meeting](#) with you to discuss the request within 10 working days of receiving the completed request form.
12. Your manager may also arrange a team meeting to discuss flexible working.
13. Within 5 working days of the meeting you will be notified of the decision. If a decision can't be made within this time period your manager will meet with you to explain why and confirm when a decision will be made.

If your request is agreed

14. Once the arrangement has been confirmed there is no automatic right to return to your original pattern of working. To vary your working arrangement a new flexible working request would need to be made.
15. In certain circumstances such as:
 - a breach of trust,

- operational necessity (such as lack of cover to meet service needs or a service restructure),
 - poor performance,
 - misconduct,
- it is possible to terminate or suspend the flexible working arrangement, without notice.

16. Such action will not be taken unreasonably and will be subject to full discussion with the individual(s) concerned.

If your request is declined

17. You will receive the decision in writing stating:
- the operational ground(s) why the proposal cannot be accepted;
 - an explanation of why the operational reasons apply in the circumstances.
18. You have the right to appeal against the decision in accordance with the council's appeals procedure.
19. There is no further right of appeal against this decision and no other procedure of the council, such as the grievance procedure, can be used.

Line manager responsibilities

20. Ensure equality of opportunity in accessing flexible working – see [guidance notes](#).
21. Promote flexible working within your team and encourage innovative, team-wide approaches to working arrangements. See [guidance notes](#).
22. Consider any individual flexible working requests in a wider team context.
23. Assess requests based on feasibility and operational requirements in accordance with the "[Considering a flexible working proposal](#)" procedure which contains:
- timescales
 - [one to one meeting guidance notes](#)
 - [checklists](#)
 - [template letters](#) to agree or decline the arrangement
24. Ensure flexible workers have access to the appropriate workspace, facilities, technology and equipment.

25. Ensure that any pre existing reasonable adjustments are maintained for employees who commence flexible working or are provided for new employees, as appropriate.
26. Review office space requirements, ensure desks and equipment are used effectively and that clear desk policies are adhered to.
27. Review the flexible working arrangement within 3 months of the arrangement commencing in line with the [review meeting guidance notes](#).
28. Set clear performance management targets and objectives and hold regular reviews to ensure these are being met.

Note: Formal approval for any flexible working request which increases costs rests with the budget holder

Are there any exemptions?

No posts have been specifically designated as not suitable for flexible working.

However managers must assess the benefits of flexible working and have the right to refuse requests if:

- It is operationally untenable and would adversely affect service delivery.
- Where, for performance management reasons, it is inappropriate for an employee to work flexibly.

Further advice

For further information please speak to your supervisor, manager, service director or contact your HR advisor.

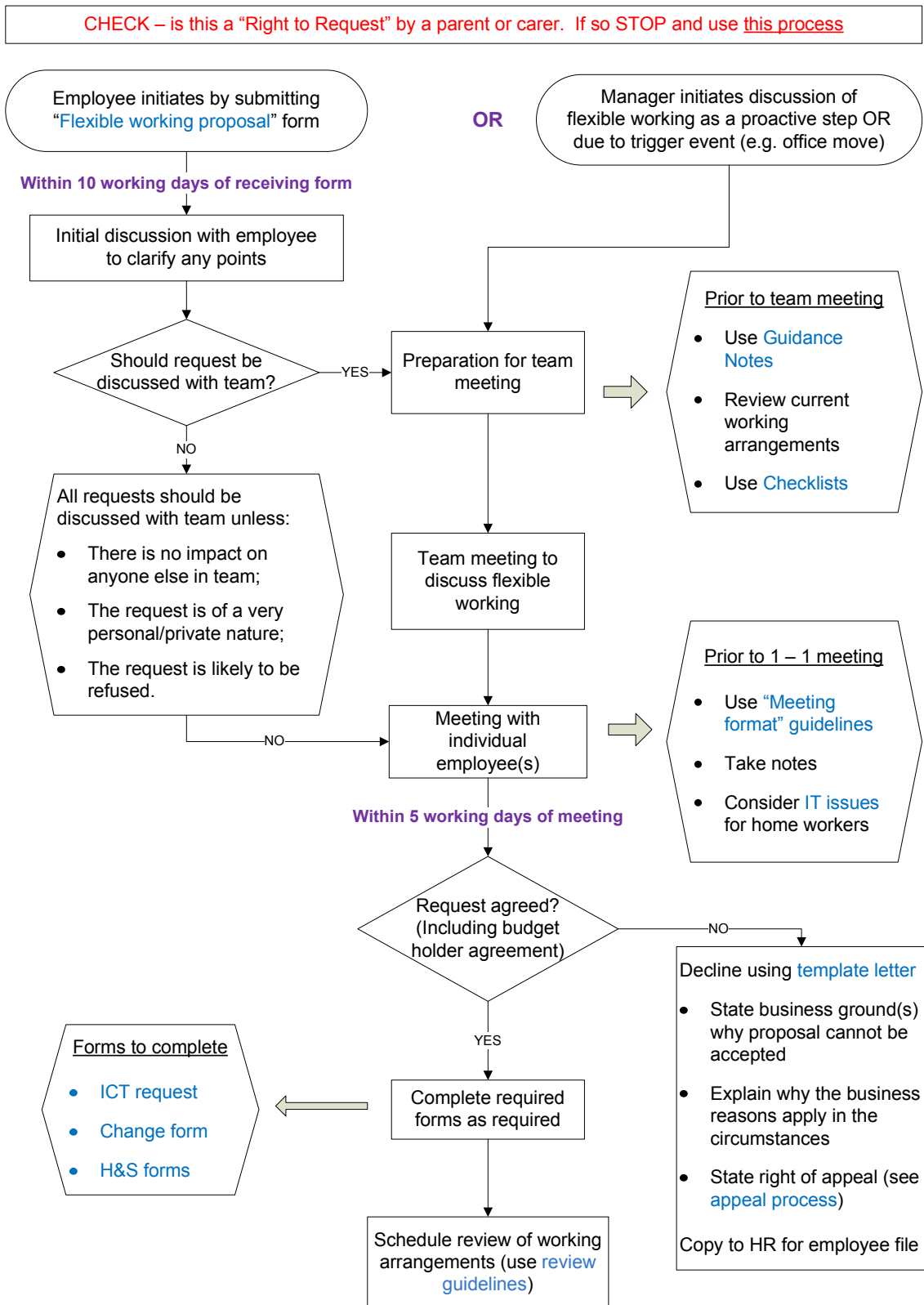
Toolkit

- Considering a flexible working proposal flowchart
- Guidance for managers - talking to your team about flexible working
- Flexible working – checklist for managers
- Proposal for flexible working
- Proposal for flexible working – one to one meeting format
- Template letter – flexible working proposal agreed
- Template letter – flexible working proposal declined
- Flexible working – review meeting format
- Equal opportunities in flexible working – guidance for managers

Policy author	HR Policy and Reward Team – PM
Date last updated	July 2010

Toolkit (all documents in this section will be links from this policy)

Considering a Flexible working proposal flowchart



Guidance for Managers - Talking to your team about flexible working

Flexible working arrangements work best when they are planned for as a team rather than on an ad-hoc basis as individuals request different working arrangements.

Ideally you should be proactive in discussing flexible working with your team but other triggers for having a team discussion include:

- Someone in your team submitting a flexible working proposal
- An office move
- A re-structure within the team

Preparation

- Make flexible working the focus of the whole meeting and plan enough time to discuss it fully.
- Let your team know the topic of the meeting so they can start to think about it. Explain that it is about fact-finding and discussion – nothing will be “imposed” on them
- Give them access to the relevant policies and guides and ask them to read them prior to the meeting
- Do your own preparation – complete the [checklist](#), understand current working arrangements in your team and try to anticipate the main concerns of team members.
- Find out what other teams in your department / area do – it may give you some ideas and real life examples to share with your team

Meeting

- Acknowledge that there may be concerns about discussing flexible working.
- Make flexible working accessible – many people think of “home working” when you talk about flexible working but you could start by talking about arrangements already used in your team (part time, flexi-time, time off in lieu etc.)
- Review how these arrangements are currently working and if anyone has any ideas about how to make them work better / differently
- Discuss other flexible working arrangements and whether you feel they could work in your team, outline the advantages for the organisation, team, individual and customers.

Outcomes

- If the outcome of the meeting involves individuals changing their working arrangements you should have one to one meetings with them to discuss the details and to ensure they understand all of the implications (follow the [“Considering a flexible working proposal”](#) flowchart).

If have any queries please contact your HR advisor

Flexible working – checklist for managers

As a manager you should consider how flexible working might impact on these key areas

+	it has a positive impact
N	it has no impact
-	it has a negative impact

Consider the impact on:

+ N - Notes

The organisation – could it help:

- to optimise property estate usage?
- to increase workspace utilisation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Your team - would it enable you to:

- offer a more flexible service or improve productivity?
- meet the needs of a specific equality group more effectively?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Individual employees – could it improve:

- motivation and morale?
- work-life balance?
- stress levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Your customers (internal and external) – will you be better able to provide

- services that are shaped around their needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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The environment – will it reduce:

- business mileage?
- carbon footprint?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Any flexible working arrangements which are put in place should have a positive or neutral impact in all of these areas. If there are areas where flexible working will have a negative impact you should consider ways to prevent this impact.

PROPOSAL FOR FLEXIBLE WORKING

Use this form to make an individual request for flexible working arrangements to be considered.

This will form the basis of a discussion with your line manager.

Full name	
Job title	
Team & department	
Contact details	
Line manager	

Outline your current working arrangements:

- hours and days of work
- any current flexible working arrangements (e.g. working from home)

Outline the proposed new working arrangements:

For example

- Changes to hours (flexitime/part time/term time/annualised/compressed)
- Other flexible arrangements (home working/job share)

What are the benefits of this option (include personal and organisational)?

What would you expect the likely impact of this request to be operationally?

Are there any other factors which your line manager should consider prior to discussing this request with you?

Employee signature: _____

Date: _____

Proposal for Flexible Working – One to One meeting format

Discuss **proposal** considering:

- Impact on present service, standards and arrangements
- Impact on other team members
- Costs associated (e.g. equipment)
- Benefits to individual, team and customers

Discuss any **problems** which could be encountered and how they would be overcome – for example:

- communications
- access to information
- customer access

Consider **equipment / IT requirements** – for example:

- Mobile phone
- Smartphone
- Home email access via a Crypto card
- Laptop

More information about these can be found in the [ICT service catalogue](#)

Consider **access** to

- Intranet and internet (if the employee will be working from home do they have broadband)
- electronic files and folders (word documents, excel spreadsheets)
- emails/calendars (either from home or on the move)
- back office applications (databases)
- confidential information – consider format and how it will be kept secure
- hot desks / work space

Consider **suitable start date** – leave enough time for any assessments required (e.g. risk assessment for home working), equipment ordering and set up.

What happens next?

Keep notes of this meeting on file.

If you are not the budget holder their approval must be sought prior to agreeing any change to working arrangements which will increase costs.

You must inform the employee of the outcome – i.e. whether you can agree to the proposal, within 5 days of this meeting.

Return to “[Considering a Proposal for Flexible Working](#)” flowchart for next steps including letter templates.

