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Friday, 28 January 2022

To: The Members of the **Employment Committee**  
(Councillors: Colin Dougan (Chairman), Cliff Betton (Vice Chairman), Sharon Galliford, Mark Gordon, Josephine Hawkins, Rebecca Jennings-Evans, Alan McClafferty, Graham Tapper and Victoria Wheeler)

**In accordance with the Substitute Protocol at Part 4 of the Constitution, Members who are unable to attend this meeting should give their apologies and arrange for one of the appointed substitutes, as listed below, to attend. Members should also inform their group leader of the arrangements made.**

Substitutes: Councillors Peter Barnett, Rodney Bates, Paul Deach, Sashi Mylvaganam, Adrian Page and Kristian Wrenn

Dear Councillor,

A meeting of the **Employment Committee** will be held at Council Chamber, Surrey Heath House, Knoll Road, Camberley, GU15 3HD on **Tuesday, 8 February 2022 at 7.00 pm**. The agenda will be set out as below.

Please note that this meeting will be recorded.

Yours sincerely

Damian Roberts

Chief Executive

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## AGENDA

Pages

### Part 1 (Public)

- |          |  |              |
|----------|--|--------------|
| <b>1</b> | <b>Apologies for Absence</b>   | -            |
| <b>2</b> | <b>Minutes</b>   | <b>3 - 6</b> |
|          | To confirm and sign the minutes of the meeting held on 7 October 2021 (copy attached). |              |
| <b>3</b> | <b>Declarations of Interest</b>  |              |

Members are invited to declare any interests they may have with respect to matters which are to be considered at this meeting. Members who consider they may have an interest are invited to consult the Monitoring Officer or the Democratic Services Officer prior to the meeting.

<b>4</b>	<b>Pay Settlement 2022/23</b>	<b>-</b>
	To receive a verbal update on the Pay Settlement for 2022/23.	
<b>5</b>	<b>Safeguarding Policy and Procedure</b>	<b>7 - 46</b>
<b>6</b>	<b>Casual, Fixed Term and Temporary Workers Policy and Procedure</b>	<b>47 - 60</b>
<b>7</b>	<b>Pension Discretions Policy</b>	<b>61 - 78</b>
<b>8</b>	<b>Review of Recruitment Policy and Procedure</b>	<b>79 - 114</b>
<b>9</b>	<b>Review of Health and Safety Policy - Statement of Intent</b>	<b>115 - 120</b>
<b>10</b>	<b>Review of Health and Safety Policy - Organisation</b>	<b>121 - 132</b>
<b>11</b>	<b>Joint Staff Consultative Group Constitution</b>	<b>133 - 140</b>
<b>12</b>	<b>Work Programme</b>	<b>141 - 142</b>

**Minutes of a Meeting of the  
Employment Committee held at Surrey  
Heath House on 7 October 2021**

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- Cllr Colin Dougan (Chairman)  
+ Cllr Cliff Betton (Vice Chairman) (in the Chair)

+ Cllr Sharon Galliford	+ Cllr Alan McClafferty
+ Cllr Mark Gordon	+ Cllr Graham Tapper
+ Cllr Josephine Hawkins	* Cllr Victoria Wheeler
+ Cllr Rebecca Jennings-Evans	

+ Present  
- Apologies for absence presented  
\* In attendance virtually but did not vote

Members in Attendance: Cllr Peter Barnett, Cllr David Mansfield, Cllr Valerie White.

**12/EC Minutes**

The open and exempt minutes of the meeting held on 27 July 2021 were confirmed and signed by the Chairman.

**13/EC Leave and Special Leave Policy and Procedure**

The Committee considered revisions to the Leave and Special Leave Policy and Procedure, which principally reflected the introduction of the new HR system, iTrent, and incorporated Jack's Law relating to time off for parental bereavement.

**RESOLVED that the updated Leave and Special Leave Policy and Procedure, as set out at Annex A to the report, be agreed.**

**14/EC Review of Sickness Absence Policy and Procedures**

The Committee considered proposed revisions to the Sickness Absence Policy and Procedure, which principally related to the introduction of the new HR system, iTrent.

**RESOLVED that the updated Sickness Absence Policy and Procedure, as set out at Annex A to the agenda report, be adopted.**

**15/EC Flexible Working Policy & Procedure**

The Committee considered proposed revisions to the Council's Flexible Working policy, which primarily reflected the new HR system, iTrent and changes to senior management titles. In addition to the changes set out in the agenda report, it was agreed to add a clear statement clarifying statutory rights for requesting flexible working.

**RESOLVED that the updated Flexible Working Policy and Procedure, as set out at Annex A to the agenda report, as amended, be adopted.**

#### **16/EC Flexi Time Policy**

The Committee considered proposed revisions to the Council's Flexi Time policy, which primarily reflected changes the recording and booking of Flexi Time, which would be processed through the new HR system, iTrent.

Members were reminded that a new Grade 10 had been introduced as part of the recent senior management restructure. The Flexi Time Policy currently stated that employees on Grades 1 to 9 could accrue credit hours to take up to 2 days of flexi-leave within a four week settlement period. It was not proposed to update the relevant section to include Grade 10 at this time, but this would be reviewed again as the new grade became more established and posts were evaluated and allocated to this grade.

**RESOLVED that the updated Flexi Time Policy, as set out at Annex A to the agenda report, be agreed.**

#### **17/EC Agile Working Policy 2020/21**

The Group reviewed the Agile Working Policy, which had been introduced in 2020. The policy had been updated to reflect the changes to working practices which had come about due to the continuing effects of COVID-19.

The Policy now stated that there was an expectation that employees would attend the office for a minimum of one day a week, although employees' patterns and place of work would be agreed following discussions with their managers, taking into considerations the business requirement within their role. This would be kept under review in order to ensure it continued to meet business needs.

In response to questions from the Committee, the HR Manager undertook to circulate information on the number of employees attending the office one day a week or more.

**RESOLVED that the updated Agile Working Policy, as set out at Annex A to the agenda report, be adopted.**

#### **18/EC Update on Climate Change Actions Assigned to Human Resources**

The Committee considered a report presenting the actions taken in relation to the Climate Change Action Plan, as assigned to Human Resources. In addition to the actions identified, it was reported that a staff training module would be rolled out to staff and incorporated into the induction programme. Members discussed the actions and agreed that target dates should be added to each of the identified actions.

**RESOLVED that**

- (i) **the actions taken to date in response to the actions assigned to Human Resources from the Climate Change Action Plan, as set out at Annex A to the agenda report, be noted; and**
- (ii) **target dates be added to each of the Climate Change Action Plan actions assigned to Human Resources.**

#### **19/EC Christmas Closure 2021**

The Committee was informed that for a number of years in succession Surrey Heath House had closed the building to the public and staff had needed to take some leave to accommodate the closure. It was noted that, despite the closure of the offices, a number of services continued to operate and cover reflected business need.

Members considered a report setting out a number of options for the opening of Surrey Heath House during the period between Christmas and New Year 2021. Option 1 mirrored the arrangements from previous years, where staff would be asked to take a day as annual leave on 30 December and one day extra day would be given on 31 December; the extra statutory day's leave in Terms and Conditions taken on 29 December meant the offices would be shut between Christmas and New Year.

The Committee was reminded that an additional day's leave, to be taken on 24 December 2021, had been agreed as part of pay negotiations for 2021/22. Some Members reported that they had not been aware of the arrangements agreed in previous years when that decision on the Pay Award had been made. It was agreed to continue with the same arrangements and approve Option 1 for 2021/22, but ensure that the arrangements for the opening of Surrey Heath House between Christmas and New Year 2022, including whether to agree any additional leave over this period, were agreed in the first quarter of 2022/23.

**RESOLVED that Option 1 for Christmas Closure 2021 be agreed, with staff being asked to take one day as annual leave and awarded one day extra day on 30 and 31 December 2021.**

#### **20/EC Appointment Sub Committee minutes**

The minutes of the Appointments Sub Committee meetings held on 23 April, 24 May, 7 June, 8 July, 12 August, 13 September and 15 September 2021 were agreed and would be signed by the Chairmen of the Sub Committees at the next available opportunity.

#### **21/EC Work Programme**

The Committee considered its draft work programme for the remainder of the municipal year.

**RESOLVED that the work programme for the remainder of the 2021/22 municipal year, as set out at Annex A to the agenda report, be agreed.**

Chairman

**Surrey Heath Borough Council  
Employment Committee  
8 February 2022**

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**Safeguarding Policy and Procedure**

<b>Head of Service</b>	Louise Livingston –Head of HR, Performance & Communications
<b>Report Author:</b>	Jayne Boitout – Community Partnership Officer
<b>Key Decision:</b>	No
<b>Wards Affected:</b>	n/a

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**Summary and purpose**

This report provides the Joint Staff Consultative Group with information regarding the Council's Safeguarding Policy and Procedure.

The Safeguarding Policy and Procedure sets out guidance and reduces the risk of harm to adults and children from abuse and/or other types of exploitation while supporting individuals to maintain control over their lives and enabling them to make informed decisions without coercion.

The Policy complements and supports the agreed multi-agency procedures set out by the Surrey Safeguarding Children Partnership and Surrey Safeguarding Adults Board which is governed by a set of key principles and themes, designed to ensure that people who are at risk experience the process in such a way that it is sensitive to individual circumstances, is person centred and outcome focussed.

**Recommendation**

The Committee is advised to RESOLVE that the Safeguarding Policy and Procedure, as set out at Annex A to this report, be agreed.

**1. Background and Supporting Information**

- 1.1 The Safeguarding Policy and Procedure has been updated in line with changes in processes and/or guidance, and wherever possible to simplify to ensure of clearer guidance when used as a reference document.

**2. Reasons for Recommendation**

2.1 The revised Policy and Procedure is proposed to ensure that processes suggested follow latest guidance available, and this is to be reviewed annually to retain this standard.

### **3. Proposal and Alternative Options**

3.1 The Committee is advised to agree the revised Policy, with or without any further amendments it considers appropriate.

### **4. Resource Implications**

4.1 n/a

### **5. Other Considerations and Impacts**

#### **Environment and Climate Change**

5.1 n/a

#### **Equalities and Human Rights**

5.2 Equality Impact Assessment completed

#### **Community Engagement**

5.3 n/a

#### **Annexes**

Annex A - Safeguarding Policy and Procedure

#### **Background Papers**

n/a





**Surrey Heath Borough Council  
Human Resources**

# **Safeguarding: Policy & Procedure**

<b>Policy Reviewed and Approved</b>	<b>November 2021</b>
<b>Date for review</b>	<b>November 2022</b>

## Introduction

Safeguarding is recognised as a key responsibility of local authorities, and is everybody's business; as neighbours, citizens, and community members we need to be alert to neglect and abuse, and be committed to reporting our concerns. It is a basic right that our lives are free from harm, abuse, and neglect and coercion. With the impact of the Pandemic in 2020/21, through isolation, it has never been so important that our policy meets the demands of those it aims to protect.

The policy provides guidance that prevents and reduces the risk of harm to adults and children from abuse and/or other types of exploitation while supporting individuals to maintain control over their lives and enabling them to make informed decisions without coercion.

We outline how this Council will meet its obligations to safeguard children and adults at risk. It applies to staff, agency workers, volunteers and contractors employed by the Council. It is also applicable to Councillors undertaking official duties on behalf of the Council.

The policy complements and supports the agreed multi-agency procedures set down by the Surrey Safeguarding Children Partnership and Surrey Safeguarding Adults Board which is governed by a set of key principles and themes, designed to ensure that people who are at risk experience the process in such a way that it is sensitive to individual circumstances, is person-centred and is outcome-focused.

It is vital for successful safeguarding that the procedures in this policy are understood and applied consistently at an individual, managerial, and organisational level.

*The aims of safeguarding are to:*

- Prevent harm and reduce the risk of abuse or neglect
- Stop abuse or neglect wherever possible
- Prevent impairment of development and enable individuals to have the best outcomes
- Safeguard individuals in such a way that supports them in making choices and having control over how they want to live
- Promote an approach that concentrates on improving life for the individual
- Raising public awareness so that communities as a whole, alongside professionals, play their part in preventing, identifying and responding to abuse and neglect
- Provide accessible information and support to help people understand what constitutes abuse and neglect, and how to respond

- Address what has caused the abuse or neglect.