Template letter – flexible working proposal agreed

PRIVATE AND CONFIDENTIAL

NAME
ADDRESS

DATE

Dear **NAME**

Confirmation of flexible working arrangements

Further to our meeting on **DATE** I confirm that, effective from **DATE** your new working arrangements will be:

Insert full details of revised working arrangements

IF THIS IS A VARIATION TO CONTRACT USE THIS PARAGRAPH

As discussed, whilst this variation is on a permanent basis, the needs of the service may in the future require a review of work patterns making amendment necessary. Any proposed changes will be subject to full consultation with you.

IF HOURS OR PAY ARE REDUCING USE THIS PARAGRAPH

I understand that you are aware of the short and long term implications of this new arrangement in relation to your terms and conditions of service and entitlements under the Local Government Pension Scheme.

If you are in agreement with details above, please sign and date the declaration below and return it to me, this will be retained on your file. A copy is enclosed for your records

Yours sincerely

NAME
JOB TITLE

I agree and accept the agreed variation to my terms and conditions of employment as detailed above.

Signed: Date:

Template letter – flexible working proposal declined

PRIVATE AND CONFIDENTIAL

NAME

ADDRESS

DATE

Dear **NAME**

Flexible working proposal

I write further to our meeting on **DATE** at which we discussed the flexible working arrangement that you proposed, namely:

- **ADD DETAILS**

Following careful consideration I am unable to agree to this proposal due to:

- **OUTLINE OPERATIONAL REASONS AND WHY THEY APPLY**

I hope that you understand the reasons for your proposal being declined, however you do have the right to appeal the decision.

I enclose the council's appeal procedure which includes the form for you to use if you wish to appeal.

If you have any further queries please do not hesitate to contact me.

Yours sincerely

NAME

JOB TITLE

Enc. Appeal procedure

Flexible Working – review meeting format

At any review it is important for the employee and manager to share their views about how the flexible working arrangement is going:

Employee view:

Is the arrangement working as expected?

Is there anything they expected to happen which hasn't happened?

Have they encountered any problems as a result of the new arrangements?

How do they feel it has impacted on their relationship with colleagues / customers?

Manager view:

Is the arrangement working as expected?

Have there been any consequences of the arrangement which were not envisaged before it started?

Have there been any impacts (positive or negative) on the rest of the team?

Has there been any impact on the employee's ability to meet work objectives?

Outcomes:

At the end of the meeting the manager and employee will need to agree whether:

- The arrangement will continue with no changes
- The arrangement can continue but there are some actions to be taken. These should be outlined and timescales agreed

Rarely, having made changes and explored all the options, it may be felt that the arrangement is not working and cannot continue.

HR advice should normally be sought prior to making a decision to end a flexible working arrangement unless it is with the agreement of the employee.

Guidance for managers - equal opportunities in flexible working

Equality is not about everybody being treated in exactly the same way; it is about everybody having equal opportunities and removing barriers that stop this from happening.

Managers have a responsibility to consider whether:

- there are barriers preventing people from particular groups from applying for or undertaking flexible working;
- there are groups for whom certain forms of flexible working (e.g. home working) would be particularly beneficial.

Remember that where an employee has a [protected characteristic](#) as defined by the Equality Act 2010 we have a duty to make reasonable adjustments.

Some examples of ensuring equality in flexible working include

- Making employees aware of the different types of flexible working available.
- Considering some re-design of roles to enable employees to work flexibly.
- Considering flexible working requests from employees with a disability as possible “reasonable adjustments” and accommodating them wherever it is operationally feasible.
- Ensuring that, where a workstation has been adapted for an employee with a disability, they are able to use it whenever they are in the office even if the rest of the team are “hot desking”.

Further advice

We have two staff forums where staff can network and support each other:

Staff disability forum

If you have a disability or hidden impairment, your experiences will be valued in the forum. Members meet every other month to share information and resolve practical issues related to disability, as well as acting as a consultation group.

Black and minority ethnic forum

The forum is open to all employees across the council who consider themselves to be BME as well as other individuals who may be subject to discrimination and harassment on the basis of their own ethnicity, nationality or faith, or of those with whom they are associated. They also act as a consultation group.

Contact the [equality and diversity team](#) for information about accessing these forums.

Access to Work

When considering reasonable adjustments for disabled employees “[Access to work](#)” can provide advice and support to both employees and managers. Contact by telephone 02920 423 291 or textphone 02920 644 886.

More information

The council's [equality and diversity team](#) are happy to offer support on equality issues affecting any groups of staff.

Individual employees with queries can contact their HR advisor.

Protected characteristics

Protected characteristics as defined by the Equality Act 2010 are:

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Gender reassignment - The process of transitioning from one gender to another.

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

Marriage and civil partnership - Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a wide range of legal matters.

Pregnancy and maternity - Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context.

Sex - A man or a woman.

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

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Wiltshire Council Human Resources

Flexitime Policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy gives guidance on the council's flexitime scheme which enables an employee to vary their start, finish and break times to suit both operational requirements and their individual needs.

Go directly to the section on:

- [Working hours](#)
- [Rules of the flexitime scheme](#)
- [Time recording](#)
- [Breaks](#)
- [Line manager responsibilities](#)
- [Frequently asked questions](#)

Who is covered by this policy?

All employees – however the flexitime scheme is not an employee right. The availability of the scheme depends on the operational requirements of the business and management discretion.

What are the main points?

Working hours

1. Opening times across the council for public access at hubs and by telephone are 8.30am – 5.30pm, Monday to Friday.
2. Where there is an operational requirement work places must be staffed throughout these opening hours, including lunch times.
3. Departmental working hours may be extended due to operational requirements and this would take precedent over the hours outlined above.
4. Details of the number of hours employees are required to work are contained within their contract of employment.

5. Working patterns should be agreed between the manager and employee and take account of operational requirements both of the service the employee delivers and other services they link into.
6. There are no standard “core hours” during which employee must be in work as these will vary between departments.
7. Where, at management request, hours are worked outside of the flexitime scheme operating hours [time off in lieu](#) rules will apply.

Flexitime rules

8. The flexitime scheme is designed to allow employees to deviate from their agreed working pattern on occasion.
9. Any permanent change of working pattern must be agreed with your manager in advance.
10. As standard the scheme should operate between 7am and 7pm with no core hours. However each department may determine what hours their flexitime scheme operates within and whether core working hours are required. If core hours are required then the flexitime scheme will only operate outside of these hours.
11. Full time staff are required to work 148 hours per four week settlement period, this is pro-rata for part time employees
12. You may carry over a credit of 16 hours per settlement period.
13. If you have enough credit, one day or two half days leave may be taken during the next settlement period.
14. Leave under the flexitime scheme is subject to management consent and you are required to give at least two days notice of your request to take leave.
15. Any credit in excess of 16 hours will be cancelled at the end of the each settlement period.
16. You may carry forward a debit of up to 8 hours per settlement period (pro-rata for part time employees). You must clear these within the next four week settlement period.
17. If you regularly accumulate debit hours in excess of 8 hours you may be subject to the council’s disciplinary procedure.

18. Flexitime is not normally available to staff who work on [annualised hours](#) contracts.

Time recording

19. You are required to record the hours that you work. You should record start and finish times as well as lunch breaks and any other absence for non work related reasons.
20. You will be credited with a standard day's hours when you are absent due to annual leave or sickness
21. If you leave work due to sickness absence after the start of work you should be credited with hours up to your standard hours for that day.
22. You should try to book appointments of a private nature (doctor, dentist, optician etc.) outside of your normal working hours. Where this is not possible managers have the discretion to credit hours.
23. Where your manager requests that you attend a training course as part of your role, which extends beyond your normal working hours, you should agree with your manager in advance of the course how any additional hours should be recorded (e.g. a flexitime, TOIL or overtime).
24. If you undertake a training course for your own development you should record a standard day's hours on your flexi time sheet.
25. Any abuse of the flexitime scheme may result in disciplinary action being taken in accordance with the council's [disciplinary procedure](#).

Breaks

26. If you work more than 6 hours you are required to take a minimum unpaid break of 30 minutes for lunch which must be recorded on your flexitime sheet.

Line manager responsibilities

27. To agree (usually as part of a wider departmental review) your team's normal working hours.
28. To ensure office cover during the council's normal working hours, including over the lunch period. This may require physical cover in the office or appropriate telephone cover.

29. To agree
- whether it is appropriate to operate a flexitime scheme within your team and who can participate.
 - determine whether “core hours” are operationally necessary and if so ensure your flexitime scheme includes these.
 - ensure that any team/departmental changes to the standard flexitime scheme are documented and that a copy is provided to all employees.

See **manager’s guidance – introducing/changing flexitime for your team.**

30. To ensure that a suitable time recording sheet is given to all employees who are in the flexitime scheme (see **example**).
31. To sign off flexitime sheets at the end of each settlement period and ensure credit and debit rules are observed.
32. To ensure debit hours are cleared and that any excess debit is highlighted with the individual.
33. To prevent abuse of the flexitime scheme.

Frequently Asked Questions

34. **Is it true that I must be in work between 10am and 3.30pm and take lunch between midday and 2pm?**

It depends on the flexitime scheme which is in operation within your team.

If your team operates a flexi scheme with core hours then you will need to attend work during these hours. You may also have specified times when you may go for lunch.

There is no standard flexitime scheme or core hours across the whole council as different departments have different operational requirements.

Your manager will be able to explain the rules of your specific flexitime scheme.

35. **Can you give an example of a flexitime scheme which includes core hours?**

A scheme which includes core hours may state “Normal working hours are 8.30 – 18.00. Core working hours are 10.00 – 15.30.”

This would mean an employee could not arrive later than 10am or leave before 3.30pm.

Core hours should only be included if operationally necessary as they can reduce the effectiveness of the flexitime scheme in achieving work-life balance.

36. I only work 3 days per week – what should I enter on my flexitime sheet for the 2 days I do not work?

It depends on the flexitime recording template you are using.

You either need to ensure that your working week adds up to 37 hours i.e. deduct your contracted hours from 37 and enter the difference on one of the non working days so that if you enter your contracted hours on your working days the total for the week adds up to 37.

Alternatively you need to ensure that your flexi-time sheet takes into account your part time hours so that your total hours for the settlement period equates to four times your normal contracted hours and that any hours over this show as a credit.

37. I work specific hours, agreed with my manager and stated in my contract – can I still do flexitime?

You should speak to your manager. Usually where specific hours have been agreed no flexitime is possible. Any hours worked outside of your normal working hours may be taken as **time off in lieu** if agreed in advance with your manager.

38. What should I enter on my flexi sheet if I am off sick for a day?

If you always work a standard number of hours on a particular day then you should enter this on your timesheet.

If the actual hours you work each day can vary, depending on when you start and finish under the flexi time scheme, you should divide your contracted weekly hours by the number of days you work and enter this on your timesheet. For example if you work 37 hours over 5 days you should enter 7 hours 24 minutes on your timesheet.

39. One of my team keeps accumulating debit hours – what should I do?

An employee should only accumulate a maximum of 8 hours debit each month. This should be cleared by the end of the next settlement period (i.e. they should be neutral or in credit at the end of the next period).

In the first instance the line manager should speak to the employee to understand the reasons for the debit being accumulated and to put in place an action plan for making up the hours. This meeting should be informal but documented.

If the situation continues to occur or is not remedied the line manager should manage the issue in line with the council's disciplinary procedure.

40. **Can I be paid for hours which I am in credit?**

No. The advantage of a flexitime scheme is to enable employees to balance additional hours which they have worked – perhaps during a particularly busy period at work - with additional time off in the next four week settlement period. Paying the hours would undermine the work-life balance impact which the flexitime policy is designed to achieve.

If there is a particular piece of work, approved in advance by the line manager, which has required an employee to work a large number of additional hours they may be paid in line with the council's [overtime policy](#) or taken as time off in lieu.

41. **Can I build up flexi over several months in order to take additional time off for a special occasion?**

No – the flexi time scheme is designed to help ensure good work life balance and it would not be appropriate to work long hours over several months without taking time off.

The [annual leave policy](#) enables employees to bank up to 5 days leave each year for a particular purpose, such as a special trip.

Alternatively you could discuss with your manager the possibility of using unpaid leave to extend your annual leave in exceptional circumstances.

42. **Why am I required to take a 30 minute lunch break if I work over 6 hours.**

Under Working Time Regulations anyone who works for 6 hours or more in a day has the right to a break. Requiring all employees to take at least a 30 minute break meets our requirements for all staff under these regulations and reduces health and safety risks.

Wherever possible it is advised that employees take this break away from their normal work place, in a single block and approximately mid-way through their normal working hours.

43. **I transferred from an ex-district council and the flexitime scheme I was working to had a higher credit or debit entitlement. Will I lose any flexi leave that I have built up which is in excess of the 16 hours allowed under the new policy.**

It has been agreed with the unions that there be a transition period to enable ex-district staff to use up any accrued flexi leave, or to reduce their debit hours down, to come in line with the new policy.

This transition period will run for three months from the effective date of this policy. Employees should discuss with their managers how they should plan this transition period to ensure that by **ADD DATE** they comply with the new flexitime policy.

Are there any exemptions?

The flexitime scheme is not an employee right. Managers must assess the benefits of using a flexitime scheme both for the service and employees and have the right to refuse or stop flexitime if it is operationally unfeasible or being abused.

Definitions

Settlement period The four week period over which you record your hours. At the end of the period you must calculate whether you have worked more or less hours than you are contracted to do. In the next period you may use any credit to have additional time off, or you must work extra hours to clear any debit.

Core hours Core hours ensure that employees are in the office by a certain time and do not leave before a certain time. They should only be included in the flexitime scheme if they are operationally necessary.

Further advice

Related policies and documents:

- Flexible working policy
- Example flexitime scheme
- Example flexitime time recording sheet
- Disciplinary policy

For further information please speak to your supervisor, manager, service director or contact a member of your human resources advisory team.

Policy author	HR Policy and Reward Team – (PM)
Policy updated and implemented	

Wiltshire Council Human Resources

Job share policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

Wiltshire Council supports flexible working.

Job sharing is where the responsibilities of a full time post are shared by two people, both working part time hours.

This policy must be read in conjunction with the [Flexible Working policy](#).

Go directly to the section on:

- [How to request a job share arrangement](#)
- [Salary](#)
- [Annual leave and bank holiday entitlement](#)
- [Overtime](#)
- [On-call arrangements](#) and [cover arrangements](#)
- [Performance objectives](#)
- [Contract changes](#)
- [What happens if a job share partner leaves](#)
- [Line manager responsibilities](#)
- [Frequently asked questions](#)

Who is covered by this policy?

All employees. However some posts may be unsuitable for job sharing due to operational requirements.

External candidates who are applying for a job at the council may also request to work on a job share basis.

What are the main points?

1. Job share partners will have separate contracts of employment.
2. A post may be shared by two people on a split day or split week basis giving each employee a pro rata share of the full time hours of the post.

3. The way in which the hours of the post are divided between the job share partners should be decided by the line manager, in consultation with both employees.
4. Limited overlap periods may be permitted but the total hours worked by both employees should not exceed the normal full time hours of the post.

How does this policy apply to me?

5. You can request that your post be considered for job sharing using the [proposal for flexible working form](#).
6. All requests will be considered in accordance with the procedures laid out in the [flexible working policy](#).
7. If the proposal is agreed the process of recruiting a job share partner will commence in line with the council's appointments procedure.
8. You will continue to work your full hours until a job share partner has been recruited.
9. If, after advertising twice for a job sharing partner, the remaining job share post remains unfilled you will continue to work your full hours and further discussions will be held about the viability of job sharing. Other flexible working options may need to be considered.

Salary

10. Job share partners will always be graded on the same scale. However they may be on different pay points within that grade based on length of service and other factors.
11. Salary will be paid pro rata based on the number of hours worked.

Annual leave and bank holiday entitlement

12. Annual leave will be calculated pro rata depending on the hours and weeks worked.
13. Bank holiday entitlement will be shared between the job share partners on a pro rata basis. If a bank holiday falls on a working day those hours will be debited from the bank holiday entitlement.
14. Where the job is shared on a split week basis it is likely that one job share partner will benefit from more bank holidays than their entitlement will cover. Any shortfall in bank holiday leave entitlement must be

deducted from annual leave entitlement or additional hours worked to balance the hours.

15. Excess bank holiday leave entitlement may be booked at other times of the year, in the same way as annual leave.

Overtime

16. If hours in excess of your contract are worked you will receive your basic hourly rate for any hours worked up to the full time hours for the post (usually 37 hours).
17. Enhanced rates are only payable to eligible employees (those employed on spinal column point 28 or below) once the normal hours for that post have been exceeded.
18. Hours worked on a Sunday or Bank holiday (where these are not part of your normal working pattern) would be paid at enhanced rates.

On-call requirements

19. Where there is an on-call requirement this should be shared, pro rata, between the job share partners with on-call payment being paid pro rata and call-outs paid in accordance with the appropriate allowances.
20. Telephone rental, where appropriate, will be paid in full to both job share partners.

Cover for leave purposes

21. Where one partner in a job share post is not at work due to sickness, maternity or other leave (excluding annual leave) the remaining job sharer may be invited to undertake additional hours up to, but not exceeding, the full time hours of the post.
22. The job sharer is not under any obligation to undertake these additional hours.

Performance objectives

23. Job share partners will have joint objectives in terms of the requirements of the role, but will have individual performance reviews concerning their personal contribution to the objectives in addition to their personal development needs and future aspirations.

Contract changes

24. Any employee who requests a job share arrangement will be deemed to have requested a permanent change to their contract, unless it is agreed otherwise in writing at the time of the change.
25. Sickness payments will be calculated on a pro rata basis depending on hours worked.
26. All other terms and conditions will remain unchanged unless specified.

Resignation of one job share partner

27. If one of the job share partners leaves the role:
 - The remaining job share partners will be offered the post on a full time basis.
 - If this is not accepted the council will take all reasonable action to recruit another job share partner through the normal appointments procedure
 - If, after advertising twice for a job sharing partner, the remaining job share post remains unfilled the post will be advertised on a full time basis and the council will seek to redeploy the remaining job share partner in accordance with the redeployment procedure. Protection arrangements will not apply.
 - In accordance with this policy, if no suitable alternative employment can be identified, the post holder's contract may be terminated to allow the appointment of a full time employee
28. If the job share partner accepts the role on a full time basis a request may be made, at a later date, to advertise for a job share partner.
29. Any such request would be considered as a new flexible working request in accordance with the procedures laid out in the [flexible working policy](#).

Line manager responsibilities

30. Manage any job share requests in accordance with the flexible working policy using the [Considering a flexible working request](#) procedure which contains:
 - timescales
 - template letters
31. To use the [manager's checklist – suitability of a post for job share](#) when reviewing any job share request.

32. Where requests are agreed follow the council's **recruitment policy and procedure** to recruit a job share partner.
33. Ensure that appropriate hand over procedures have been devised by the job share partners to enable continuity.
34. Ensure that both job share partners have the same access to development opportunities as full time staff.

Are there any exemptions?

Managers must assess the impact of job share requests on the individual, team and service area and have the right to refuse requests if they are operationally untenable and would adversely affect service delivery.

Further advice

Related policies and documents:

- [Flexible working policy](#)

For further information please speak to your manager, service manager or contact a member of your [human resources advisory team](#).

FAQs

Can I participate in the flexitime scheme if I work in a job share role?

Working in a job share role does not stop you from participating in the flexitime scheme if your manager agrees that it is feasible from an operational perspective.

Policy author	HR Policy and Reward Team – (PM)
Policy last updated	

Manager's checklist – is a post suitable for job share?

You should consider:

- How the duties and responsibilities of the post will be defined and divided, including any decision making responsibilities.
- Service requirements, including any requirements for travel, call out, on call attendance at meetings etc.
- How communication will be managed between job share partners, their manager, their colleagues and service users to ensure continuity and consistency
- Requirements for handovers/liaison time between job share partners
- Any limitations on accommodation, equipment etc.
- Whether specialist training is required – if so what are the cost implications of having two job holders?

Any concerns arising from this checklist should be discussed during your one to one meeting with the employee(s).

WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE

18 May 2011

HONORARIA POLICY

Purpose of Report

1. This report presents the updated honoraria policy.

Background

2. The honoraria policy applies to all Wiltshire Council employees (including schools) who are contractually subject to the terms and conditions of the National Joint Council for Local Government Services.
3. Human Resources aims to create policies which are consistent in format, easy to read and understand and are fit for purpose. This policy is in the new format which supports these aims.

Main Considerations for the Council

4. The honoraria policy has been updated in line with a KPMG audit report which recommended a more robust sign off process for honoraria payments.
5. The main changes to the honoraria policy are:
 - All honoraria payments must be approved by the relevant corporate director and countersigned by the head of HR & OD.
 - In addition, any payment which exceeds £4,500 per annum and/or increases the employee's grade by 2 grades or more above their substantive position, must be approved by the Member for Resources (Cllr Noeken) or a nominated Cabinet member representative

Environmental Impact of the Proposal

6. None.

Equalities Impact of the Proposal

7. An Equalities Impact Assessment was undertaken on 7 February 2011 and no negative impacts were identified.

Risk Assessment

8. None

Options Considered

9. None

Recommendation

10. That Staffing Policy Committee agree this updated policy.

Barry Pirie
Service Director
HR & OD

Report Author: Paula Marsh, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this Report: None

Wiltshire Council Human Resources

Honoraria policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy sets out the way in which the council will pay honoraria payments to employees who perform additional duties or carry out some, but not all, duties or responsibilities of a higher graded post.

Where an employee is taking on the full responsibilities and duties of a higher graded post (either for some or all of their working hours) you should refer to the [acting up policy](#).

Go straight to the section:

- [Main points](#)
- [Authorisation of honoraria payments](#)
- [How does this policy apply to me?](#)
- [Payment of an honoraria](#)
- [Manager's responsibilities](#)
- [Further advice](#)
- [Frequently asked questions](#)

Who does it apply to?

This policy applies to all Wiltshire Council employees (with the exception of teaching staff employed in locally managed schools and centrally employed teachers engaged on Burgundy Book terms and conditions).

This is a harmonised policy and applies to both Wiltshire Council and ex-district TUPE employees.

When does it apply?

This policy applies when, at the request of their manager, an employee:

- takes on additional duties within their role; or

- carries out some (but not all) duties or responsibilities of a higher graded post

on a temporary basis

When does it not apply?