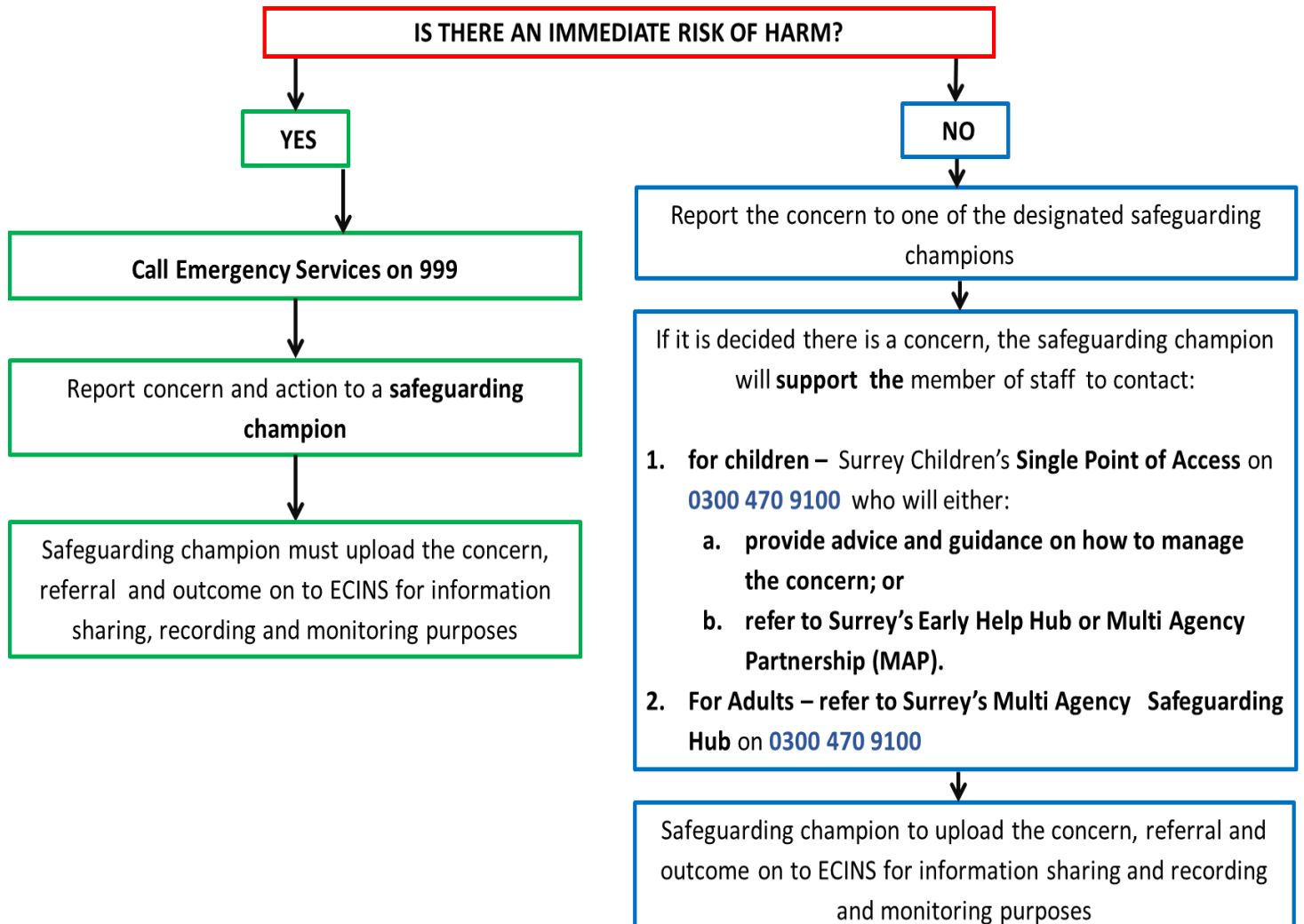
Safeguarding of children and adults at risk are governed by separate Government legislation and separate Surrey County Council safeguarding boards/partnerships.

Therefore the policy will consider the safeguarding of children and adults at risk independently, before addressing where there is overlap between the two safeguarding areas.

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## 2.0 Do you have a safeguarding concern?

This could be a suspicion, an allegation, an observation or a disclosure of abuse or risk of abuse - if YES please follow the flow chart below.



ECINS = a Community Safety secure data base for safeguarding incidents to be recorded, see your community safety officer if help needed.

**Child Sexual Exploitation, Modern Slavery and Prevent** referrals should be made to Surrey Police on **101** unless it is an emergency in which case call **999**

## 3.0 Safeguarding children

### Key principles

Effective safeguarding arrangements in every local area must be underpinned by two key principles:

- Safeguarding is everyone's responsibility: for services to be effective each professional and organisation must play its full part
- A child-centred approach: for services to be effective they must be based on a clear understanding of the needs and views of children

### Safeguarding is everyone's responsibility

This is the founding principle of safeguarding children. It asserts that everybody has a role to play in protecting children from harm and keeping them safe. If you come into contact with someone or something that you have concerns about, you must take action to safeguard the child as it is unlikely that you will have a complete picture and by raising concerns, however small, and sharing this information, it will allow for more informed decision making and decisive action to be taken.

### A Child Centred Approach

Effective safeguarding of children can only be achieved by putting children at the centre of the system, and by every individual and agency playing their full part, working together to meet the needs of vulnerable children.

Children have clearly expressed what they want from the safeguarding process:

#### ***Vigilance***

To have adults notice when things are troubling them.

#### ***Understanding and action***

To understand what is happening; to be heard and understood; and to have that understanding acted upon.

#### ***Stability***

To be able to develop an on-going stable relationship of trust with those who support them.

#### ***Respect***

To be treated with the expectation that they are competent rather than not.

#### ***Information and engagement***

To be informed about and involved in procedures, decisions, concerns and plans.

***Explanation***

To be informed of the outcome of assessments and decisions and reasons when their views have not met with a positive response.

***Support***

To be provided with support in their own right as well as a member of their family.

***Advocacy***

To be provided with advocacy to assist them in putting forward their views.

**Good Practice when working with children**

When working with children it is important to follow the good practice as outlined below:

- Adults should not behave in a manner which would lead any reasonable person to question their suitability to work with children, or act as a role model.
- Adults ideally, must not work on their own with children. If a situation occurs when this arises, due to sickness or an emergency, always inform colleagues parents/carers to ensure that someone can be present or nearby or open a door.
- Generally, it is inappropriate to offer lifts to a child or young person however there may be occasions where the child or young person requires transport in an emergency situation or where not to do so may place a child at risk. If circumstances permit, the appropriate adult or line manager should be informed before the lift is provided.
- The event must always be recorded and reported to a senior manager and appropriate adult.
- Physical contact is discouraged and should only take place only when it is absolutely necessary and in a safe and open environment i.e. one easily observed by others.
- Always report any accidents/incidents or situations where a child becomes distressed or angry to a senior colleague.

**What to do if a child or third party makes an allegation**

If a child or third party makes an allegation or discloses information which raises concern about significant harm, the initial response should be to listen carefully to what the child or third party says so as to:

- clarify the concerns,
- offer reassurance about how the child will be kept safe; and
- explain that what they say cannot be kept in confidence and will be discussed with one of the Council's safeguarding leads or safeguarding champions to

consider how to manage the concern and if appropriate contact Surrey Children's Single Point of Access for advice and guidance or refer to Surrey Early Help Hub.

If the allegation is raised by a child, the child must not be pressed for information, led or cross examined or given false assurances of absolute confidentiality. Such well-intentioned actions could prejudice police investigations, especially in cases of sexual abuse.

If the child can understand the significance and consequences of making a referral to Surrey Children's Single Point of Access, he or she should be asked his or her view by the referring professional. Although the child's view should be considered, it remains the responsibility of the professional to take whatever action is required to ensure the safety of that child and any other children.

Professionals should generally seek to discuss any concerns with the family and where possible, seek their agreement to discuss with one of the Council's safeguarding leads or safeguarding champions and or/if appropriate contact Surrey Children's Single Point of Access for advice and guidance or refer to Surrey Early Help Hub, but there will be some circumstances where professionals should not seek consent if it could:

- place a child at increased risk of significant harm
- place an adult at risk of serious harm
- prejudice the prevention or detection of a serious crime
- lead to unjustified delay in making enquiries about allegations of Significant Harm

Professionals should record in writing, whether they have discussed the concern and or referral with the family. They should also record the reasons if they decide not to inform the family of these matters.

The procedure below is designed to help professionals to understand what to do if they have concerns about a child who has additional needs and what to do if a child has been or is likely to be significantly harmed.

## **When to raise a concern**

It is important that employees raise their concern with one of the Council's safeguarding leads or safeguarding champions if it is believed or suspected that:

- A child is suffering or likely to suffer significant harm or
- A child's health or development may be impaired without the provision of services or
- With the agreement of the person with parental responsibility, a child would be likely to benefit from family support services



If you are concerned about the safety of a child or young person you contact the Surrey Children's Single Point of Access (SPA), which has replaced the MASH service.

### **Who to contact**

#### **Telephone**

0300 470 9100

01483 517898 (out of hours hosted by the emergency duty team)

**E-mail** - [csmash@surreycc.gov.uk](mailto:csmash@surreycc.gov.uk)

**Website** - <https://www.surreycc.gov.uk/.../contact-childrens-services>

## **Allegations against staff, councillors and/or volunteers**

An investigation is required if there is an allegation or concern that any person who works with children, in connection with his or her employment or voluntary activity, has:

- behaved in a way that has harmed a child, or may have harmed a child
- possibly committed a criminal offence against or related to a child
- behaved towards a child or children in a way that indicates they are unsuitable to work with children

Although some behaviours may not constitute a criminal offence, consideration will need to be given as to whether they may indicate unsuitability to work with children. These include concerns relating to inappropriate relationships between members of staff and children such as:

- having a sexual relationship with a child under 18 in a position of trust in respect of that child, even if consensual
- `grooming' i.e. meeting a child under 16 with intent to commit a relevant offence
- other `grooming' behaviour giving rise to concerns of a broader child protection nature - for example: inappropriate text/email messages or images, gifts, socialising etc.
- possession of indecent photographs/pseudo-photographs of children

### **Staff and volunteers**

Any allegations or concerns about a member of staff or volunteer should be immediately referred to either the Head of Policy and Governance or the HR Manager/HR Business Partner who should act in accordance with the Council's Safeguarding Policy and relevant HR Policies.

## Councillors

Any allegations or concerns about a councillor, should be immediately referred to either the Head of HR, Performance and Communications or the Monitoring Officer.

**Note** - If the alleged behaviour harmed a child, is a possible criminal offence or the behaviour indicates that they are unsuitable to work with children, the **Local Authority Designated Officer (LADO)** at Surrey County Council must be informed within one working day of the allegation and this is to be co-ordinated via the Council's Human Resources Manager.

The Local Authority Designated Officer is responsible for advising on and monitoring such allegations and can be contacted on 0300 123 1650 (option 3) or LADO@surreycc.gov.uk.

If allegations are made directly to the police and if an organisation removes an individual including, staff, councillor or volunteer from work such as looking after children (or would have, had the person not left first) because the person poses a risk of harm to children, the organisation must make a referral to the Disclosure and Barring Service. It is an offence to fail to make a referral without good reason.

## 4.0 Safeguarding Adults at Risk

### Introduction

The Council has a legal duty to work together with other statutory and voluntary agencies to safeguard and promote the welfare of adults at risk and treat them with dignity and respect. At the same time the Council will protect its staff and elected members from the risk of unfounded allegations. We will seek to ensure that any adult at risk receiving services from the Council can access council services in safety without fear of abuse.

This policy is designed to work in conjunction with Surrey Multi-Agency Adult Protection Procedures which is available on Surrey County Council's website:

[https://www.surreycc.gov.uk/\\_\\_data/assets/pdf\\_file/0005/192038/SCC-ASC-Safeguarding-Policy-and-Procedure-v-1-01-Nov-2020..pdf](https://www.surreycc.gov.uk/__data/assets/pdf_file/0005/192038/SCC-ASC-Safeguarding-Policy-and-Procedure-v-1-01-Nov-2020..pdf)

The Council will seek to implement its policy on the protection of adults at risk by:

- ensuring that all staff who have regular, direct and unsupervised contact with adults at risk are carefully selected and vetted. Staff and appropriate elected members should complete a Disclosure and Barring check. Staff and appropriate elected members will receive basic training, accredited where necessary. All

elected members must understand the adult protection process, and training is available via a distance learning package.

- ensuring that all Council contractors who have regular, direct and unsupervised contact with adult at risks have effective policies and procedures in place.
- ensuring that organisations that apply for grant aid for programmes that include adults at risk (funding or premises) have effective policies and procedures in place.
- giving all the parties involved and the general public information about what they can expect from the council in relation to protecting and safeguarding adults at risk.
- ensuring that there is a clear complaint procedure in place that can be used if there are any concerns.
- sharing information about concerns with appropriate agencies and involving adults at risk and their carers as appropriate.

## **Who is an adult at risk?**

The term adult at risk refers to anyone aged 18 and over who:

- is or may be in need of Community Care Services by reason of mental or other disability, age or illness; and
- is or may be unable to take care of himself or herself, and/or:
- is unable to protect themselves against significant harm or exploitation.

Whether or not a person is vulnerable in these cases will depend upon surrounding circumstances, environment and each case must be judged on its own merits.

## **Key principles**

The Care Act 2014 (*See Appendix 2: legal Framework*) introduced six principles of safeguarding which are listed below.