This policy does not apply if:

- an employee takes on additional duties or responsibilities to cover a period of planned leave of less than 4 weeks (for example covering annual leave); or
- an employee acts up fully into a higher graded post. In this case you should refer to the [acting up policy](#); or
- the change is permanent. In this case the job will be advertised in accordance with the council's [recruitment and selection procedure](#).

What are the main points?

1. Prior to confirming any arrangement where an honoraria payment is envisaged, the manager must contact their human resources adviser to ensure the correct process is followed.
2. No individual should be involved in the authorisation process of an honoraria relating to themselves.
3. An individual may only receive one honoraria payment at a time.

Authorisation of honoraria payments

4. All honoraria payments must be approved by a corporate director and counter-signed by the service director of human resources and organisational development on the [honoraria approval form](#) prior to the arrangement commencing.
5. In addition any honoraria payment which:
 - exceeds £4,500 per annum; and/or
 - increases the employees grade by two or more grades above their substantive position

must be approved by the Cabinet Member for Resources (or their nominated cabinet representative) in writing prior to the arrangement commencing.

6. In all cases any honoraria will only be paid for a limited period, whilst the additional duties are being carried out.
7. Should the requirement to carry out additional duties become permanent the job must be advertised in accordance with the recruitment and selection procedure.

How does this policy apply to me?

8. You may be asked to carry out some duties in addition to your substantive post for a fixed period of time.
9. This may be due to:
 - An unexpected absence or vacancy within the team requiring you to take on some of the duties and responsibilities of a higher graded post;
 - A one-off project or piece of work on top of your normal duties.
10. These duties will be evaluated to see if they make a difference to the grade of your job.
11. To conduct this evaluation your manager will need to complete a [significant differences form](#) which will be evaluated alongside your current job evaluation questionnaire.
12. Should the grade of your job increase because of the additional duties you will be paid the difference between your substantive grade and the minimum spinal point of the new grade as a monthly honorarium payment.

Payment of the honoraria

13. Honoraria payments are usually paid monthly as part of your normal salary.
14. Your manager may arrange for the honoraria to be paid as a one-off payment where appropriate.
15. Any payment will be pro rata for part time employees.

Manager's responsibilities

16. To follow the [managers guide - honoraria flowchart](#) to ensure the process is completed correctly.

17. To contact your human resources adviser prior to confirming any arrangement for which you expect to make an honoraria payment.
18. To complete a [significant differences form](#) and submit this for re-evaluation in line with the job evaluation process.
19. To complete the [honoraria approval form](#) and obtain authorisation from your corporate director and the service director of human resources and organisational development prior to confirming the honoraria to the employee.
20. If the honoraria
 - exceeds £4,500 per annum; and/or
 - increases the employees grade by two or more grades above their substantive positionto obtain written approval from the Cabinet Member for Resources (or their nominated cabinet representative).
21. To write to the employee (using [confirmation of honoraria arrangement letter](#)) to confirm the arrangements and honoraria payment.
22. To complete the [change form](#) to inform the HR and payroll administration team of the additional payments to be made.
23. To review the arrangement on a regular basis to ensure there is still a requirement to pay an honoraria.
24. To complete a [change form](#) as soon as the arrangement ends so that additional payments can be stopped.
25. If it becomes clear that the arrangement will be a permanent requirement, to advertise the post in line with the [recruitment and selection procedure](#).

Frequently asked questions

26. **How long will it take to confirm an honoraria payment for an employee who is taking on some additional duties?**

Unless the employee is taking on the full duties and responsibilities of a higher graded post you will need to complete a [significant differences form](#) and submit this to your human resources adviser who will check the form and forward it to the job evaluation team.

It will then be scheduled for evaluation at the next available panel and the results will be returned to the human resources adviser as soon as possible after this panel who will communicate the results to you.

This process will take a maximum of 4 weeks from the date you submit the significant differences form but is often much quicker.

27. **I have been asked to take on some additional duties. However after completing a significant differences form I have been informed that they do not make a difference to the grade of my job. Can I refuse to take them on?**

It is normal for jobs to vary over time and it is expected that employees will be flexible and undertake additional tasks appropriate to their role.

It is important that you discuss the additional duties with your manager and agree how these will fit in with your current workload and priorities.

If you feel that the evaluation of the additional duties was not right you do have the opportunity to appeal under the Job Evaluation process.

Equal Opportunities

This policy has been Equality Impact Assessed ([link to EIA for policy](#)) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Advice and guidance

If you require help in accessing or understanding this policy or completing any of the associated forms you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

See [guidance for managers – giving advice on policies](#).

Further information

There are a number of related policies and procedures that you should be aware of including:

- Acting up policy
- Recruitment and Selection policy
- Secondment policy

There is also a [toolkit](#) including manager guidance and supporting documents to use when following this policy and procedure.

For further information please speak to your supervisor, manager, service director or contact your HR advisor.

Policy author	HR Policy and Reward Team – PM
Policy implemented	
Policy last updated	

WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE

18 May 2011

ACTING UP POLICY

Purpose of Report

1. This report presents the updated acting up policy.

Background

2. The acting up policy applies to all Wiltshire Council employees (including schools) who are contractually subject to the terms and conditions of the National Joint Council for Local Government Services.
3. Human Resources aims to create policies which are consistent in format, easy to read and understand and are fit for purpose. This policy is in the new format which supports these aims.

Main Considerations for the Council

4. The main changes to the acting up policy are:
 - To make the process for authorising acting up payments clearer;
 - To make it clearer when an acting up payment should be made and when managers should refer to the honoraria policy.

Environmental Impact of the Proposal

5. None.

Equalities Impact of the Proposal

6. An Equalities Impact Assessment was undertaken on 7 February 2011 and no negative impacts were identified.

Risk Assessment

7. None

Options Considered

8. None

Recommendation

9. That Staffing Policy Committee agree this updated policy.

**Barry Pirie
Service Director
HR & OD**

Report Author: Paula Marsh, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this Report: None

Wiltshire Council Human Resources

Acting up policy

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy sets out the way in which the council will pay acting up payments to employees who take on the full responsibilities and duties of a higher graded post either for some or all of their working hours.

Go straight to the section:

- [Main points](#)
- [Authorisation of acting up payments](#)
- [How does this policy apply to me](#)
- [Payment of an acting up payment](#)
- [Line manager's responsibilities](#)
- [HR responsibilities](#)
- [Frequently asked questions](#)

Who does it apply to?

This policy applies to all Wiltshire Council employees (with the exception of teaching and non-teaching staff employed in locally managed schools).

When does it apply?

This policy applies when, at the request of their manager, an employee acts up into a higher graded post.

This involves carrying out all of the duties and responsibilities of that post, for either some or all of their working hours.

It only applies where such arrangements are temporary – for example to cover long term sickness, maternity leave or other short term requirements.

When does it not apply?

This policy does not apply if:

- an employee takes on additional duties or responsibilities to cover a period of planned leave of less than 4 weeks (for example covering their manager's annual leave); or
- an employee take on only some **additional duties** or responsibilities. In this case you should refer to the **honorary policy**;
- the change is permanent. In this case the job will be advertised in accordance with the council's [recruitment and selection procedure](#).

What are the main points?

1. Prior to confirming any arrangement where an acting up payment is envisaged, the manager must contact their human resources adviser to ensure the correct process is followed.
2. No individual should be involved in the authorisation process of an acting up payment relating to themselves.

Authorisation of acting up payments

3. All acting up payments must be approved by a corporate director and counter-signed by an HR business partner.
4. In all cases any acting up payment will only be paid for a limited period, whilst the additional duties are being carried out.
5. Should the higher grade post become a permanent vacancy the job must be advertised in accordance with the recruitment and selection procedure.

How does this policy apply to me?

6. Where you take on the full duties and responsibilities of a higher graded post you will receive the difference between your current salary and the minimum spinal point of the new grade which would apply if you were appointed to the post on a permanent basis.
7. Where you are taking on the full duties and responsibilities of a higher graded post for a proportion of your working week, human resources will calculate what percentage of the higher job you are undertaking, based on the percentage of your working week that is spent acting up into the higher graded post.
8. You will be paid that percentage of the difference between your current salary and the minimum spinal point of the new grade which would apply if you were appointed to the post on a permanent basis.

Payment

9. Acting up payments are usually paid monthly as part of your normal salary.
10. Your manager may arrange for an acting up payment to be paid as a one-off payment where appropriate.
11. Any payment will be pro rata for part time employees.

Roles and responsibilities

Line manager responsibilities

12. To follow the [managers guide - acting up flowchart](#) to ensure the process is completed correctly.
13. Where full acting up on either a full or part time basis is proposed, to liaise with your human resources adviser to ensure the correct salary is paid.
14. To gain approval from your corporate director and HR business partner prior to confirming the arrangement with the employee.
15. To write to the employee (using [confirmation of acting up arrangement letter](#)) to confirm the arrangements and acting up payment.
16. To complete a [change form](#) to inform lifecycle of the additional payments to be made.
17. To complete a [change form](#) as soon as the arrangement ends so that additional payments can be stopped.
18. If it becomes clear that the arrangement will be a permanent requirement, to advertise the post in line with the [recruitment and selection procedure](#).

HR responsibilities

19. To provide advice and guidance to managers on the application of this policy.
20. To check and, where appropriate, approve the acting up payment.

Frequently asked questions

21. I have been acting up into a post for 3 months whilst the postholder is off sick. They are coming back to work part time on a phased return – should I still receive an acting up payment during the phased return period?

If you continue to undertake the full duties and responsibilities of the higher graded role for part of the week (i.e. on the days that the postholder is not in work) you should receive a percentage of the higher salary to reflect this.

Your manager should speak to their human resources adviser to calculate the payment you should receive.

Equal Opportunities

This policy has been Equality Impact Assessed ([link to EIA for policy](#)) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Managers will make any necessary adjustments to ensure that all employees are treated equally. For further information see the guidance on equal opportunities in ([link to equal opps guidance](#))

Advice and guidance

If you require help in understanding this policy you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

Further information

There are a number of related policies and procedures that you should be aware of including:

- Honoraria policy
- Recruitment and Selection policy
- Secondment policy

For further information please speak to your supervisor, manager, service director or contact your [HR advisor](#).

Policy author	HR Policy and Reward Team – (Initials)
Policy last	DD-MM-YYYY

updated/implemented	
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Template letter – confirmation of acting up payment

Personal and Confidential

NAME

ADDRESS

DATE

Dear **NAME**

Confirmation of acting up payment

Further to our recent discussions I can confirm that, effective from **DATE** you will receive an acting up payment of £**ADD INFO** per month.

This is in relation to you acting up to the role of **POSITION TITLE, GRADE** for **all of your working hours**. The payment has been calculated as the difference between your current spinal point (**SCP??**) and the minimum spinal point of the new grade spinal point at the bottom of the grade for the position you are acting up into (**SCP??**).

or

This is in relation to you acting up to the role of **POSITION TITLE, GRADE** for **??% of your working hours**. The payment has been calculated as **??%** of the difference between your current spinal point (**SCP??**) and the spinal point at the bottom of the grade for the position you are acting up into (**SCP??**).

This arrangement will **end on DATE**

or

This arrangement **will be reviewed on DATE**.

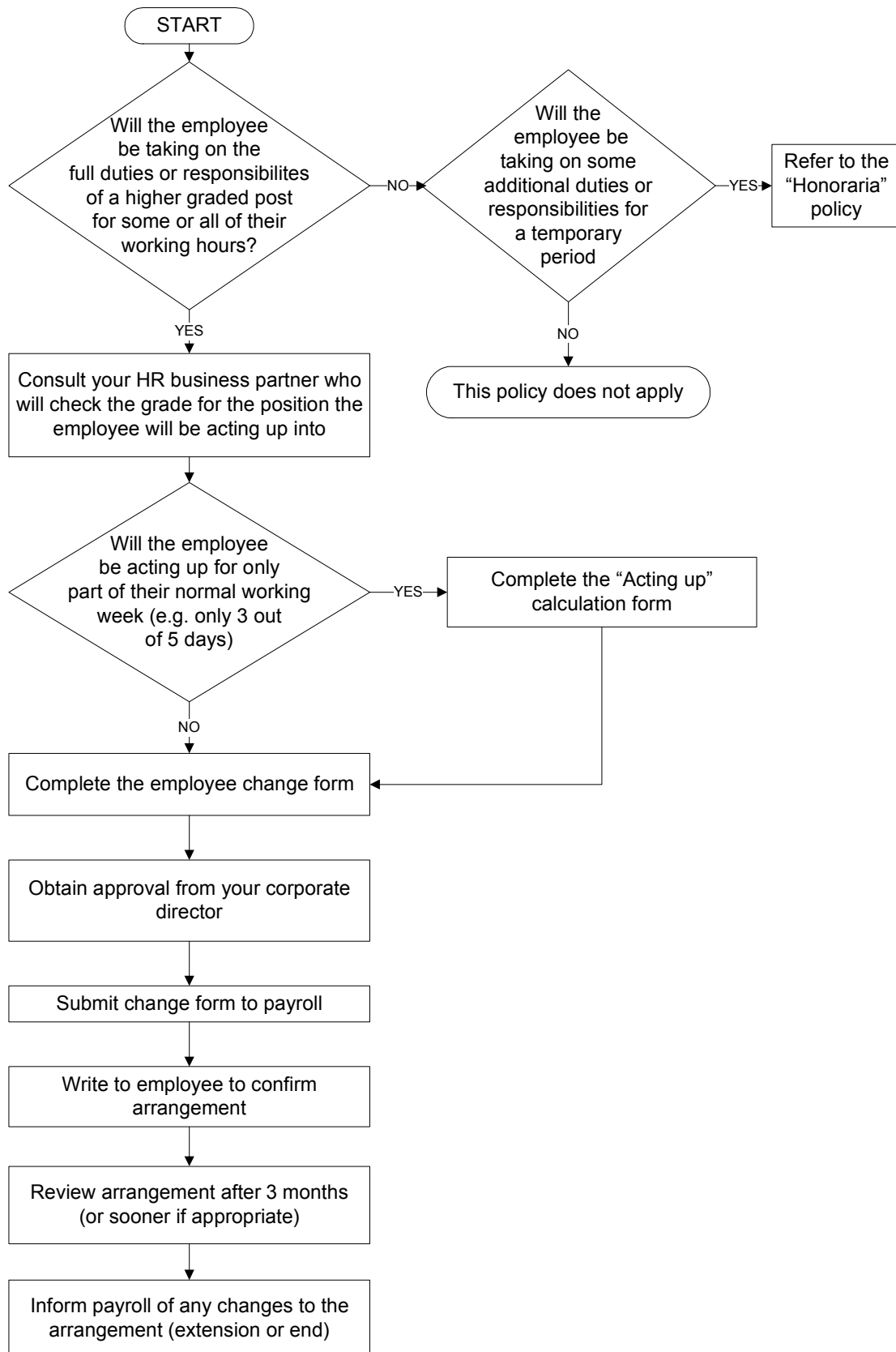
If you have any further queries in relation to this payment please do not hesitate to contact me.

Yours sincerely.

NAME

POSITION

Acting-up policy - manager's flowchart



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WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE

18 May 2011

DISABILITY SUPPORT IN THE WORKPLACE POLICY AND PROCEDURE

Purpose of Report

1. This report presents the new disability support in the workplace policy and procedure, which amalgamates existing disability support information and is in line with the Equality Act 2010, with the aim of having it approved by this committee.

Background

2. The current disability support information on HR direct was last revised in 2008. On the 1 October 2010 the Equality Act came in to force which represented a major piece of legislation in this area. The policy and procedure is in line with the Act.
3. Each of the district council's had a separate disability equality or single equality scheme which covered the districts approach to disability in employment and service delivery. Salisbury District Council also had a guide to disability. These documents covered policy statements and actions plans which do not cover the changes which came in to force under the Equality Act 2010. It is therefore timely to seek to harmonise this policy and procedure at this point and the JCC have agreed to this.
4. As a harmonised policy and procedure it applies to all Wiltshire Council employees and prospective employees (job applicants) except for teaching and non-teaching staff employed in locally managed schools.
5. The policy and procedure sets out Wiltshire Council's approach to supporting disability in the workplace in line with the Equality Act 2010 and is closely linked to the new equality and diversity policy and procedure which aims to ensure fair and lawful practices and procedures at all times throughout employment and recruitment.
6. The aim of this review was also to:
 - maintain consistency of approach by adopting the standard policy format;
 - to bring together the different strands of support for disabled employees and prospective employees in to one document
 - make the procedure clearer and easier to follow
 - ensure the content is up to date and fit for purpose.

Main Considerations for the Council

7. In amending the policy and procedure key stakeholders were consulted including the operational human resources teams, legal, the stakeholder panel, the staff disability forum, BME staff forum and the unions.
8. The main changes to the disability support in the workplace policy and procedure are:

- the policy and procedure has been updated in line with the Equality Act 2010.
 - there is information about disability support in the workplace through the key stages of the employment lifecycle i.e. recruitment, induction, training and development etc.
 - roles and responsibilities have been clarified.
9. A toolkit of guidance notes will accompany the policy and procedure.

Environmental Impact of the Proposal

10. None.

Equalities Impact of the Proposal

11. An Equalities Impact Assessment was undertaken on 29 March 2011 and no negative impacts were identified.

Risk Assessment

12. None

Options Considered

13. None.

Recommendation

14. To recommend approval of the disability support in the workplace policy and procedure.

Barry Pirie
Service Director
HR & OD

Report Author: Catherine Coombs, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this Report: None

Wiltshire Council Human Resources

Disability Support in the Workplace Policy and Procedure

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

This policy and procedure sets out a framework of support for employees and prospective employees (job applicants and prospective job applicants) who have or have had a disability. It also applies to employees who become disabled during the course of their work.

This policy and procedure is directly linked to and forms part of the council's equality and diversity policy and procedure.

Go straight to the section:

[Who does it apply to?](#)

[When does the policy apply/when does it not apply?](#)

[What are the main points?](#)

[What is the definition of disability?](#)

[Declaring a disability](#)

[The Double Tick Disability Symbol](#)

[Making reasonable adjustments](#)

[Access to Work and reasonable adjustments budget](#)

[Disability Support and key HR policies and procedures](#)

[Recruitment and Selection](#)

[Induction](#)

[Terms and conditions of employment](#)

[Training and development](#)

[Policies which provide flexibility](#)

[Becoming involved in Key HR policies and procedures](#)

[Workplace risk assessments](#)

[Workforce monitoring](#)

[The Staff Disability Forum](#)

[Disability Confident Campaign](#)

[Raising a concern/making a complaint](#)

[The Equality Act 2010 – disability discrimination](#)

[Line Manager's responsibilities](#)

[Employee's responsibilities \(disabled and non disabled\)](#)

[Employee's responsibilities \(disabled\)](#)

[HR responsibilities](#)

[OH responsibilities](#)

[Corporate Learning and Development responsibilities](#)

[Frequently asked questions](#)

[Definitions](#)

[Equality Impact Assessments](#)

[Relevant Legislation](#)

[Advice and guidance](#)

Who does it apply to?

The support outlined in the policy should be made available to all employees and prospective employees who have declared that they have a disability.

This policy and procedure should be implemented and adhered to by all employees of Wiltshire Council with the exception of teaching and non-teaching staff employed in Locally Managed schools.

Contractors, sub-contractors, consultants, agency workers, staff seconded from other organisations and volunteers are expected to adhere to the principles set out in this policy and procedure whilst undertaking work or tasks for Wiltshire Council.

Reasonable adjustments should also be considered for other groups of employees who have protected characteristics as defined in the Equality Act 2010 these include:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

When does it apply?

This policy and procedure applies at all times prior to employment, during the recruitment process, and throughout employment.

Particular care and support may need to be provided to disabled employees during the operation of a number of HR policies and procedures. The following list is not exhaustive:

- Absence management
- Recruitment

- Grievance
- Dignity at work
- Redeployment
- Equal opportunities
- Time to train
- Some other substantial reason termination
- Disciplinary
- Redundancy
- Whistle blowing
- Flexible working
- Improving Work Performance

When does it not apply?

There are no exemptions under this policy.

Where an employee or job applicant has not declared a disability or where a manager could not reasonably be expected to know that an employee has a disability, support under this policy may not automatically be offered.

What are the main points?

1. The council has set out a clear policy statement in the equality and diversity policy and procedure which includes; a commitment to treat all employees with dignity and respect, to value diversity and provide equality of access to opportunities in the workplace. You should not receive less favourable treatment or be unfairly disadvantaged by policies, procedures, conditions or requirements unless this can be shown to be justified (justification can include positive action e.g. action under the Double Tick Symbol under this policy and procedure).
2. This policy and procedure sits within the framework of the equality and diversity policy and procedure and sets out details of the support and assistance available to you, if you have declared that you have a disability, which all managers are required to follow and adhere to including:
 - The Double Tick 'positive about disabled people' commitments
 - Making reasonable adjustments
 - Access to Work and the reasonable adjustment budget
 - Staff Disability Forum
 - Personal Emergency Evacuation Plan
3. If you have a disability you are encouraged to declare this to ensure that you receive the support and assistance that is available. You are able to declare your disability at any point during your employment

including where you acquire a disability, or an existing condition deteriorates further during your employment.

4. On coming in to force on the 1 October 2010 the Equality Act 2010 consolidated and harmonised much of the previous discrimination legislation (which has now been repealed) and introduced some specific changes in relation to disability discrimination including:
 - Making amendments to the definition of disability
 - Amending the definition of discrimination relating to disability
 - Restricting the use of pre-employment health questions
5. Details of these changes are also set out under the section on the Equality Act in this policy and procedure and [the guide to the disability in the workplace policy and procedure.](#)

What is the definition of disability?

6. The Equality Act 2010 defines disability as a physical or mental impairment that has a substantial and long-term adverse effect on the ability to carry out normal day-to-day activities.
7. Substantial means not minor or trivial and could include long term medical conditions such as asthma and diabetes, and fluctuating or progressive conditions such as rheumatoid arthritis. Long-term means that the condition must last, or be likely to last, for more than 12 months, or that it is a terminal condition.
8. A mental impairment would include mental health conditions (such as bipolar disorder or depression), learning difficulties (such as dyslexia) and learning disabilities (such as autism and Down's syndrome). Some people, including those with cancer, multiple sclerosis and HIV/AIDS, are automatically protected. People with severe disfigurements may also be covered by the Act.
9. Under the Equalities Act there is no longer a requirement to show that the condition impacts on one of the 8 normal day to day activities set out in the Disability Discrimination Act (DDA), but the condition must still have a substantial impact on normal day to day activity.