### ***Empowerment***

Presumption of person-led decision making and informed consent

### ***Prevention***

Take action before harm occurs

### ***Proportionality***

Take the least intrusive response appropriate to the risk presented

### ***Protection***

Provide support and representation for those in the greatest need

## ***Partnership***

Local solutions through services working with their communities

## ***Accountability***

Ensure there is accountability and transparency in safeguarding practices

In view of the above, the following principles have been adopted by all agencies and professionals working together to protect adults at risk.

- All adults at risk have a right to be protected and their decisions respected even if that decision involves risk.
- The prime concern at all stages will be the interests and safety of the adult at risk.
- The aim will be to give a professional service to support and minimise the distress of any adult at risk.
- Everyone will be treated sensitively at all stages of the investigation.
- The importance of professionals working in partnership with the adult at risk and others involved will be recognised throughout the process.
- All services will be provided in a manner that respects the rights, dignity, privacy and beliefs of all the individuals concerned and does not discriminate on the basis of race, culture, religion, language, gender, disability, age or sexual orientation.
- Adults who have been abused need the same care and sensitivity, whoever the alleged abuser.
- The responsibility to refer the adult at risk rests with the person who has the concern.
- All agencies receiving confidential information in the context of an adult at risk investigation will make decisions about sharing this information in appropriate circumstances.
- Procedures provide a framework to ensure that agencies work together for the protection of the adult at risk. They are not a substitute for professional judgement and sensitivity.
- Adults at risk have the right to have an independent advocate if they wish, at any stage in the process.

## **Making Safeguarding Personal**

Making Safeguarding Personal (MSP) is a shift in culture and practice in response to what we now know about the effectiveness of safeguarding from the perspective of the person being safeguarded.

The key focus is on developing a real understanding of what adults at risk wish to achieve and agreeing, negotiating and recording their desired outcomes, working out with them (and their representatives or advocates if they lack capacity) how best those outcomes might be realised and then seeing, at the end, the extent to which desired outcomes have been realised.

## **The Wellbeing Principle**

The Care Act 2014 introduces a duty to promote wellbeing when carrying out any care and support functions in respect of a person. This is sometimes referred to as *The Wellbeing Principle* because wellbeing is put at the heart of care and support.

The wellbeing principle applies in all cases where care and support is being carried out, or decisions are made, or safeguarding is exercised. When safeguarding adults it applies equally to adults with care and support needs and their carers.

Promoting wellbeing means actively seeking improvements at every stage in relation to the individual, and where applicable their carer or appropriate adult. It is a shift from providing services to the concept of meeting needs. In promoting wellbeing it should be assumed that individuals are best placed to judge their own wellbeing. Their individual views, beliefs, feelings and wishes are paramount and individuals should be empowered to participate as fully as possible.

## **What is abuse?**

Abuse is a violation of an individual's human and civil rights by any other person or persons or organisation. Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or omission to act or it may occur where a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent.

Any act of abuse, repeated or singular, is a violation of the adult at risk's human and civil rights.

## **Context**

Abuse of adults at risk can occur in any setting or any situation and can be a complex area. Abuse may occur in:

***Domestic settings:*** including the adult at risk's own home, or another person's

***Institutional settings:*** including day care, residential care, nursing homes and hospitals

***Public settings:*** including in the street, any public area or social or work environment

Abuse of adults at risk occurs in all cultures, all religions and at all levels of society.

The abuser may be anyone, including a member of the family, friend, neighbour, partner, carer, stranger, care worker, manager, volunteer, another service user or any other person who comes into contact with the adult at risk.

## **Good Practice when working with Adults at Risk**

To help prevent abuse occurring and false allegations arising, the following basic guidelines will help safeguard both the adult at risk and members of staff.

### **You must:**

- treat all service users with dignity and respect
- provide an example of good conduct you wish others to follow
- Challenge unacceptable behaviour - e.g. bullying, and report all allegations/suspicions of abuse
- Be identifiable and wear a name badge at all times

### **You must not:**

- have unwarranted contact with an adult at risk
- make any comments, which may have a sexual connotation.

There may be exceptional circumstances where it is necessary to restrain the adult at risk to prevent him or her from damaging himself or herself or others. Only the minimum reasonable force necessary may be used. All incidents of physical restraint must be recorded on an incident form and be submitted to a nominated officer and the Health and Safety Officer.

## **When to be concerned about possible abuse**

It is not the role of the Council to decide if an adult at risk is being abused or not, but it is our job to pass on any concerns:

**The actual process for raising a concern and/or making a referral relating to children or adults at risk is set out under - *Do you have a safeguarding concern?* (see diagram on page 4)**

## **Responding to a person who discloses a concern of abuse**

- In an emergency ring 999.

- Do ensure the safety of the individual and others if in immediate danger, and contact the relevant emergency service.
- Do not be judgemental or jump to conclusions.
- Do listen carefully.
- Do provide support and information to meet the individual's specific communication needs.
- Do use open questions.
- Do tell them that the individual did a good or right thing in telling you.
- Do tell the individual you are treating the information seriously.
- Do tell them it was not their fault.
- Do ask them what they need to keep themselves safe.
- Do not make promises you cannot keep.
- Do not promise to keep secrets.
- Do seek consent to share the information with your lead for safeguarding; however, lack of consent should not prevent you from reporting your concerns.
- Do explain that you have a duty to tell your lead for safeguarding.
- Do not confront the person alleged to have caused the harm as this could place you at risk, or provide an opportunity to destroy evidence, or intimidate the person alleged to have been harmed or any witnesses.
- Do explain that you will try to take steps to protect them from further abuse or neglect.
- Do support and reassure the person.
- Do preserve any forensic or other evidence.

**Action after the concern of abuse has been recognised:**

*To be taken as soon as possible or within 4 hours*

- Discuss your concerns with one of the Council's Safeguarding Champions or HR Manager who will support you to manage the concern, record the details and if appropriate make a referral to the Safeguarding Hub.

- Record your concerns and how they came to light, any information given by the person, information about any witnesses, the individual's wishes, actions taken, who was present at the time, dates and times of incident(s).
- Record details of the person alleged to have caused harm.
- Do record any concerns about the person's capacity to make any decisions and the reasons for the concerns.
- Do record whether the person is aware that the concerns have been reported.
- Do record their perspective.
- Do record any previous concerns about the person.
- Do not breach confidentiality for example by telling friends or other work colleagues.
- Do use Whistleblowing Procedures –if you feel that you will not be believed, taken seriously or believe that your manager or lead for safeguarding may be causing the risks of abuse to the adult or child.

**The actual process for raising a concern and/or making a referral relating to children or adults at risk is set out under - *Do you have a safeguarding concern?* (page 4)**

## **5.0 The Council's roles and responsibilities in safeguarding children and adults at risk**

The policy has considered children and adults at risk independently as they are the subject of different legislation. However, there are areas where safeguarding children and adults at risk overlap, and these are set out below:

### **The Council as an Organisation**

The Council is committed at senior officer and member level to safeguarding children and adults at risk. The Council recognises its responsibilities under the Care Act 2014, The Children Act 2004, and Working Together to Safeguard Children 2015. Safeguarding is a Council priority and this is clearly demonstrated by:

- representation at the Surrey Safeguarding Adults Board and the completion of standard returns for this board
- representation at the Surrey Safeguarding Children Partnership and the completion of Section 11 returns for this board



- appointment of a Lead Surrey Heath Borough Council Member for Safeguarding Children and Adults at Risk
- appointment of Safeguarding Champions across the Council to support frontline officers to manage concerns and/or make a referral if appropriate.
- sign up to protocols and policies

## **The Council as an Employer**

In its role as an employer the Council incorporates safeguarding measures in its recruitment procedure and provides continuous safeguarding training for all employees.

### **Recruitment Procedures**

The Council is committed to safer recruitment. All new members of staff are required to undergo a Disclosure and Barring Service (DBS). Basic disclosures verify identity and show details of all convictions considered to be unspent under the Rehabilitation of Offenders Act 1974 or state that there are no such convictions.

New employees who are taking up a position which involves working closely with children or adults at risk (in a voluntary or paid capacity) will be required to acquire an Enhanced DBS Disclosure. Enhanced DBS Disclosures provide additional detail about unspent and spent convictions, cautions, reprimands, final warnings plus any additional information held by the police.

### **Training**

All employees will be required to undertake safeguarding training and become familiar with the Safeguarding Policy as part of their induction. Training will be provided at three levels:

**Level 1:** This training is designed for all members of staff to give them an awareness of what safeguarding is, forms of abuse, and how to report any concerns they may have.

**Level 2:** This training is aimed at those employees who have a role that involves direct contact with children and adults at risk.

**Level 3:** The Lead and deputy lead for safeguarding and Safeguarding Champions, will undertake additional training as organised and recommended by the Surrey Safeguarding Adults Board and Surrey Safeguarding Children Partnership to ensure their knowledge is up to date and is reflected in the Councils policies and procedures.

### **The Council as a Licensing Authority**

The Council is a licensing authority for services such as taxi drivers, public events, alcohol and entertainment, charity collections, gambling, animal licensing, boot fairs, Sunday and street trading and other licences such as fireworks.

The Council needs to ensure that all relevant checks are carried out prior to issuing licences and if a safeguarding concern is raised at any time during the process, the

Council's safeguarding policy and procedure must be followed, including the notification of other government or national bodies.

### **Contracts**

Safeguarding is referenced in the general conditions of contact for suppliers. If a supplier breaches the contract, the legal team will follow its processes in addition to following the Council's Safeguarding Policy for Children and Adults at Risk.

### **A guide to make a record**

As soon as possible on the same day, a written record should be made of what has been seen, been said and any other concerns. It is important to make sure anyone else who saw or heard anything relating to the concern also makes a written report.

All safeguarding concerns and referrals must ideally be recorded on **E-CINS** a multi-agency cloud based case management system, but if you cannot access then please use the internal incident report on the next page, and email this to: [safeguarding.champions@surreyheath.gov.uk](mailto:safeguarding.champions@surreyheath.gov.uk) and the information will be transferred on to **E-CINS**.

Please make contact with one of the Council's safeguarding champions, if you are unclear as to the action you need to take:

<b>SECTION 1: Your Details</b>	
Name of person completing form	

Date of form completion	
Time of form completion	
Job title & Department	
Who reported the concern to you ( <i>if applicable</i> )? State if you observed the concern yourself Include: address, phone number & email. Unless this is a whistle blower in which case refer to them by <b>initials only</b> .	
How do you know the person at risk / your involvement with them	
Your Telephone	
Your Mobile	
Your Email	
<b>SECTION 2: Person at Risk's Details</b>	
Name	
Address	
Date of Birth	
Gender	
Does the person have any language or communication difficulties?	
Does the person have any known Mental Capacity issues?	
Their Telephone	
Their Mobile	
Their Email	
If the person at risk is under 18 (a child) do you have parental consent?	
<b>SECTION 3: Details of your concern</b>	
Date of alleged abuse / neglect (if known)	
<i>Type(s) of suspected abuse (please select)</i>	
Physical	Modern Slavery
Domestic Abuse	Discriminatory
Sexual	Organisational
Psychological	Neglect and Acts of omission
Financial and Material	Self-Neglect
Witnesses (inc. other staff)	
Any injuries:	
Details of concern (such as what happened to stem your concern, any immediate concern about the persons' safety, is there anyone else who could be at risk)	
Actions or decisions already taken and outcome (e.g. called emergency services, spoken to alleged victim)	

GUIDANCE NOTES: READ CAREFULLY BEFORE COMPLETING THE FORM  
 Complete as much of the form as possible. Include everything you have witnessed/been told. You are not required to decide if the information is relevant.

When this form is submitted it will automatically be emailed to the safeguarding team. If you feel unable to have the report seen by all members of the safeguarding team, if for instance the safeguarding incident relates to them, please send it to an individual safeguarding officer.

For further information or guidance please contact a safeguarding officer. Alternatively contact the Surrey C-SPA for advice.

### Surrey Heath Safeguarding Champions

<b>Surrey Heath Borough Council</b>			
<b>Safeguarding Officers</b>			
<b>Name</b>	<b>Role</b>	<b>Team</b>	<b>Contact details</b>
Louise Livingston	Designated Safeguarding Lead until 31/03/2022	Head of HR, Communications & Performance	<a href="mailto:Louise.livingston@surreyheath.gov.uk">Louise.livingston@surreyheath.gov.uk</a> Ext: 7403
Nick Steevens	From 01/04/2022	Strategic Director Environment and Community	<a href="mailto:Nick.steevens@surreyheath.gov.uk">Nick.steevens@surreyheath.gov.uk</a> Ext: 7351
Emily Burrill	Safeguarding Champion & Child Sexual Exploitation Lead	Family Support	<a href="mailto:Emily.burrill@surreyheath.gov.uk">Emily.burrill@surreyheath.gov.uk</a> Ext: 7684
Gail Bushell			<a href="mailto:Gail.bushell@surreyheath.gov.uk">Gail.bushell@surreyheath.gov.uk</a> X7207
Jayne Boitout/ Bob Darkens	Safeguarding Champion & PREVENT Lead	Community Safety	<a href="mailto:Jayne.boitout@surreyheath.gov.uk">Jayne.boitout@surreyheath.gov.uk</a> Ext: 7464 <a href="mailto:Bob.darkens@surreyheath.gov.uk">Bob.darkens@surreyheath.gov.uk</a> Ext: 7467
Aline Poulter	Safeguarding Champion	Community	<a href="mailto:Aline.poulter@surreyheath.gov.uk">Aline.poulter@surreyheath.gov.uk</a> Ext: 7659
Clive Jinman	Safeguarding Champion	Housing	<a href="mailto:Clive.jinman@surreyheath.gov.uk">Clive.jinman@surreyheath.gov.uk</a> Ext: 7334
Nicky Sherlow	Safeguarding Champion	Environ & Comm	<a href="mailto:Nicola.sherlow@surreyheath.gov.uk">Nicola.sherlow@surreyheath.gov.uk</a> Ext: 7597

## Information sharing

Information sharing is vital to safeguarding and promoting the welfare of children and adults at risk. A key factor in many cases where children and adults have been harmed has been the failure to record information, to share it, to understand the significance of the information shared and to take appropriate action. Often it is only when information from a number of sources has been shared that it becomes clear that a child or adult at risk might be suffering harm.

Professionals who have contact with children, families and adults at risk discuss with one of the Council's safeguarding leads or safeguarding champions to consider how to manage the concern and if appropriate share the concern with the Safeguarding Hub, see page 5.

All information sharing should be in line with the agreed set of principles about sharing personal or confidential information in the [Surrey Multi-Agency Information Sharing Protocol \(MAISP\)](#). The MAISP has been developed in partnership with Surrey County Council, all the borough and districts as well as the health services and Surrey Police.

## **SURREY SAFEGUARDING PARTNERSHIPS**

In Surrey, the statutory Safeguarding Children Partnership and Safeguarding Adults Partnership are responsible for providing local agencies with guidance and holding agencies to account for their actions.

### ***Representation on Safeguarding Partnerships***

The Children Act 2004 and Care Act 2014 together with associated statutory guidance sets out which organisations are required to sit on both boards and comprises all relevant statutory and key voluntary agencies.

The 11 Surrey Borough and District Councils have a single representative nominated by the Surrey Chief Executives Group to represent them on each board. Other borough and district council officers may attend the boards or the various sub groups that deal with the operational arrangements and ensure effective practice throughout the County.

### ***Performance and Quality Assurance***

Organisations on the boards are responsible for ensuring that they provide any data that is required by the boards for their respective Performance and Quality Assurance Frameworks. Likewise, they are expected to complete any returns and comply with any audit requirements.

### **Surrey Safeguarding Children Partnership (SSCP)**

The overall role of the SSCP is to coordinate local work to safeguard and promote the welfare of children and to ensure the effectiveness of what the member organisations do individually and together by developing interagency policies and procedures for safeguarding and promoting the welfare of children, including:

- the action to be taken where there are concerns about a child's safety or welfare
- training of those working with children and/or families or in services affecting the safety and welfare of children
- investigation of allegations concerning persons working with children

It is very important that local safeguarding arrangements are strongly led and promoted at a local level, specifically by:

- a strong lead from local authority members, and the commitment of chief officers in all agencies, in particular the Director of Children's Services and Lead Member for Children's Services at Surrey County Council; and
- effective local coordination and challenge by the Local Safeguarding Children's Partnership.

Borough and District Councils have a crucial role to play in the safeguarding of children in their areas. The Surrey Safeguarding Partnership Procedures Manual specifically refers to the duty of housing authorities to share information that is relevant to safeguarding. They should promote the welfare of children and the duties of leisure services departments and leisure contractors to ensure that their leisure facilities safeguard children. All casual and temporary members of staff must be aware of safeguarding children issues and know how to report concerns.

Section 11 of the Children Act 2004 places duties on a range of organisations and individuals to ensure their functions, and any services that they contract out to others, are discharged having regard to the need to safeguard and promote the welfare of children.

Each Surrey Borough and District Council completes Section 11 forms to be returned to the Surrey Safeguarding Children Partnership by the Lead Safeguarding Officer.

The Surrey Safeguarding Children Partnership has five core objectives to enable it to deliver its responsibilities as set out in *Working Together 2015*. These are:

- to optimise the effectiveness of arrangements to safeguard and protect children and young people
  - to ensure clear governance arrangements are in place for safeguarding children and young people
  - to oversee Serious Case Reviews (SCRs), Partnership Reviews and Child Death (CDOP) processes and ensure learning and actions are implemented as a result
  - to ensure a safe workforce and that single-agency and multi-agency training is effective and disseminate good practice
  - to raise awareness of the roles and responsibilities of agency and community roles and responsibilities in relation to safeguarding children and young people
- In addition, the Partnership:
- coordinates what is done by each person or body represented on the Board for the purposes of safeguarding and promoting the welfare of children in the area
  - ensures the effectiveness of what is done by each such person or body for those purposes

The functions that support these objectives are to:

- develop policies and procedures
- communicate and raise awareness
- monitor and evaluate the effectiveness of partners individually and collectively
- participate in the planning of services

- undertake reviews of all child deaths and serious case reviews and disseminate the learning
- commissioning and delivery of multi-agency training
- evaluate single agency and multi-agency training

### ***Additional Priorities***

In addition to the delivery of core business the SSCP has identified four targeted priorities on which to focus:

- To monitor and challenge the effectiveness of the *new* Effective Family Resilience Model and to ensure that the voice of children and young people is heard
- To ensure professionals and the current child protection processes effectively protect those children identified as in need of protection and who are looked after
- To ensure children and young people at risk of Child Exploitation (CE) are protected
- To monitor and challenge the effectiveness and impact of the Domestic Abuse Services in reducing the incidences of Domestic Abuse and protecting children and young people from harm

### **Surrey Safeguarding Adults Partnership (SSAP)**

The Surrey Safeguarding Adults Partnership (SSAP) helps and protects adults in Surrey who have care and support needs and who are experiencing, or are at risk of, abuse or neglect.

Representatives from carers' groups, disability groups and older people's groups are members of the board.

The Partnership ensures the voices of adults at risk, their families and their carers are heard and guarantees there are effective processes in place to prevent and respond to abuse and neglect. The board also raises awareness of the importance of safeguarding through publicity campaigns and has a multi-agency training programme in place to give staff the right skills to safeguard adults.

The SSAP has three core duties:

- to publish a strategic plan that sets out how it will meet its main objective and what the members will do to achieve this
- to publish an annual report detailing what the SSAP has done during the year to achieve its main objective and implement its strategic plan



- to conduct any safeguarding adults reviews in accordance with the Care Act 2014

The functions that support its objectives and duties are to:

- develop a framework of multi-agency policies , protocols and procedures
- require member agencies to provide assurance on their safeguarding activities
- quality assure the safeguarding of member agencies
- implement a multi-agency Competency Framework and training programme
- undertaking Safeguarding Adults Reviews and learning lessons from them
- learn lessons from other reviews including Domestic Homicide Reviews
- undertake activities to raise awareness of safeguarding and to support the prevention of abuse and neglect

## LEGAL FRAMEWORK

This Safeguarding policy is underpinned by a range of legislation including, but not limited to:

### ***The Children Acts 1989 and 2004***

The *Children Act 1989* and *Children Act 2004* along with the statutory guidance, *Working Together to Safeguard Children 2015* provide the current framework for safeguarding children.

This legislation places an overarching responsibility on Surrey County Council, as the lead authority for children, for safeguarding and promoting the welfare of all children in their area, but makes clear that other agencies also have a role to play.

Section 11 of the Children Act 2004 places a statutory duty on various agencies, including districts and borough councils, to make arrangements to ensure that their functions are discharged taking account of the need to safeguard and promote the welfare of children. This includes any services or function they contract out.

This Act led to the establishment of the Surrey Safeguarding Children Partnership and required Surrey County Council to secure the co-operation of partners in setting up arrangements to improve the well-being of children in Surrey.

### ***Working Together to Safeguard Children***

This replaced the Area Child Protection Committee and sets out how organisations and individuals should work together to achieve this using the key principles: Safeguarding is everyone's responsibility: for services to be effective each professional and organisation should play their full part.

The approach must be child-centred: in order to be effective, there needs to be a clear understanding of the needs of the child.

Guidance: [Working together to safeguard children](#): A guide to inter-agency working to safeguard and promote the welfare of children

### ***The Care Act 2014***

The Care Act 2014 sets out the legal framework for how local authorities and other statutory agencies, including district and borough councils, should protect adults with care and support needs who are at risk of abuse or neglect. It consolidates existing law and puts similar arrangements in place to those safeguarding children.

The Act required Surrey County Council, as the lead authority for vulnerable adults, to establish a Safeguarding Adults Board to bring together the key local partners to focus on safeguarding strategy and practice. The Act also places a duty on Surrey County Council to carry out safeguarding enquiries where it is suspected that someone is suffering or at risk of abuse or neglect conducting Safeguarding Adults Reviews (SARs)

where there is a cause for concern about a particular case, to learn lessons for the future.

All these initiatives are designed to ensure greater multi-agency collaboration as a means of transforming adult social care.

This guidance is updated from time to time; therefore the most up to date guidance will apply in relation to the operation of this policy.

## SURREY EFFECTIVE FAMILY RESILIENCE and CHILDREN'S SINGLE POINT of ACCESS (C-SPA)

### The Surrey Effective Support Windscreen



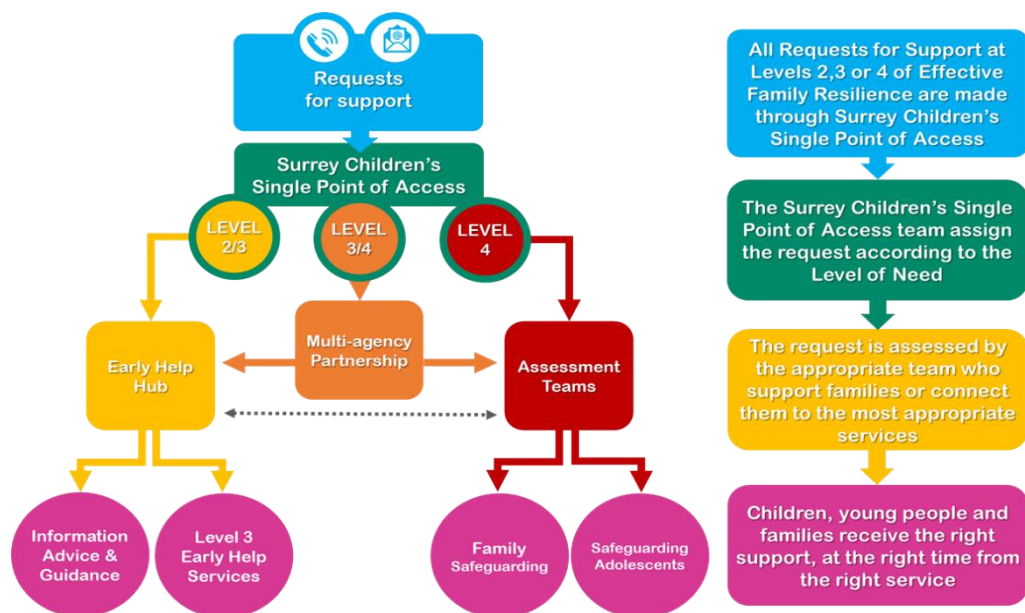
In May 2019 Surrey Safeguarding Board launched the new The Early Help approach '**Effective Family Resilience**' and the Social Work practice model '**Family Safeguarding**'.

Within this four levels of need have been identified: **Universal, Early Help, Targeted Help, and Specialist**.

The purpose of this new model is to provide a consistent approach to safeguarding across **all organisations**; including voluntary and charitable organisations who come into contact with and support children and their families. Focusing on the need to work together in an open way with the child and their family to gain their confidence, identify strengths and needs, to find practical and achievable solutions, and to provide the right amount of information, advice

### Children's Single Point of Access (C-SPA)

The Children's Single Point of Access is the umbrella term used to describe the front door to Surrey County Council services for children. Parents, carers and practitioners can phone in to access support, information and advice for families and those who work with children in Surrey.



Your contact will be answered by the Children's Request for Support Team. They may be able to answer your query directly, or when a response is required from a specific team they will send the service request to the appropriate team to respond to you.

Requests for support up to Level 3 of Effective Family Resilience will be directed to the Early Help Hub. Families meeting the threshold for Level 4 of Effective Family Resilience will be sent straight to the Quadrant Assessment Teams (Children's Social Care).

If you are concerned about the safety of a child or young person you contact the Surrey Children's Single Point of Access (SPA), which has replaced the MASH service.