Declaring a disability

10. If you have a disability you are encouraged to declare this. This information enables the council to identify where further support or positive action needs to be addressed and to monitor the effectiveness of our policies and procedures.

11. You will not be at any disadvantage for disclosing this information and in fact there are further rights and support available for disabled staff who declare that they have a disability as outlined in this policy and procedure.
12. You can make a declaration on the disability self declaration form. The form should be submitted to your line manager and copied to the HR Equality and Diversity Partner. Once your manager has received this form they should arrange to meet with you to discuss and work through the checklist of support which is attached to the declaration form.
13. If you declare that you have a disability your manager will provide you with support in accordance with this policy and procedure. This support may subsequently be withdrawn in the event of advice from Occupational Health or Access to Work that your condition does not fall under the definition of disability under the Equality Act 2010.
14. Information relating to declaring a disability will be kept appropriately confidential and in accordance with our obligations under the Data Protection Act relating to sensitive personal data.



The Double Tick Disability Symbol

15. Wiltshire Council has been awarded the Double Tick 'positive about disabled people' symbol and is committed to the following:

Guarantee of an interview

16. If you indicate on your application form that you are disabled, you are guaranteed an interview if you meet the essential criteria for the job vacancy and will be considered on the basis of your abilities.
17. The manager responsible for recruiting to the vacancy must ensure that they check your application form to identify whether you are eligible and where appropriate invite you to an interview. If you are invited to an interview the manager responsible for recruitment to the post will also check with you in advance to find out whether you require any reasonable adjustments in order to attend the interview.

Staying in employment

18. If you have declared that you have a disability or have become disabled during your employment with the council and you have made

you manager aware of this, your manager is responsible for ensuring that every effort is made to enable you to stay in employment. The disability declaration form contains a checklist of support which may assist managers.

19. Your manager will arrange to meet with you to explore what action, if any, needs to be taken to enable you to remain in employment and will work with you supportively to identify whether there are any positive steps which need to be taken to remove potential barriers at work.
20. Your manager is responsible for making reasonable adjustments as set out in this policy to ensure that you are not placed at any substantial disadvantage. This could involve seeking redeployment for you if this was appropriate or investigating reasonable adjustments which would enable you to remain in your current post.

On going discussions during employment

21. If you have declared that you have a disability your manager should ensure that there is a mechanism in place to maintain on going discussions with you, at any time, but at least once a year (with periodic reviews), about what can be done to make sure that you can develop and use your abilities. This could be undertaken as part of the appraisal process or at a separate meeting.
22. You are also encouraged to let your manager know as soon as possible if you identify or need to discuss an issue affecting your access and progress at work. Your manager may seek additional advice and support from Occupational Health and HR in relation to reasonable adjustments as appropriate.

Disability awareness

23. Your Head of Service has an overall responsibility for ensuring that all employees in their service area develop the appropriate level of disability awareness to make the Double tick commitments work. This could be through training, information sharing, discussion or coaching or some other appropriate method. For example, where a personal emergency evacuation plan has been agreed with your manager, it may be important to share this with your colleagues.
24. Details of equality and diversity training opportunities are available through the corporate learning and development team. For further information contact the corporate inclusion and diversity team.

Making reasonable adjustments

25. A reasonable adjustment means taking reasonable additional positive steps to remove barriers to ensure that disabled people can access and progress at work. This means taking steps which are additional to those which may be taken for a non disabled employee or prospective employee.
26. Under the Equality Act 2010, managers need to make reasonable adjustments which will include making a decision about whether adjustments are reasonable and appropriate. Managers will need to give reasonable adjustments serious consideration and think broadly about these.
27. The need to make reasonable adjustments may occur prior to employment (from the planning stages of recruitment, including advertising vacancies) in relation to prospective employees and at any stage of employment for existing employees including dismissal.
28. The duty to make an adjustment will only apply if you have declared that you have a disability or the employer could be reasonably expected to know that you have a disability. If you are disabled and expect a reasonable adjustment to be made for you, you will need to provide the appropriate manager with sufficient information for them to consider and carry out that adjustment. If you require support with understanding your needs at work, advice can be sought from Access to Work, Occupational Health via your manager or from the Staff Disability Forum.
29. If you are a prospective employee or existing employee applying for a vacancy, who has declared that you have a disability, the recruiting manager for the vacancy will be responsible for making reasonable adjustments during the recruitment stage and will contact you about this in advance.
30. If you are an existing disabled employee your manager is responsible for making reasonable adjustments where appropriate throughout your employment. Under the Double Tick commitment as described above, you and your manager should meet at any time but at least once a year (with periodic reviews) to discuss what can be done to make sure that you can develop and use your abilities. This will include an exploration as to whether reasonable adjustments may be required and whether any current adjustments are still effective.
31. Outside of this, you and your manager may still meet to discuss particular difficulties and potential reasonable adjustments which arise. This meeting may be initiated by your manager or yourself. Alternatively this may occur as part of an HR policy and procedure; e.g. sickness absence management policy and procedure.

32. Where possible your manager or the recruiting manager proposing to make the adjustment should agree the proposed adjustment with you before it is made.

Considerations for reasonable adjustments

33. In terms of giving consideration as to whether a reasonable adjustment should be made, your manager or the recruiting manager for the vacancy, will need to comply with the duty to consider whether you would be placed at a substantial disadvantage compared with a person who is not disabled in relation to the following three requirements:

- the way things are done (specifically a provision, criterion or practice; this could be a written or unwritten policy or procedure)

Example:

The design of a particular workplace makes it difficult for a disabled person with a hearing impairment to hear, because the main office is open plan and has hard flooring, so there is a lot of background noise. Their manager agrees that staff meetings should be held in a quieter place that allows that person to fully participate in the meeting. By doing this, a reasonable adjustment has been made. The manager should also consider any additional equipment needs such as provision of a hearing loop, training such as lip reading skills or awareness training for colleagues such as communication tactics required.

- any physical feature of the workplace which creates a barrier (including parking areas, building entrances, doors, toilets, steps, lifts etc.)

Example:

A manager recruits an employee who is a wheelchair user and who would have difficulty negotiating her way around the office. In consultation with the new worker, the manager rearranges the layout of the furniture in the office. The manager should also consider any other access needs in terms of getting to and from work, access to meeting rooms, evacuation procedures and awareness training for colleagues.

- the absence of an auxiliary aid or service e.g. extra equipment or getting someone to support or assist.

Example:

An employee's job has slightly changed requiring him to now complete written assessments. The employee has dyslexia but had never disclosed this to his employer. After mistakes were continually picked up, the manager discusses the issue with the employee who discloses his

dyslexia and the manager seeks assistance to identify additional software to help the employee with his written assessments. If this is not available alternative reasonable adjustments may need to be considered including whether the written assessments could be completed in an alternative way.

34. Reasonable adjustments might include:
(please note this list gives examples and is not exhaustive)
- making physical adjustments to the workplace
 - providing information in accessible formats or languages including British sign language (BSL)
 - allocating some duties to another employee
 - transferring the disabled employee to fill an existing vacancy after all other reasonable adjustments have been considered to enable them to stay in their current position.
 - altering the hours of work
 - moving the disabled employee to another place of work (including giving consideration to homeworking where appropriate)
 - allowing paid time off during working hours for treatment or rehabilitation related to the disability in accordance with the sickness absence management policy and procedure.
 - arranging training for the employee or awareness training for colleagues
 - acquiring or modifying equipment
 - providing additional computer software
 - altering instructions or reference materials such as provision of plain English or easy read versions
 - providing a reader or an interpreter
 - providing more regular supervision.
 - allowing more time off for disability related absence before taking action as a result of the absence trigger points being met.
35. Your manager should consider the following factors when considering a reasonable adjustment:
- How effective the adjustment will be in helping you to do your job
 - Whether it is practical to make the adjustment
 - How much disruption, if any, will be caused to the work of the section/service or other people.
 - How much, if anything, the adjustment will cost.
 - Whether any help is available in making the adjustment and towards its cost from a scheme like Access to Work or the reasonable adjustments budget (please see section below).

36. Many adjustments often involve little or no cost or disruption and are likely to be reasonable for managers to make. Adjustments which do involve a significant cost may still be cost effective in overall terms compared to the costs of recruiting and training a new member of staff, so may still be a reasonable adjustment to make. Certain adjustments may also benefit other visitors or service users who have a disability.
37. If making an adjustment would increase the risk to health and safety of any person (including the disabled worker) then this is a relevant factor in deciding whether it is reasonable to make that adjustment. A sufficient risk assessment should be used to help determine this.
38. Your manager will also need to consider the impact of the reasonable adjustment on your contract of employment and ensure that Business Services are informed of any agreed changes on the change form.
39. Reasonable adjustments should also be considered for other groups of employees who have protected characteristics under the Equality Act 2010.
40. Further advice on making reasonable adjustments can be obtained from Occupational Health and your HR Advisor.

Access to Work and the Reasonable Adjustment Budget

41. Access to Work is a government scheme run by Jobcentre Plus. It provides advice and practical support to disabled people and their employers to help overcome work related obstacles resulting from disability including workplace assessments.
42. Funding is available for both new starters (up to 100% of cost) and people already in employment on a cost sharing basis (currently the council needs to fund the first £1000 and 20% of costs up to £10,000 as at March 2011) for making reasonable adjustments. The funding could be used for a wide range of support and includes:
 - Communication support at an interview or at work
 - Special aids or equipment
 - A support worker to read to a visually impaired person or a sign language interpreter or a specialist coach for a person with learning difficulties or helping a person with care needs.
 - Adaptations to premises or existing equipment
 - To help with additional travel costs for people unable to use public transport

43. All assistance is for up to three years when the support and circumstances will be reviewed by Access to Work and further support may continue.
44. The council also has a reasonable adjustments budget which is to reimburse managers' budgets where either the Access to Work funding is not available or does not cover the total cost of the reasonable adjustment. The budget is held by the Occupational Health and Safety team, who are also able to make reasonable adjustments recommendations. The purpose of the budget is to ensure it does not require any additional funding to employ a disabled person.

Disability Support and key HR policies and procedures

Recruitment and Selection

45. The manager responsible for recruitment will need to ensure that they carefully follow the council's recruitment policy and procedure together with the guide to recruitment – Equality Act 2010 update. These provide recruiting managers with a fair and equitable process for recruiting to vacancies in the council which all managers are required to follow. In particular, it includes details of the restrictions on pre-employment health questionnaires and questions which can be asked during the selection process, which now apply, reasonable adjustments and positive action.
46. Positive action may be used in relation to recruitment and promotion on a case by case basis to address under represented groups in the workforce including disabled people. Positive action can also encourage declaration, demonstrates good practice and raises the awareness of colleagues.

Induction

47. As for all employees a fully accessible induction programme should be provided. This should also include ensuring that any support and equipment which has been identified is in place where appropriate. E-learning modules are available as part of the corporate online induction package which includes an equality and diversity module. These packages can also be made available to existing employees. For further details please contact the corporate learning and development team.