**Who to contact**

**Telephone**

0300 470 9100

01483 517898 (out of hours hosted by the emergency duty team)

**E-mail** - [csmash@surreycc.gov.uk](mailto:csmash@surreycc.gov.uk)

**Website** - <https://www.surreycc.gov.uk/.../contact-childrens-services>

## RELEVANT POLICIES AND STRATEGIES

### Surrey Heath Borough Council 'PREVENT' Policy

The underpinning aim of the 'PREVENT' Policy is to determine how the Council works with organisations and the community to prevent extremism' and stop people becoming terrorists or supporting terrorism. It aims to identify individuals at risk of radicalisation and being drawn into extremist activity. The Surrey Health and Wellbeing Board has overall governance of the PREVENT agenda across for Surrey with a Multi-Agency Prevent Partnership Group established to review trends and developments as well as provide a 'quality assurance' overview around PREVENT delivery across Surrey.

### Domestic Abuse

Domestic abuse can be any incident of threatening behaviour, violence or abuse between adults who are, or have been, intimate partners, family members or members of the same household regardless of gender or sexuality. Domestic abuse is not limited to violent abuse; it can be physical, psychological, sexual, emotional or financial. Children's health and wellbeing can be seriously affected by living in households where there is any form of domestic abuse. The county-wide Domestic Abuse Management Board has overall responsibility for the development and implementation of the Surrey Domestic Abuse Strategy. More information including contacts for agencies that can offer support and practical advice can be found on the [Surrey Against Domestic Abuse website](#).

### Equality Assessment

Surrey Heath Borough Council recognises the right of every adult and child to a life that is free from harm, abuse, and neglect.

The Council promotes adoption of a standard approach to implementation of safeguarding policy and procedure, with equal consideration to all vulnerable groups.

The new Policy, procedures and related guidelines has been Impact Assessed by the Equality Action Group and adopted by this Council in April 2021.

### Child Sexual Exploitation

Child Sexual Exploitation (CSE) is the sexual abuse of a child or young person aged under 18 by an adult who involves them in inappropriate sexual activities either with themselves or another person. The activity often takes place in exchange for money, alcohol, drugs, food, accommodation or presents. Online grooming is a type of CSE that impacts both boys and girls across Surrey. This area of work is led by specialist

police officers working closely with partners such as local Councils, social services, youth services, housing providers and the voluntary sector.

More information can be found on [Surrey Police's website](#).

### **Missing Persons Protocol**

This is in place to ensure that there is a coordinated response from agencies when a vulnerable adult goes missing. This includes Surrey Police, Surrey & Borders Partnership Trust, and Surrey Care Association, Surrey County Council Adult social Care Services and Surrey Care providers and associated agencies. It provides guidelines to all parties as to what actions should be taken when a person receiving care goes missing. More information can be found on the Surrey Safeguarding Adults Board website.

### **People in a Position of Trust Protocol**

The Care Act 2014 requires that Safeguarding Adults Boards should establish and agree a framework and process for any organisation to respond to allegation against anyone who works (in either a paid or unpaid capacity) with adults with care and support needs. The framework and process in the context is referred to as the *Protocol*. The Protocol applies to all partner agencies of Surrey Safeguarding Adults Board (SSAB) and organisations commissioned to provide services by them, so they respond appropriately to allegations against people who, whether an employee, volunteer or student, paid or unpaid, works with or cares for adults with care and support needs. These individuals are known as *People in a Position of Trust (PiPoT)*. SSAB also requires partner agencies and the service providers they commission to identify a designated PiPoT lead or contact to oversee the delivery of responsibilities in their organisation.

Protocol for responding to concerns about a Person in a Position of Trust (PiPoT)

#### ***Surrey Heath Borough Council***

The PiPoT Leads for Surrey Heath Borough Council are:

Until 31/03/2022 – Louise Livingston - Head of HR, Communications & Performance

From 01/04/2022 – Nick Steevens – Strategic Director – Environment and Community

## **Family Support Safeguarding Procedure**

The Family Support department at the Surrey Heath Borough Council follow the national guidelines for those that work with children. Please follow the corresponding link for these guidelines.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/779401/Working\\_Together\\_to\\_Safeguard-Children.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/779401/Working_Together_to_Safeguard-Children.pdf)



**Child Sexual Exploitation, Modern Slavery and Prevent referrals should be made to Surrey Police on 101 unless it is an emergency in which case call 999**

***\*NB who should complete a referral to the Home Office is to be confirmed.***

<b><i>Crimestoppers anonymously</i></b>	<i>0800 555 111</i>
<b><i>Childline</i></b>	<i>0800 1111</i>

### **General, non-safeguarding queries or existing open cases for adults or young adults**

For any general or non-safeguarding concerns in relation to an adult (including young adults) please contact Surrey County Council's Contact Centre:

**Telephone: 0300 200 1005**

Minicom: 020 8541 9698

Fax: 020 8541 9575

Email: [contactcentre@surreycc.gov.uk](mailto:contactcentre@surreycc.gov.uk)

SMS: 07527 182861

For any general or non-safeguarding concerns in relation to a child or young adult) please contact Surrey County Council's Contact Centre:

**Telephone: 0300 200 1006**

Minicom: 020 8541 9698

Fax: 020 8541 9575

Email: [contactcentre@surreycc.gov.uk](mailto:contactcentre@surreycc.gov.uk)

SMS: 07527 182861

## **Modern Day Slavery**

Additional government guidance including training resources can be located on the

**FOR THE CORRECT FORMS TO REFER AN INDIVIDUAL FOR ASSESSMENT AND SUPPORT PLEASE VISIT:**  
<https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms>  
and **call** Modern Day Slavery Helpline: 0800 0121 7000

following weblink: <https://www.gov.uk/government/publications/modern-slavery-training-resource-page/modern-slavery-training-resource-page>. This contains videos, e-learning, and leaflets.

National Response Mechanism: <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales>

Statutory Duties for local authorities:

<https://static1.squarespace.com/static/599abfb4e6f2e19ff048494f/t/5b164dab1ae6cf>

## Hate Crime Policy

1.1 This policy sets out our approach to dealing with Hate Crime.

1.2 We recognise that individuals and groups may face overlapping forms of prejudice.

Hate Crime can be defined as any crime that is motivated by hostility on the grounds of someone's actual or perceived characteristics.

This can include equality characteristics such as:

- Age.
- Disability.
- Race.
- Sex, sexual orientation, gender identity.
- Marriage and civil partnership.
- Pregnancy and maternity.
- Religion or belief.

1.3 Hate Crime can take many forms including (but not limited to): physical violence, threats of violence, offensive graffiti or other written material, online abuse, and abusive or insulting words or behaviour.

1.4 So what can we do? Reporting is a crucial part of eradicating hate, it may seem small and insignificant act, but it can have an impact on attitudes towards Hate Crime and strategies to prevent it.

Anyone can report, and you don't have to be certain about whether it is Hate Crime, by reporting you are being an **up-stander** rather than a bystander, playing your part in not accepting hate.

1.5 How to report it?

- Direct Reporting to the Police using the 101 number
- Phone Stop Hate UK on 0808 138 1625
- Report it on [www.stophateuk.org](http://www.stophateuk.org)
- Download the reporting App in Surrey, by going to the app store or google play searching for 'stop hate uk' and click 'stop hate uk surrey' and then install.

## Highlighted Area: 2021/22

1.6 The issue of antisemitism in our communities has received considerable publicity, and as a result in 1994 the Community Security Trust (CST), was set-up as a charity to protect British Jews from antisemitism and related threats. CST is recognised by the Police and Government as a unique model of best practice, and is in London, Manchester, and Leeds.

CST provides security advice and training for Jewish communal organisations, schools, and synagogues.

National Trends in 2019 show that 18% of religiously motivated hatred is targeted at Jewish people, which is an increase of 6% from 2018 and that per capita, Jewish people are most likely to report experiencing hatred.

It is with this in mind that this Council has adopted the non-legally binding working definition from the International Holocaust Remembrance Alliance (IHRA) as below to demonstrate that we understand the concerns and are willing to take action in response to make it clear that anti-Semitic behaviour will not be tolerated.

*“Antisemitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of antisemitism are directed toward Jewish or non-Jewish individuals and/or their property, toward Jewish community institutions and religious facilities.”*

For further information on the Community Security Trust: <https://cst.org.uk/> and International Holocaust Remembrance Alliance (IHRA) [www.holocaustremembrance.com](http://www.holocaustremembrance.com) <https://www.holocaustremembrance.com/working-definition-antisemitism>





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**Surrey Heath Borough Council  
Employment Committee  
8 February 2022**

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**Casual, Fixed Term and Temporary Workers Policy and Procedure**

**Head of Service** Louise Livingston –Head of HR, Performance & Communications  
**Report Author:** Julie Simmonds – HR Manager  
**Key Decision:** No  
**Wards Affected:** n/a

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**Summary and purpose**

This report provides the Joint Staff Consultative Group with information regarding the Council's Casual, Fixed Term and Agency Workers Policy and Procedure.

The Casual, Fixed Term and Agency Workers Policy and Procedure ensures processes are followed and the appointment of staff under these categories are for applicable reasons stated within.

**Recommendation**

The Committee is advised to RESOLVE that the revised Casual, Fixed Term and Agency Workers Policy and Procedure, as set out at Annex A to this report, be agreed.

**1. Background and Supporting Information**

1.1 The Casual, Fixed Term and Agency Workers Policy and Procedure has been reviewed to take into account the new Senior Management Structure and associated titles. The Policy has also had some updating with reference to the process of agreement of the recruitment.

1.2

**2. Reasons for Recommendation**

2.1 Ensure processes are followed to receive appropriate approval for a request a temporary appointment and the justification.

**3. Proposal and Alternative Options**

3.1 The Group is advised to recommend the Policy for adoption, with or without any further amendments it considers appropriate.

#### **4. Resource Implications**

4.1 n/a

#### **5. Other Considerations and Impacts**

##### **Environment and Climate Change**

5.1 n/a

##### **Equalities and Human Rights**

5.2 Equality Impact Assessment completed

##### **Community Engagement**

5.3 n/a

##### **Annexes**

Casual, Fixed Term and Agency Workers Policy and Procedure

##### **Background Papers**

n/a





**Surrey Heath Borough Council  
Human Resources**

**Policy and Procedure for  
Fixed-term,  
Casual & Temporary workers**

# Policy and Procedure for Casual, Fixed-Term and Temporary Workers

## 1 Introduction

The Council is committed to creating employment stability wherever possible; therefore, there are certain circumstances in which it is more appropriate to employ people on a temporary contract. This policy and procedure sets out when such contracts should be used in place of permanent contracts, and will ensure that such contracts are used only when it is both fair and justifiable to do so.

Such a need may arise when:

- there is a need for extra members of staff to work for a limited duration on a one-off task or project;
- extra members of staff are needed to cover seasonal peaks (so as to avoid the need for permanent staff to work excessive overtime);
- extra members of staff are needed on a temporary basis to cope with a surge in demand or in order to meet a client deadline;
- extra members of staff are needed to cover the absence of permanent staff, for example with regard to holiday, sickness absence or maternity leave;
- there is a need to prevent or eliminate an excessive backlog of work.

~~The process for~~ engaging consultants, ~~can be found in~~ please refer to the guidance notes for the Use of Consultants on the Council's intranet <https://intranet.surreyheathonline.gov.uk/council/contracts-and-procurement>. ~~In the Equalities Action Group we were requested to make reference to IR35.~~ SHBC will need to check whether a Contractor falls within scope of IR35 which would result in their tax and National Insurance being processed through our payroll systems. In all circumstances HR should be aware of the possible appointment of a consultant or agency worker to ensure IR35 regulations are followed as determined by HMRC.

The [below enclosed](#) link is a guide and not a definitive ruling on whether the individual should be treated as an employee or self employed.

<https://surreyheath.box.com/s/h09rk15ahbwaqqorby0viny7yvac9gp4>

## 2 Definitions

### 2.1 Casual worker

A casual worker is a worker employed directly by the Council on an, as and when basis. A casual worker is used for covering absence [or supporting workload peaks](#), but not on a regular basis. There will be no mutual obligation for either the employer to provide work or for the worker to undertake the work. Work offered may be refused by the casual worker.

From 6 April 2020 workers are entitled to receive a written statement of terms and conditions of employment which must include information on certain terms of employment, including benefits to which the worker is entitled.

Casual workers are protected from unlawful discrimination under the Equality Act 2010. Therefore, employers should deal thoroughly with grievances or complaints that they bring where there is a suggestion of discrimination or harassment.

### 2.2 Fixed-term worker

A fixed-term worker is a person with a limited-time contract of employment with the Council which is due to end:

- after a specific project or when a task is complete
- at a specific date (~~other than retirement~~)
- after a specific event

Fixed-term workers are employees of the Council and are therefore entitled to terms and conditions of employment that are no less favourable than the terms and conditions of a comparable permanent employee unless there is an objective reason for offering different terms. Under the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 (SI 2002/2034), a fixed-term contract is automatically converted by law into a contract of indefinite duration (i.e., a permanent contract) once the employee has completed four years continuous employment under it or renewals of it (unless an exception applies).

### 2.3 Temporary or Agency worker

~~AA~~ temporary worker is someone who has a contract with a **Temporary Work Agency (TWA)** (an employment contract or a contract to perform work personally) but works temporarily for and under the direction and supervision of a hirer (**the Council**).

A worker employed for a limited duration for the Council not on a fixed-term contract:

- work experience
- sponsor schemes
- apprentices
- agency workers

Temporary workers may be engaged in one of two ways, these being:

- directly by the Council
- through an approved Temporary Work Agency.
- 2.3.1

2.3.1 The Agency Workers Directive (Appendix 1) gives agency workers the entitlement to the same basic employment and working conditions as if they had been recruited directly, if and when they complete a qualifying period of 12 calendar weeks in the same job. It is not retrospective and for those agency workers already on assignment, the 12 week qualifying period will start from day one of employment at SHBC.

2.3.4 Temporary Agency Workers must:

- Comply with all requests for the necessary pre-engagement and safeguarding checks.
- Provide evidence of professional qualifications where required by the role.
- Participate fully in induction and training and comply with Council Policies and Procedures.

2.3.5 The Temporary Worker agency will:

- Comply with all requests for the necessary pre-engagement and safeguarding checks. Additional safeguarding checks are required for agency workers working with vulnerable people.
- Provide evidence of professional qualifications where required by the role.
- Follow the procedure outline in Appendix 1 referring to **Equal Treatment**.
- Notify the agency worker, in writing, when there is a change of work or duties with the following:
  - notification that the role is a new one that is substantially different from the previous role;
  - a description of the new role; and
  - an explanation that the qualifying period will start again.

During a strike or industrial action, temporary worker agencies may not lawfully assign a temporary worker to the Council that is seeking to obtain temporary cover for the duties normally performed by an employee taking part in the strike or industrial action.

### **3 Scope**

This guidance on casual, fixed-term and temporary workers applies to all hiring managers. This policy and procedure should be read in conjunction with the following policy and all other relevant policies will apply:

- Employment Stability Policy

### **4 Policy Statement**

The Council will use casual, fixed-term and temporary workers only to provide additional resources and allow for flexibility on a short-term basis from time to time.

### **5 Facilities and relevant vacancies**

A worker who believes that ~~he/she has~~they have not been provided with equal access or is being treated less favourably in relation to collective facilities or relevant vacancies may make a written request to the Council for information about such access.

Within 28 days of receiving such a request, the Council will provide the worker in writing with:

- relevant information about access to collective facilities and/or access to vacancies; and
- reasons for the treatment of the worker in relation to access to collective facilities and/or access to vacancies.

### **6 Equality Assessment**

This policy will apply to all Strategic Directors, Heads of Service, Line Managers, and workers at the Council.

### **7 Principle and Aims**

This policy sets out when such temporary contracts should be used in place of permanent contracts and will ensure that such contracts are used only when it is both fair and justifiable to do so.

### **8 Policy and Procedure**

#### **8.1 Line Manager**

The Line Manager must:

- Consider the Employment Stability Policy and consult Human Resources prior to any decision to engage a fixed-term, agency worker or casual worker to ensure existing employees are considered.
- Set out a written request to the ~~Executive Head of Service~~ Strategic Director or Head of Service for additional resources to include:
  - the worker's intended start date;
  - approximate length of the assignment;
  - reason why additional resources are required;
  - appropriate rate of pay (based on current market conditions);
  - job description and advert; and
  - details of any preferred agency worker if a choice of worker is offered by the agency.
- Ensure that a Staffing Resource Form has been completed before any arrangements are made with agencies to ensure all necessary authorisations are received. The Staffing Resource Form can be found on the intranet using the following link and selecting 'Staffing Resources':

<https://intranet.surreyheathonline.gov.uk/hr/downloadable-forms-and-letters>.
- Not liaise directly with the agencies but should contact Human Resources with their approved temporary hiring request.
- Contact Human Resources with their approved fixed-term or casual worker hiring request.
- Consult with the ~~Executive H~~ Strategic Director or Head of Service ~~and~~ Human Resources in advance of any proposed extension to the contract.
- Ensure that all necessary CRB—criminal record checks are completed through Disclosure and Barring Service (DBS) and safeguarding checks are conducted for fixed-term workers, agency workers and casual workers where required for the role (i.e. working with vulnerable people).
- Ensure that a Declaration of Interest ~~from~~ Form is completed and forwarded to Human Resources in all cases where the person is authorised to act on behalf of the Council.
- In line with Council policy the Corporate Management Team are authorised to grant extensions of agency workers in excess of 12 weeks.
- If the agency worker's assignment is extended ~~an Additional~~ a further Staffing Resource ~~ing~~ Form should be completed to prevent additional costs accruing
 

[https://surreyheath.formstack.com/forms/staffing\\_resources\\_request](https://surreyheath.formstack.com/forms/staffing_resources_request). ~~The form is located under the HR tab on SHBC's intranet. This process will enable HR to differentiate between initial requests and extensions.~~

- ~~• Inform Human Resources, ICT and Facilities promptly of all leavers, to ensure all Council property, passes etc. are returned and IT access is terminated.~~
- ~~• Contact the appropriate temporary agency worker agency on the preferred suppliers list once the written request has been approved and forwarded to Human Resources.~~
- ~~• Notify the temporary agency if the temporary agency worker's work or duties have changed and this information must be passed to the temporary agency worker.~~
- ~~• Inform Human Resources, ICT and Facilities promptly of all leavers, to ensure all Council property, passes etc. are returned and IT access is terminated.~~
- ~~•~~

## 8.2 ~~Executive Head~~ Strategic Director or Head of Service

The ~~Executive Head~~ Strategic Director or Head of Service must:

- ~~• Approve all requests for fixed-term, temporary agency and casual workers prior to any contract commencing.~~
- ~~•~~
- In conjunction with Human Resources review and monitor the continued business need for fixed-term, agency workers and casual workers.
- ~~• Ensure that all temporary agency workers are assigned from an approved suppliers list. The approved supplier list is available from Human Resources.~~
- ~~•~~
- Ensure compliance with this process.

## 8.3 ~~Corporate Management Team (CMT)~~

~~It was agreed that this section referring to CMT should be removed as they do not have budgetary control for Casual, Agency or Fixed Term Workers~~

~~Corporate Management Team will:~~

~~Review and approve any extensions of fixed-term and agency workers to prevent additional costs being accrued and to differentiate between initial requests and extensions.~~

~~Review and approve any extensions of agency worker assignments beyond 12 weeks.~~

#### **8.4 Fixed-Term, Casual Workers and Agency Workers**

Fixed-term, casual workers and Agency Workers must:

- Comply with all requests for the necessary pre-engagement and safeguarding checks.
- Provide evidence of professional qualifications where required by the role.
- Participate fully in induction and training and comply with Council Policies and Procedures.

#### **8.5 Human Resources**

Human Resources will:

- Provide advice to line managers on all requests for Fixed-Term, Casual and temporary agency workers to ensure that internal processes have been followed and employees have been considered first.
- ~~• Contact the appropriate temporary agency worker agency on the preferred suppliers list once the written request has been approved and forwarded to Human Resources. (This point should be deleted as HR will not contact the agency. This is the responsibility of the Line Manager)~~
- ~~• In conjunction with Legal Services, will review negotiate and agree all temporary worker agency terms and conditions prior to the engagement of a temporary agency worker. This will ensure that all costs associated with the assignment and any subsequent employment are identified and minimised e.g. introduction fee. (Delete this point as Legal Services are not involved)~~
- ~~• Notify the temporary agency if the temporary agency worker's work or duties have changed and this information must be passed to the temporary agency worker. (Delete this point as it will be the Line Manager to contact the agency)~~
- Advertise all roles and produce paperwork accordingly.

This policy is available in large print if requested.



## Document revisions

Document revised (date)	Details of revisions made	Version
<a href="#">Jan 2022</a>		

## Appendix 1

### The Agency Workers Regulations

- 1 The Agency Workers Directive provides agency workers [with](#) the entitlement to the same basic employment and working conditions as if they had been recruited directly, if and when they complete a qualifying period of 12 calendar weeks in the same job. Calendar weeks will be accrued regardless of how many hours the worker does on a weekly basis.

It is not retrospective and for those agency workers already on assignment, the 12 week qualifying period will start from day one at SHBC. Agency workers should receive the basic terms and conditions that are equivalent to a person recruited directly by the Council to do the same job.

#### 2 From Day 1

Certain new rights apply from the first day that an agency worker is engaged by the Council. These include:

- Access to car parking
- Access to information on relevant external job vacancies

From day one agency workers will have access to vacancies. The effect of this may be that the temporary worker agency may require an introduction fee even if the application is for a completely different part of the Council. This may vary from temporary worker agency to temporary worker agency and will require hiring managers to check the terms and conditions of the temporary worker agency.

#### 3 After 12 weeks in the same job

- 3.1 When an agency worker completes the 12 week qualifying period in the same job, they are entitled to equal treatment of basic working and employment conditions including:

- The basic pay/salary
- Overtime payments;
- Shift/unsociable hours allowances and risk payments for hazardous duties;
- Annual pay increments;
- Vouchers or stamps that have a monetary value and are not “salary sacrifice schemes” e.g. luncheon vouchers, child care vouchers;

- Annual leave entitlement (including that in excess of statutory entitlement; this leave entitlement will be pro-rated to the length of the assignment).

They will also be entitled to equal treatment in relation to:

- Working time duration;
- Night work;
- Rest periods;
- Rest breaks

In addition, pregnant agency workers who have completed the 12 week qualifying period will be entitled to paid time off for ante-natal appointments.

### 3.2 The basic terms and conditions do not include:

- Occupational sick pay (in excess of the statutory entitlement)
- Occupational pension contributions or scheme
- Occupational maternity, paternity or adoption pay in excess of statutory entitlement
- Redundancy pay (statutory and contractual)
- Notice pay (statutory and contractual linked to loss of employment)
- Guarantee payments as they apply to directly recruited staff if laid off
- A bonus or reward that is not directly attributable to the amount or quality of the work they have done
- Advances in pay or loans e.g. for season tickets
- Expenses such as accommodation and travel expenses
- Overtime or similar payments where the agency worker has not fulfilled qualifying conditions required of someone directly recruited
- Majority of benefits in kind
- Any payment for carrying out trade union duties
- Any payments that require an eligibility period of employment/service.

## 4 **Absence procedure**

The 12 week period does not need to be continuous. Certain breaks will pause the time during which the worker accrues service, and he or she/they will resume accumulating service on return from the break.

Absences during the qualification period which will pause are those due to:

- Breaks between assignments of not more than six weeks;

- Jury service of up to 28 weeks;
- For the purpose of taking annual leave;
- Organisational closure caused by a regular and planned shutdown of the workplace, which for the Council is the Christmas period; or caused by industrial action, for example a strike.

- Pregnancy:

If an agency worker is absent for a reason related to pregnancy or maternity during a protected period due to maternity, paternity or adoption leave the 12 week period will continue to accrue throughout the absence period. Absences that fall outside the above will normally have the effect of breaking service.

- More than one of the reasons listed above but excluding no more than six calendar weeks.

## 5 Family friendly rights and procedures

If the agency worker is pregnant, has given birth within the previous six months or is breastfeeding, she should inform her agency and the Council in writing as soon as possible. The Council will carry out a risk assessment in relation to the role carried out by an agency worker who is pregnant, has given birth within the previous six months, or is breastfeeding. If any potential risk to health and safety is identified, the Council will, where possible, make reasonable adjustments to the role. If it is not possible to make reasonable adjustments to the role to remove the identified risks, the Council will inform the temporary worker agency and the temporary worker agency should seek alternative work for the agency worker. It is the temporary worker agency's responsibility to seek alternative work for the worker if a health and safety risk means that the assignment is unsuitable, and to pay her for the duration of the assignment if no suitable alternative work is available.

The agency worker's qualifying period continues to run (i.e. the qualifying period continues to accrue during the absence) if the break is due to pregnancy, childbirth or maternity and takes place during pregnancy or up to 26 weeks after childbirth (for example, pregnancy-related sickness absence or absence because there is a health and safety reason why the employee cannot carry out the role).

After the qualifying period, pregnant agency workers are also entitled to specific rights, including paid time off for antenatal care and, potentially, paid time off during an assignment if it is unsuitable for pregnant workers. The Council may request written evidence of the antenatal appointment (except for the first appointment).

## 6 Continuation of rights on completion of the qualifying period

When an agency worker has completed the qualifying period with a hirer, ~~he or she~~they will continue to be entitled to the rights under **Section 3.1** unless the agency worker:

- is no longer working in the same role with the hirer; or
- has a break during an assignment or between assignments, when ~~he or she~~they is not working and the break is not for a reason set out in **Section 4**.