Terms and conditions of employment

48. In line with the equality and diversity policy and procedure all terms and conditions of employment should be applied fairly and equitably to

you. These are set out in your statement of particulars and further details on individual terms and conditions and how these are applied can be found on HR Direct.

49. The following conditions which are directly relevant to disabled employees include:
- Severe weather arrangements – additional guidance
 - Sickness absence management policy and procedure - disability and time off to attend medical appointments
50. If you are off sick due to your disability/impairment your absence will be recorded by your manager (in addition to SAP) by completing the [Disability related sickness absence form disability leave and sickness form. 708kb](#)

Training and development

51. Access to training and development will be related to the needs of the job and section/department, the available resources and by an assessment of the employee's needs. Your manager will identify your training needs including any support needs in consultation with you and you are also able to make requests for training either through supervision, appraisal or informally or, where appropriate, through the formal time to train policy.
52. If you have a disability your manager will consider reasonable training and development adjustments in relation to access and support to training, as appropriate. Training may be provided as a reasonable adjustment in itself.
53. Trainers are also responsible for checking whether course delegates require any adjustments in the terms of the delivery of the course including content of course, presentation/training methods, venue and facilities and support needs. Timing of courses should also be considered at the planning stage to minimise potential exclusion.
54. Positive action may be considered in relation to training on a case by case basis to address disadvantage or under-representation or to meet the particular needs of those who share a protected characteristic. See toolkit equality and diversity guidance.

Policies which provide flexibility

55. There are also a number of policies and procedures aimed at providing you with the opportunity to request flexibility at work which can also assist with improving access to the workplace. Further information is available in the equality and diversity policy and procedure.

56. Your manager will also need to take in to account circumstances where you are making a request for flexible working arrangements in connection with someone associated with you, who has a protected characteristic e.g. requesting reduced hours to care for a disabled parent or partner.

Becoming involved in key HR policies and procedures

57. Written policies and procedures exist to ensure that there is a fair and equitable process for managing all key HR issues such as disciplinary, grievance, work performance, absences and circumstances which involve an employee leaving the council.
58. If you have declared that you have a disability and during your employment you become involved in being managed under one of the key HR policies and procedures your manager will give consideration to reasonable adjustments. This might include, where appropriate:
- assistance with understanding the policy and procedure
 - assistance with completing forms etc
 - adjustments in relation to meetings
 - ensuring that adjustments have been considered in relation to the operation of the policy and procedure
 - ensuring that adjustments have been considered in relation to decisions taken under the policy and procedure
59. For example, if you are involved in the sickness absence management policy and procedure or improving work performance policy and procedure and you have a disability your manager will need to take this in to account in terms of assessing the impact of your disability on your overall absence levels/work performance and whether a reasonable adjustment would help your attendance/work performance. Your manager will also need to carefully consider the impact of your disability on any decisions taken under the relevant policy and procedure.
60. Advice from Occupational Health and HR may be sought in relation to reasonable adjustments where appropriate.

Work place risk assessments

61. Where you have declared that you have a disability your manager may decide that they need to undertake a risk assessment if your disability affects the way that you do your job to ensure your health and safety and the health and safety of others.

62. If your disability does not affect the way that you do your job the need to undertake a risk assessment will be made on an individual basis as for all employees. Further specialist advice and support is available through Occupational Health and Access to Work. If a risk assessment is carried out you should also be involved in the assessment.

Workforce monitoring

63. For information on equality and diversity monitoring please see the [equality and diversity policy and procedure](#).

Emergency Procedures

64. If you have a disability, your manager should consider any additional needs that you or a visitor with a disability may have in relation to safe movement within the workplace and in particular the means to get to a place of safety in the event of an emergency. Blind or visually impaired staff or deaf/hard of hearing staff may also have evacuation needs i.e. provision of a pager or visual fire alarms etc). You should have a nominated Evacuation Buddy and have undertaken personal emergency evacuation plans. This requirement also applies to any employee with a temporary disability e.g. someone using crutches.

The Staff Disability Forum

65. The council supports a staff disability forum which you can join if you consider yourself to have a disability. The forum meets regularly for support and to have a valuable consultative role in policy development and other employment related issues. There is also a staff forum for black and minority ethnic staff supported by the council.
66. The forum exists to:
- provide mutual support for disabled staff
 - help inform all staff about equality and diversity issues and help raise awareness
 - advise and work with management on how to improve the quality of working life for disabled staff
 - recognise and share achievements
67. If you join the forum your manager should allow you to attend staff forum meetings whenever possible, subject to service delivery requirements. It is a good idea to inform your manager of the dates of the forums with as much notice as possible; these dates are published

via the Wire. Attendance and travel to the forum during your normal working hours will be paid at your usual contractual rate.

<http://thewire.wiltshire.council/equality-and-diversity-staff-disability-forum.htm>

Disability Confident Campaign

68. The Disability Confident Campaign is an ongoing Wiltshire Council campaign to raise awareness of disability in the workplace and has included a poster campaign, events for 'No Barriers' week, a quarterly article in the Wire to remind employees of the support and assistance available if they declare their disability, amongst other communications and presentations to management team meetings. The campaign has resulted in an increase in the number of disabled employees declaring a disability within the authority.

Raising a concern/making a complaint

69. If you have a concern or complaint relating to the support provided under this policy and procedure you should refer the matter to your line manager in the first instance. If the concern or complaint relates to your line manager you should refer the matter to your line manager's manager.
70. If after raising the matter with your line manager or their line manager, the matter remains unresolved you are able to consider raising the issue under the [grievance policy and procedure](#) or [dignity at work policy and procedure](#) as appropriate.
71. Further information about unacceptable behaviour is set out in the [equality and diversity policy and procedure](#).

The Equality Act 2010

72. Disability discrimination extends to all types of discrimination as set out in the equalities and diversity policy and procedure. The Equality Act includes the following new or changed areas:
- discrimination by association where someone is associated with someone with a protected characteristic (e.g. a child, parent or partner)
 - discrimination by perception where someone is perceived to have a protected characteristic but does not actually possess it.
 - harassment is also extended to protect those who witness harassment of others and find it offensive.

- victimisation where someone is treated badly because they have made/supported a complaint or grievance under the Act.
- indirect discrimination where a particular rule or requirement disadvantages people who share a protected characteristic unless this can be justified.

Roles and responsibilities

Line Manager's responsibilities

73. To ensure that the support outlined in this policy and procedure is provided to disabled employees fairly and consistently.
74. To carry out recruitment and selection in accordance with the current policy and guidance and to ensure that prospective disabled employees are also treated fairly and consistently in line with the principles outlined within this policy including the need to make reasonable adjustments where appropriate.
75. Where an employee declares that they have a disability to meet with them to work through the checklist of support for disabled staff attached to the declaration form and action as appropriate.
76. Where an employee declares that they have a disability to ensure that there is a mechanism in place to discuss, at any time, but at least once a year (with periodic reviews), what can be done to make sure that they can develop and use their abilities – this can be through the appraisal process or at a separate meeting.
77. When an employee declares their disability to ensure that reasonable adjustments are implemented to remove barriers for disabled staff which potentially put employees at a disadvantage to ensure that they can perform effectively and have equal access to progression in the work place.
78. To consider the impact of making a reasonable adjustment as set out in the policy and procedure and to seek further advice where appropriate and action contractual changes as necessary.
79. To work with HR, OH or Access to Work to negotiate adjusted working conditions or to resource and purchase equipment and reclaim costs as appropriate.
80. To comply with the responsibilities to disabled colleagues and visitors in the event of an emergency evacuation as outlined in this policy and procedure.

81. To make every effort when employees become disabled to enable them to stay in employment including redeployment where appropriate.
82. To ensure that where disabled employees receive an appropriate and fully accessible induction including information about policies, practices and procedures when they start a new post and that they continue to be informed and updated about changes to these.
83. To apply all other employment related policies and procedures and terms and conditions of employment fairly and consistently and to implement reasonable adjustments for disabled staff where appropriate.
84. To be mindful and take action to avoid all forms of discrimination as set out in this policy and procedure and the equality and diversity policy and procedure to ensure that equal rights and opportunities are provided to all.
85. To challenge discrimination and unfair treatment in the workplace and ensure that it is dealt with appropriately and where necessary under the dignity at work/disciplinary policy and procedure.
86. To provide support to any employee who is the subject of unlawful or unacceptable discrimination in the course of his/her employment.
87. To undertake risk assessments where an employee's disability affects the way that they do their job to ensure their health and safety and the health and safety of others.
88. To seek appropriate professional guidance from Occupational Health/HR and other professionals in order to maximise support options available for the individual.
89. To undertake Equality Impact Assessments for policy, procedure and practice where appropriate.

Employee responsibilities (disabled and non disabled)

90. To treat colleagues, managers, councillors, service users and members of the public with dignity and respect and to be supportive of disabled colleagues, in accordance with the principles set out in this policy and procedure, the equality and diversity policy and procedure, the dignity at work policy and the code of conduct policy and specifically:

- to embrace a culture which provides supportive and positive working relationships and behaviour which underpins the council's vision, values and belief.
- to be mindful of and take action to avoid becoming involved in any form of discrimination as set out in this policy and procedure.
- to be supportive of steps taken by managers to provide reasonable adjustments for colleagues
- to make colleagues aware if their conduct or behaviour is inappropriate and to report this to your manager.
- provide support to someone who is subject to such conduct or behaviour
- to promote good community and workplace relations to foster and encourage an atmosphere of tolerance and support so that there is no place for behaviours which would negatively impact upon the community or workplace.

Employee responsibilities (disabled)

91. In addition to the responsibilities above to:
- declare your disability on the disability declaration form provided to enable your manager to provide you with the support outlined in this policy and procedure.
 - work positively with your manager, HR, OH and/or Access to Work to provide information about barriers which place you at a disadvantage at work and help to identify reasonable adjustments or solutions to overcome these barriers.
 - to co-operate fully in assisting managers to undertake risk assessments and put together personal emergency evacuation plans, where these are identified as necessary to ensure your health and safety and/or the health and safety of others.
 - to take a personal responsibility for matters relating to your personal safety at work and for informing colleagues of your needs.

Human Resources (HR) responsibilities

92. HR has an overall responsibility for the reviewing, updating and monitoring of this policy and procedure and specifically to:
- make available to employees its written policies, practices and procedures on diversity and anti-discriminatory practice in employment including disability support through HR direct online.
 - inform new employees of its policies, practices and procedures during induction training.
 - inform all employees of changes to, and developments of its policies, practices and procedures.

- provide advice and support and training to managers in relation to equality and diversity issues including disability support and making reasonable adjustments.
- to carry out equality impact assessments for all HR policies and procedures.

Occupational Health (OH) responsibilities

93. OH has an overall responsibility for providing managers with advice on an employee's fitness for work from a professional health perspective. In the context of this policy and procedure OH:

- provide advice and support to managers in relation to pre-employment questionnaires (once a job offer has been made)
- provide advice and support to managers and employees in relation to fitness for work under the absence management policy and procedure
- provide advice and support to managers and employees in relation to reasonable adjustments where required. Access to this service is via manager's completion of the agreed referral form.
- have a reasonable adjustment budget which is managed by the Health and Safety Manager to reimburse manager's budgets where either the Access to Work funding is not available or does not cover the total cost of the reasonable adjustment. Managers and employees are encouraged to contact OH prior to going to Access to Work.