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/841981/agency-workers-regulations-2010-guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/841981/agency-workers-regulations-2010-guidance.pdf)

**Surrey Heath Borough Council**  
**Employment Committee**  
**8 February 2022**

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**Pensions Discretions Policy**

**Head of Service:** Louise Livingston  
**Report Author:** Julie Simmonds – HR Manager  
**Key Decision:** No  
**Wards Affected:** n/a

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**Summary and purpose**

This report provides the Employment Committee with information regarding the Council's Pensions Discretions Policy which is an annual item on the agenda.

Each pension fund has to have a discretionary policy, which needs to be kept under review. However, it's noted that there is no legal requirement that it be reviewed annually and Surrey County Council have not issued an updated Pensions Discretions Policy.

The policy has not changed but it has come back this year again points as a reminder of the considerations. It has also been reviewed by the Council's new S151 Officer who started December 2021. A number of minor, non-material amendments were proposed by the Joint Staff Consultative Group at its meeting on 13 January 2022.

**Recommendation**

The Committee is advised to RESOLVE that the Pensions Discretions Policy be updated, as set out at Annex A to this report.

**1. Background and Supporting Information**

1.1 The Pension Discretions Policy has to be reviewed and it has been an annual review to date. If there is a need to change it before the annual review it will come back for recommendation sooner.

**2. Reasons for Recommendation**

2.1 Each pension fund has to have a discretionary policy, which needs to be kept under review

### **3. Proposal and Alternative Options**

- 3.1 The continuation of the existing Pensions Discretions Policy brought to the Committee in January 2020, updated to include the minor amendments proposed by the JSCG in January 2022.

### **4. Resource Implications**

- 4.1 n/a

### **5. Other Considerations and Impacts**

#### **Environment and Climate Change**

- 5.1 n/a

#### **Equalities and Human Rights**

- 5.2 An Equality Impact Assessment was completed Jan 2020 and no changes to the Pensions Discretions Policy have been made since this date

#### **Community Engagement**

- 5.3 n/a

#### **Annexes**

Pensions Discretions Policy

#### **Background Papers**

n/a



# Pension Discretions Policy



**Great Place • Great Community • Great Future**

# Surrey Heath Borough Council Pension Discretions Policy

## 1. Introduction

- 1.1** Surrey Heath Borough Council (the Council) is a participating employer in the Local Government Pension Scheme (LGPS) and as an employer is under a legal duty to prepare and publish a written statement of its policy relating to certain discretionary powers under the Regulations which apply to the Local Government Pension Scheme (“the LGPS”).
- 1.2** Surrey Heath Borough Council is also under a duty to formulate, publish and keep under review a Statement of Policy in respect of how these powers are applied where they relate to the payment of compensation to employees whose employment is terminated as a result of redundancy or certain other reasons.
- 1.3** This document is intended to comply with these duties and the following table, sets out the discretionary powers concerned, identifies the relevant Regulation that gives Surrey Heath Borough Council the discretion and describes how the discretion will be exercised.
- 1.4** The policy set out in this document will not be departed from except as provided for in the policy or following a variation to the policy approved by Surrey Heath Borough Council.
- 1.5** This statement is not a definitive statement of the law and is subject to the provisions of the relevant Regulations.
- 1.6** The Regulations that apply to the LGPS are:
- The Local Government Pension Scheme Regulations 2013 (these are referred to as the “Pensions Regulations”);
  - The Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (referred to as the “Transitional Regulations”);
  - The Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 applied to the LGPS before 1 April 2014, are preserved in part on a transitional basis by the Transitional Regulations and are referred to as the “Benefits Regulations”
- 1.7** The Regulations which apply to the payment of compensation to employees whose employment is terminated as a result of redundancy, other specified reasons or injury are:
- The Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (referred to as the “Compensation Regulations”).
  - The Local Government (Discretionary Payments) (Injury Allowances) Regulations 2011 (referred to as the “Injury Regulations”).



## **2 Definitions**

In the Appendix below:

- 2.1** “The Scheme” or “the Pension Scheme” means the LGPS and “the Fund” or “the Pension Fund” means the fund maintained under the LGPS;
- 2.2** “Member” means a member of the LGPS;
- 2.3** “Active member” means a member in employment and paying, or treated as paying, contributions to the LGPS, or absent from employment for a reason mentioned in Regulation 11 of the Pensions Regulations.
- 2.4** References to a member with transitional protection are those who can count membership accrued before 1 October 2006 and who have statutory transitional protection under the Transitional Regulations, wholly or partly, from changes that would otherwise be made to their pension entitlements and/or from actuarial reductions that would otherwise be applied to their pension benefits as a result of the coming into force of the Pensions Regulations on 1 April 2014.
- 2.5** References to a member meeting “the 85 year rule” are those a members whose age in whole years when added to the member’s total membership in whole years is 85 years or more.

## **3 Scope**

This policy covers all employees who are members of the LGPS and are employed at Surrey Heath Borough Council.

## **4 Equality Assessment Policy**

The Council’s Equality Scheme demonstrates its commitment to equality internally and externally and ensures that all sections of the community are given an opportunity to contribute to the wellbeing of the community. An equality impact assessment has been carried out on this policy and procedure. The Council ensures that consultation is representative of the community and that consideration is given on how to consult ‘hard-to-reach’ groups and will positively learn from responses.

## **5 Policy Statement**

- 5.1** This Policy document provides a full summary of the key discretions in-line with the LGPS Regulations. This policy contains no contractual rights.

- 5.2 Discretionary compensation payments will only be awarded in exceptional circumstances. Appendix 1 sets out who is authorised to make a decision for each discretionary area.
- 5.3 The Council retains the right to change the policy at any time. Where reference is made in this policy to an officer with a decision making role, the authority to make these decisions will be for them and their successor roles should there be a change in the future.
- 5.4 Only the version of the policy that is current at the time a relevant event occurs will be applicable.
- 5.5 The full list of the Council's policy statement relating to pensions discretions awarded by the Regulations can be found at Appendix A.
- 6. Policy Review**
- 6.1 This policy and the discretions found at Appendix A will be reviewed annually.

## Appendix 1

### Summary of Local Government Pension Scheme (LGPS) Discretions with Surrey Heath Borough Council

NB: Where the discretion concerns a Tier 1 or Tier 2 Officer the delegation will be the Employment Committee  
Tier 1 Officer is the Head of Paid Service and the Tier 2 Officers are the ~~Executive Heads~~Strategic Directors and Heads of Service

No	Area	Regulation	Discretion	Policy summary	Delegation
1	<b>Whether to vary an employee's contribution band</b>	Regulations 9 and 10 Pensions Regulations	Members must pay pension contributions at the appropriate rate set on 1 <sup>st</sup> April or the first day of active membership, if later.	Surrey Heath Borough Council may vary employee's contribution rate if there is a material change and each case will be considered on its merits.	<del>Executive Head of Transformation.</del> <u>Head of HR, Performance &amp; Communications</u>
2	<b>Whether to increase assumed pensionable pay in certain specific circumstances</b>	Regulation 21(5), 21(5A) and 21(5B) Pension Regulations	If a member is absent as a result of illness, child related leave or reserve forces leave their pension benefits may be based on assumed pensionable pay (APP). If, in the employer's opinion, the member's APP is materially lower than their pay in the twelve months preceding the absence they can either include (1) a "regular"	Surrey Heath Borough Council may increase assumed pensionable pay and each case will be considered on its merits.	<u>Head of HR, Performance &amp; Communications</u> <del>Executive Head of Transformation.</del>

			lump sum received during that period or (2) substitute a higher pensionable pay having regard for their earnings in that period.		
3	<b>Funding of Additional Pension Contributions</b>	Regulations 16(2)(e) and 16 (4) (d) Pensions Regulations	Whether to fund, in whole or in part, a shared cost additional pension contributions (SCAPC) on behalf of an active member by regular contributions (Regulation 16(2)(e)) or by lump sum (Regulation 16(4)(d))	Surrey Heath Borough Council does not currently make discretionary contributions towards the cost of APCs to purchase extra annual pension, nor will the Council establish such a scheme in the future unless this would result in a significant financial advantage. This may be considered in exceptional circumstances where there are business benefits. Consideration will be based on the same rationale as the Council's policy relating to granting extra annual pension.  Note: Discretion does not apply where member	Both the Head of Paid Service and the Employment Committee.

				elects within 30 days of return from authorised unpaid leave to pay a SCAPC to cover the cost of 'lost' pension as the regulations state that the employer must, in these cases, contribute 2/3 of the cost to a SCAPC.	
<b>4</b>	<b>Shared Cost Additional Voluntary Contributions (SCAVCs)</b>	Regulation 17(1) and Schedule 1 (definition of SCAVC) Pension Regulations	Whether to contribute towards a Shared Cost Additional Contribution arrangement. Pre-201 SCAVCs also fall under Regulation 17 by virtue of Regulation 15(2A) Transitional Regulations.	Surrey Heath Borough Council will not contribute to SCAVCs except in exceptional circumstances.	Both the Head of Paid Service and the Employment Committee.
<b>5</b>	<b>Whether to grant early payment of pension on compassionate grounds (pre-1<sup>st</sup> April 1998 leavers)</b>	Regulation D11(2) (c) of 1995 Regulations	Whether to agree to early payment of pension benefits from age 50 on compassionate grounds. The employer should note that pension benefits paid before age 55 may attract an unauthorised payments surcharge and they may have to pay a strain cost	Surrey Heath Borough Council will only agree to early payment of pension in exceptional circumstances.	Both the Head of Paid Service and the Employment Committee.

			because the pension benefits cannot be reduced.		
6	<b>Flexible Retirement</b>	Regulation 30(6) Pensions Regulations  Regulations 11(2) and (3) of Transitional Regulations	Whether to agree to an employee aged 55 or over reducing their hours of work or their grade so that they may receive all or some of their retirement pension while still employed.  Whether, in addition to any pre-1 <sup>st</sup> April 2008 pension benefits which the member must draw, to permit the member to draw; (a) all, part or none of benefits accrued between 1 <sup>st</sup> April 2008 and 31 <sup>st</sup> March 2014 and (b) all, part or none of the pension benefits built up after 31 <sup>st</sup> March 2014.	There is a general presumption that the Council will consider requests for Flexible retirement on their merits and to agree where it is in the Council's interests. On the basis that pension benefits taken before normal retirement age are reduced in accordance with guidance issued by the Government Actuary.  <b>See separate Flexible Retirement Policy Statement</b>	Both the <u>Head of HR, Performance &amp; Communications Executive</u> <del>Head of Transformation</del> and the Head of Paid Service.  The <u>Head of HR, Performance &amp; Communications Executive</u> <del>Head of Transformation</del> and the Employment Committee where the flexible retirement request concerns the Head of Paid Service.

7	<b>Switching-on the 85-year rule (excludes flexible retirement)</b>	Schedule 2 of Transitional Regulations	Whether to switch on the 85-year rule under Regulation 1(2) and 1(3) of Schedule 2 of the Transitional Regulations.	Whilst there will be no general adoption of this discretion, Surrey Heath Borough Council may agree to switch on the 85 year rule in exceptional circumstances such as compassionate grounds, or where it is in Surrey Heath's business interests, and taking into account the affordability of the employer costs arising.	Both the Head of Paid Service and the Employment Committee.
8	<b>Waiving of Actuarial Reduction to Pensions</b>	Regulation 30(8), Pensions Regulations  Schedule 2 of Transitional Regulations	(Post 2014) Whether to agree to waive, in whole or in part, any actuarial reduction that would otherwise apply to the pension paid to a former employee aged 55 or over under 30(5) or 30(6) [flexible retirement] using regulation 30(8) of the Pension Regulations.  (Pre-2014) Whether to waive actuarial reductions entirely under 30(5) or 30 A(5)	This may be considered in exceptional circumstances where there are business benefits. Surrey Heath Borough Council reserves the right to review the details of each case based on its individual merits.	Both the Head of Paid Service and the Employment Committee.

			[deferred pensioner members] of the Benefits Regulations and Regulation 2(1), of Schedule 2 of the Transitional Regulations.		
9	<b>Award of Additional Pension (not exceeding the overall additional pension limit of £6, 822 (April 2018 and uplifted annually).</b>	Regulation 32, Pensions Regulations	<p>To award additional pension at full cost to the employer:</p> <ul style="list-style-type: none"> <li>(1) an active member; or</li> <li>(2) a former active member who was dismissed by reason of redundancy, business efficiency or mutual consent on grounds of business efficiency.</li> </ul> <p>Additionally, in the case of a member falling within (2) above, the resolution to award additional pension must be made within 6</p>	This is a general presumption that Surrey Heath Borough Council will not award additional membership. However, Surrey Heath Borough Council will consider and decide individual cases on their merits where it is in Surrey Heath's interest and taking account of the employer costs of the additional pension.	Both the Head of Paid Service and the Employment Committee.



			months from the date on which the employment ended.		
<b>10</b>	<b>Aggregation of Benefits: Concurrent Employments</b>	Regulation 22(7)(b), Pensions Regulations	Whether to allow an active member with concurrent employments, who ceases an employment with an entitlement to a deferred pension, more than 12 months to elect <b>not</b> to have their deferred pension aggregated with their active member's pension account.	Surrey Heath Borough Council will only extend the deadline in exceptional circumstances.	Both the Head of Paid Service and the Employment Committee.
<b>11</b>	<b>Aggregation of Benefits: Deferred Member becoming Active Member</b>	Regulation 22(8)(b), Pensions Regulations	Whether to allow a deferred member who becomes an active member longer than 12 months in which to elect <b>not</b> to have their deferred benefits aggregated with the benefits in their active member's pension account.	Surrey Heath Borough Council will only extend the deadline in exceptional circumstances.	Both the Head of Paid Service and the Employment Committee.
<b>12</b>	<b>Aggregation of Benefits: Deferred Member becoming Active Member (pre-2014 membership)</b>	Regulation 10(6)(b) Transitional Regulations	Whether to allow a deferred member who becomes an active member longer than 12 months in which to	Surrey Heath Borough Council will only extend the deadline in exceptional circumstances.	Both the Head of Paid Service and the Employment Committee.