Corporate Learning and Development responsibilities

94. In the context of this policy and procedure to:

- ensure that all internal training is fully accessible and making reasonable adjustments where requested and appropriate
- ensure that all internal/external trainers are aware of the equality and diversity policy and procedure and the disability support in the workplace policy and procedure and the need to check whether course delegates require any reasonable adjustments.

Frequently asked questions

95. Do I have to disclose my disability status?

No, there is no legal requirement upon you to disclose any protected characteristic but it does assist the council in determining what support they can provide to you and in understanding its workforce. You will

not be at any disadvantage for disclosing this information and in fact there are further rights and support available for disabled staff and other groups of staff who have protected characteristics.

You can make a declaration on the [disability self declaration form](#).

96. If I declare that I have a disability what information if any, does my manager need to share with other colleagues?

Your manager should ensure that any personal information is dealt with confidentially and give consideration to issues of dignity and privacy.

However, there may be circumstances where it would be appropriate to share aspects of your declaration with colleagues. This would include circumstances where a colleague(s) support may be required to implement a personal emergency evacuation plan, a reasonable adjustment has an impact on other colleagues or where it may be beneficial for a limited number of immediate colleagues to be aware of a medical condition and simple immediate steps to prevent you from harm.

Where it is proposed that information should be shared with colleagues your manager will discuss this with you including consideration of the amount of information which will be shared. For example, unless there are clear reasons why colleagues need to be aware of the nature of the disability it may be more appropriate to say that a certain change needs to be made as a result of a reasonable adjustment or arising from a disability, rather than share the details of the disability or condition.

97. What steps might a manager take to establish if an employee has a disability if they have not declared it?

This is a difficult area. Managers should consider whether an employee has a disability even if they have not declared it and do all that they reasonably can to ascertain this, for example when carrying out supervision or conducting appraisals. A manager should also consider this before embarking on a performance management route. However, employees can choose whether to disclose this information or not. It may also be possible that the employee is unaware of their disability and may benefit from appropriate signposting.

When making enquiries about disability, managers should consider issues of dignity and privacy and ensure that personal information is dealt with confidentially. Once an employee has told their manager that they have a disability the support outlined in this policy and procedure will apply.

Where difficulties are observed in the workplace but support is declined, managers are advised to keep an informal record that they have tried to offer support and assistance.

Example:

A worker who deals with customers by phone at a call centre has depression which sometimes causes her to cry at work. She has difficulty dealing with customer enquiries when the symptoms of her depression are severe. It is likely to be reasonable for the employer to discuss with the employee whether her crying is connected to a disability and whether a reasonable adjustment could be made to her working arrangements.

98. What type of health/disability related questions can I be asked at an interview?

There are restrictions on the health or disability-related enquiries that can be made during the recruitment process. These limits apply up to the point where you are offered a job or placed in a pool of people to be offered a job. Until this point you should only be asked about your health or disability to help the recruiting manager:

- find out whether you can take part in an assessment
- decide whether there is a need to make reasonable adjustments for you to a selection process, including an interview or test
- decide whether you can carry out a task that is an essential part of the work
- monitor diversity among people applying for jobs
- implement positive measures such as the 'guaranteed interview scheme' under the double tick symbol. Information to implement the double tick symbol is collected from the application form.
- know you are disabled because it is a requirement of the job that you have a disability e.g. the council advertises for a deaf/blind project worker who has personal experience of deaf/blindness.

It is good practice for the recruiting manager to make clear the purpose of asking the question.

For further information see recruitment and selection policy and procedure.

99. I have had an adjustment made to my desk as I am a disabled employee but the flexible working policy states that I do not have my own workspace.

If you have had reasonable adjustments made to your workspace this becomes your own workspace which you are entitled to use during work time.

100. I am hard of hearing and need to attend a meeting with another team in the council. What do I do?

You should contact the meeting organiser who will discuss your requirements with you and provide reasonable adjustments to enable you to attend the meeting.

Definitions

Diversity – is about recognising, valuing and taking account of people's different backgrounds, knowledge, skills and experiences, and encouraging and using those differences to create a productive and effective workforce.

Protected characteristics – is a group which is protected from discrimination under the Equality Act 2010 and includes age; disability, gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.

Positive action – these are voluntary measures which an employer may consider to improve equality for people who share a protected characteristic. Positive action is not the same as positive discrimination which is unlawful.

Equality Impact Assessment

This policy has been Equality Impact Assessed ([link to EIA for policy](#)) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Relevant Legislation

The Equality Act 2010. This policy and procedure reflects the first part of the implementation of the Equality Act. A number of provisions from the Act are still subject to consideration by the Government Equalities Office (GEO).

The council will also have due regard to the relevant codes of employment practice issued by the Equality and Human Rights Commission.

Advice and guidance

If you require help in understanding this policy you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

Further advice and information

There are a number of related policies and procedures that you should be aware of including:

- [Equality and diversity policy and procedure](#)
- [Religious practices and beliefs policy and procedure](#)
- [Dignity at work policy and procedure](#)
- [Recruitment and retention policy and procedure](#)
- [Code of conduct](#)
- [Whistleblowing policy and procedure](#)
- [Grievance policy and procedure](#)
- [Absence management policy and procedure](#)
- [Disciplinary policy and procedure](#)
- [Improving work performance policy and procedure](#)
- [Computer e-mail and internet policy](#)

For further information please speak to your supervisor, manager, service director or contact your HR advisor.

There is also a **toolkit** including manager guidance and supporting documents to use when following this policy and procedure.

Policy author	HR Policy and Reward Team – (Initials)
Policy last updated/implemented	DD-MM-YYYY

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WILTSHIRE COUNCIL

STAFFING POLICY COMMITTEE 18 MAY 2011

SMOKING POLICY

Purpose of Report

1. The purpose of this report is to put forward the options for a new smoking policy to cover all employees of Wiltshire Council.

Background

2. Wiltshire Council currently has 5 smoking policies implemented prior to April 2009. These policies need to be harmonised into one policy that provides a consistent approach across sites.
3. In June 2010, the Joint Central Health and Safety Committee discussed the proposal to harmonise the policies to a smoke-free environment policy adopting the old county council and north Wiltshire district council policies of smoke-free sites. It was agreed that a formal proposal be put forward for comment. The following considerations need to be taken into account:

Main considerations

4. In considering the options for implementing a consistent approach to smoking across sites key stakeholders were consulted including the HR stakeholder panel, occupational health and safety, property services and the unions.
 - Inconsistencies across policies
The different council smoking policies have resulted in different approaches being taken by managers since April 2009. Employees at the same workplace have to adhere to different arrangements in relation to where and when they may smoke, and managers need to remember which policy applies to which employee.

There are also inconsistencies within the old county council policy and its stance of a total smoking ban. Managers in an attempt to resolve employee issues have created their own workplace solutions. This causes issues where different pockets of employees are allowed to take flexi time to smoke and differences in the number of smoking breaks that they are allowed during the working day.

- Enforcement
The location of Bourne Hill with a public footpath through the grounds makes a total smoking ban on all Wiltshire Council premises and grounds difficult to enforce. A total smoking ban could only be enforced for the footprint of the building.

Regardless of the stance that the harmonised policy takes, it must be easily enforced by line managers. If not, it will revert to the current situation where there are differences in relation to where and when employees may smoke.

- **Image of Wiltshire Council**
A total smoking ban on all Wiltshire sites forces employees to smoke in visible places to the public such as the entrances to the grounds and local bus shelters close to Wiltshire Council property. There have been complaints raised in the past by members of the public where employees have been using bus shelters to smoke.

Any decision to remove the total smoking ban on all Wiltshire Council grounds may be seen by some as a backward step to the old Wiltshire County Council policy. However, this would remove the need for employees wishing to smoke making use of the entrances and bus shelters in the local area and the negative impact that this has on the organisation.

- **Smoking breaks**
A practical solution for employees wishing to smoke during the working day is required so that it can be managed effectively by line managers and is consistent across teams and workplaces.
- **Unison feedback**
Unison provided a position statement on the proposal to ban smoking from Wiltshire Council workplaces and to end smoking breaks following the committee meeting in June 2010.

Unison does not support a total smoking ban from all council work sites and states that there should be an appropriate space as a designated smoking area.

Unison would like Wiltshire Council to adopt a reasonable solution to the issues in relation to smoking breaks.

- **Other local authorities in the south west**
The majority of neighbouring local authorities do not have a total smoking ban on all council property. Employees are not permitted to smoke close to entrances and office buildings but a designated smoking area is provided.

Time is allowed for smoking breaks with agreement of the line manager and the time taken is to be made up during the day.

Options for consideration

5. The options for consideration are outlined below:

- **Option1 - smokefree sites across all Wiltshire Council workplaces**
To follow the Wiltshire County Council policy of prohibiting smoking on all Wiltshire Council grounds.

This would require communication of the approach to employees to help understanding and enforcement of the policy and in particular ex-district employees who have been used to different arrangements.

Better signage would be required so that it is clear to employees and members of the public that smoking is prohibited.

The smoking shelters at Bradley Road and Riverway depot would need to be removed and employees affected informed early on in the process. This would require a lead in time so that employees are able to adjust to the changes in arrangements.

This approach would not be popular amongst employees, especially in the depots where traditionally a high percentage of the workforce are smokers. Unison would also not support this option.

- Option 2 - smoking at designated points
To allow employees to smoke on Wiltshire Council premises at designated points only.

A designated area will be made available at each workplace to enable employees to smoke on authorised rest breaks away from offices and entrances. The smoking shelters at Bradley Road and Riverway Depot will continue to be available until such a time when these become in need of repair. At this point, the shelter will be removed and in its place, a designated area marked for employees to smoke.

This would require better communication and signage to ensure that employees are aware of the areas where smoking is permitted and bins for disposal of cigarette butts.

- Option 3 - smoking at designated points - shelters provided on all premises
To allow employees to smoke on Wiltshire Council premises at the designated shelters only.

This would require a shelter to be placed at each site (where appropriate) to enable employees to smoke on authorised rest breaks away from offices and entrances. However, the implementation of a shelter at Bourne Hill would prove difficult as the public have access through the grounds.

- Smoking breaks
To allow smoking breaks in agreement with the line manager. As a guide this should be no longer than 10 minutes in the morning and afternoon unless in exceptional circumstances. The employee should arrange to make up the time taken.

Environmental Impact of the proposal

6. None

Equalities Impact of the proposal

7. An Equalities Impact Assessment will be undertaken in June 2011.

Risk Assessment

8. None

Recommendations

9. Further to the options outlined above it is recommended that the Staffing Policy Committee agrees to adopt option 2 to allow smoking at designated points (without shelters) and permit a 10 minute break in the morning and afternoon should employees wish to smoke and make up the time during their working day.
10. Implementing option 2 would provide the best solution for the reasons identified below:
 - Designated smoking points would avoid employees smoking in public areas and complaints from the public
 - Unison supports the approach to provide designated areas and views a total smoking ban as unrealistic and discriminatory
 - Designated smoking areas would be less costly than providing permanent shelters at all sites and easier to maintain

Barry Pirie
Service Director
HR & OD

Report Author: Laura Butcher, Human Resources Policy & Reward team

The following unpublished documents have been relied on in the preparation of this Report: None