			<p><b>elect</b> for their pre-2014 deferred benefits to be aggregated with their active member's pension account (but, technically, they would lose the final salary link if they have not made an election under 5(5). Transitional Regulations within twelve months of becoming an active member of 2013 scheme).</p>		
<b>13</b>	<b>Inward Transfer of Pension Rights</b>	Regulation 100, Pensions Regulations	<p>Whether to allow an employee who has been an active member in their current employment for more than 12 months to ask for the transfer of certain accrued pension rights to be considered.</p> <p><b>Note:</b> Regulation 100(6) of the Pensions Regulations requires that a request must be made within 12 months beginning with the date</p>	Surrey Heath Borough Council will only extend the deadline in exceptional circumstances.	Both the Head of Paid Service and the Employment Committee.

			on which the member first became an active member in an employment or such longer period as the employer and the Administering Authority may allow. The discretion is, therefore, only exercisable if <b>both</b> the Employing Authority and the Administering Authority agree.		
14	<b>Redundancy Payments</b>	Regulation 5, Compensation Regulation 2006	Whether to base redundancy pay on actual pay where actual pay exceeds the statutory maximum under the Employment Rights Act 1996 (£508.00 from April 2018).	Surrey Heath Borough Council will base the calculation of a week's pay for redundancy on actual pay if it is higher than the statutory limit.	Both the <u>Head of HR, Performance &amp; Communications Executive</u> <del>Head of Transformation</del> and the Head of Paid Service.
15	<b>Compensation for loss of Employment</b>	Regulation 6, Compensation Regulations 2006	Whether to pay compensation to a person whose employment ceases <ul style="list-style-type: none"> <li>- by reason of redundancy;</li> </ul>	Surrey Heath Borough Council will only award compensation for loss of employment in exceptional circumstances.	Both the <u>Head of HR, Performance &amp; Communications Executive</u> <del>Head of Transformation</del> and the Head of Paid Service.

			<ul style="list-style-type: none"> <li>- in the interest of the efficient exercise of the employing authority's functions; or</li> </ul> <p>in the case of a joint appointment, because the other holder of the appointment leaves.</p>		
<b>16</b>	<b>Injury Allowances</b>	14(1) of the Compensation Regulations 2011	<p>Scheme employer (LGPS employers), <b>apart from admission bodies</b>, must formulate, publish and keep under review a policy on:</p> <ol style="list-style-type: none"> <li>1. whether to make and injury award to those who sustain an injury or contract a disease as a result of anything they were required to do in performing the duties of their job and in consequence of which they:</li> </ol>	Surrey Heath Borough Council may only pay injury allowances in exceptional circumstances.	Both the Head of Paid Service and the Employment Committee.

			<ul style="list-style-type: none"><li>- suffer a reduction in remuneration, or</li><li>- cease to be employed as a result</li></ul>		
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Reviewed Jan 2022

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**Surrey Heath Borough Council**  
**Employment Committee**  
**8 February 2022**

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**Review of Recruitment Policy and Procedure**

**Head of Service** Louise Livingston –Head of HR, Performance & Communications  
**Report Author:** Julie Simmonds – HR Manager  
**Key Decision:** No  
**Wards Affected:** n/a

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**Summary and purpose**

This report provides the Joint Staff Consultative Group with information regarding the Council's updated Recruitment Policy and Procedure.

**Recommendation**

The Committee is advised to RESOLVE that the revised Recruitment Policy and Procedure, as set out at Annex A to this report, be agreed.

**1. Background and Supporting Information**

1.1 This policy has been updated to reflect operational changes within the recruitment process namely, a new job profile template, a new timescale for making job adverts live, a new online staffing resources form, the ongoing temporary changes to right to work checks due to Covid 19, and a new DBS umbrella body company.

**2. Reasons for Recommendation**

2.1 Ensure processes are up to date and meet current requirements.

**3. Proposal and Alternative Options**

3.1 The Group is advised to recommend the Policy for adoption, with or without any further amendments it considers appropriate.

**4. Resource Implications**

4.1 n/a

## **5. Other Considerations and Impacts**

### **Environment and Climate Change**

5.1 n/a

### **Equalities and Human Rights**

5.2 Equality Impact Assessment completed

### **Community Engagement**

5.3 n/a

### **Annexes**

Casual, Fixed Term and Agency Workers Policy and Procedure

### **Background Papers**

n/a





# **Surrey Heath Borough Council**

## **Human Resources**

### **Recruitment Policy and Procedure**

**Recruiting Manager Guidance Notes**

**BPSS Compliant Pre-employment Checks**

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## Recruiting Manager Guidance Notes

### 1. Introduction

The purpose of this document is to set out guidance for use by recruiting managers when recruiting and selecting staff. It is designed to ensure compliance with relevant legislation and Her Majesty's Government (HMG) guidance while maintaining the Council's commitment to diversity and equality of opportunity.

As a local government organisation, Surrey Heath Borough Council has aligned its pre-employment checks with HMG Baseline Personnel Security Standard (BPSS).

The process of recruitment involves considerable investment in time and money and it is important that it is effective and also fair to individuals.

Failure to follow the manager guidance notes will prejudice one or more of the objectives listed below and may lead to problems of poor employee relations or, in some cases lead to employment tribunal claims. Following the offer of employment, failure to successfully complete the appropriate pre-employment checks within a satisfactory time period or manner will automatically preclude employment.

Whilst these guidelines address a number of common and key issues, there will always be some matters which require further information and advice and in these cases you may contact Human Resources for further guidance.

### 2. Scope

The Recruitment Policy and associated guidelines are for use by recruiting managers when recruiting and selecting staff both internally and externally, as applicable.

In accordance with the HMG BPSS guidelines, all staff may be subject to BPSS-compliant pre-employment checks upon offer of employment to a position working directly for the Council or on its behalf. The level of checks completed will be determined by the role that is being recruited.

**Agency staff** will also be required to meet baseline security standards, but the responsibility for carrying out the relevant verifications falls on the direct employer, i.e. the agency. However, local security protocol dictates that identification and immigration documents should be verified again by Council staff prior to the start date. Human Resources will liaise with recruitment agencies to ensure that agency and Council verification responsibilities have been met.

This policy and procedure should be read in conjunction with the following documents:

- Offer Letter
- Statement of Terms and Conditions of Employment (individual)
- Information Security Policy

NB: This Policy and Procedure will not apply when appointing Chief Executives.

### 3. Policy Statement

The Council recognises the importance of following best practice at all stages of the recruitment process in order to secure the best results for recruitment of Council Officers.

### 4. Equality Assessment

As a local government organisation, Surrey Heath Borough Council takes its commitment to equality and diversity seriously and strives to promote equal opportunities throughout its recruitment process.

For front-line services in particular, creating a culturally and socially diverse workforce that reflects the diverse range of customers it serves and the community in which it is based would be particularly positive for those that interact with them.

The full BPSS Compliant Pre-Employment Checks will apply only to employees and workers whose role has been identified as necessary. However, exceptions will be risk-assessed on a case-by-case basis (and in line with the SHBC Equality Strategy) and may be granted in special circumstances. Such approval must be obtained from the appropriate parties.

### 5. Principle and Aims

- 5.1 To select the right people to provide quality services to residents of the Borough.
- 5.2 To manage the recruitment and selection process within an equal opportunities framework and ensure uniformity and consistency of approach across the Council.
- 5.3 To ensure that all appointments are made based on appropriate suitability and capability measures.
- 5.4 To present a positive image of the Council as an employer of choice.
- 5.5 To provide a fair and consistent vetting framework for prospective Council staff or affiliates.
- 5.6 To adhere to the relevant guidelines provided by HMG for undertaking of BPSS-compliant pre-employment checks.
- 5.7 To strive for best practice pre-employment procedures, with minimal disruption to the provision of service delivery.

### 6. Promoting Equality & Diversity in Recruitment and Selection

- 6.1 Employing a diverse workforce will send out a message that the Council is committed to equality in the workplace and is compliant with the Equality Act 2010.
- 6.2 The Council – and other public sector organisations in England, Scotland and Wales – have an **Equality Duty**; a legal requirement to work towards set aims. The Council is committed to promoting equality and diversity within all aspects of Council services and ~~working-working towards~~to:
  - Eliminateing unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010 (for more information about types of discrimination, see <https://www.gov.uk/discrimination-your-rights>).

- [Advancing](#) equality of opportunity between people who share a protected characteristic and those who do not.
  - ~~Foster~~[Fostering](#) good relations between people who share a protected characteristic and those who do not.
- 6.3** Recruiting managers have a responsibility to avoid any direct or indirect discrimination during the recruitment process.
- 6.4** All complaints or concerns relating to potential discriminatory treatment of candidates will be treated very seriously and will be investigated.

## 7. Approval to Hire

### 7.1 New Roles (or those changed by >33%)

**7.1.1** All new or significantly changed roles **must** be reviewed by a Job Evaluation Panel prior to approval to hire. Job Evaluation (JE) is carried out for all new jobs (where there are no comparative roles in the organisation already) and for jobs that have changed more than approximately 33%.

**7.1.2** To apply for a job evaluation please complete the [JE Application & Analysis proforma](#), referring to the [Factors and Notes for Guidance](#) where applicable. Attaching additional information, such as previous and new job descriptions/person specifications, organisation charts, etc. will all help to support an application. Once a grade for a job has been determined, the relevant line manager and post holder is advised by HR of the outcome. ~~All forms required for the Job Evaluation are available via the Council intranet.~~

### 7.2 Existing Roles (or those changed <33%)

**7.2.1** Requests for approval to hire may be submitted without the need for review by a Job Evaluation Panel.

### 7.3 Staffing Request

**7.3.1** Approval to hire may be [initially](#) granted by ~~the Executive Head~~[Strategic Director](#) or Head of Service following completion and authorisation of the [Staffing Request Form](#) (~~available on the intranet~~). This form should normally be completed by the relevant line manager requesting additional staffing, including details relating to budget allocation and savings (where appropriate).

**7.3.2** Following [additional approvals by HR, Finance and the Chief Executive](#), ~~the completed form should be~~ [is automatically](#) submitted to Human Resources, ~~along with~~ [the proposed Job Description, Person Specification and draft advert for the role should be sent to Human Resources](#) so that the recruitment process may be initiated. At this point Human Resources will ~~confirm whether a criminal record check is required for the role.~~ [A minimum of four days' notice is required in order for Human Resources to publish a job advert.](#)

**Fig. 7.1. Staffing Request Form**

CONFIDENTIAL

<b>REQUEST FOR: ADDITIONAL STAFFING</b>	
<b>Purpose:</b> Approval is requested to:	
<b>The reason being:</b>	

SUMMARY OF REQUEST

Financial Year:	Payment:	£	
	On-costs (29.1%):	£	
	TOTAL COSTS:	£	
Service Area:			
<b>Details of Expenditure (please include Post Title and Number ) :</b>			
Period of additional cover / expenditure:	<b>From:</b>	<b>To:</b>	
Benefits of Expenditure:			
How this will be funded:			
How will the vacancy margin be achieved:			



Staffing Resources Request	
Your name*	
Your email*	
Confirm Your email*	
Your manager's name*	
Your manager's email*	
Confirm Your manager's email*	
Which team needs your staff resource?	
Reason for this request*	

## 8. Job Descriptions

### 8.1 Purpose

Job descriptions are written statements of the primary tasks, functions, responsibilities and relationships of a role. Job descriptions are essential aids to recruitment, job evaluation, induction, performance management and staff development review processes.

#### 8.1.1 Job descriptions should:

- Provide a clear and concise description of the whole job so its purpose is clearly understood
- Describe each major task clearly in a separate sentence-(s)
- Describe how much direction and supervision is required to conduct the functions of the position and the interaction with other positions within the Council to achieve a given result
- Provide a context for understanding the objectives of the position by defining and clarifying its responsibilities, supervision and relationships

### 8.2 Structure and Style

Job [profiles descriptions](#) should be produced using the [standard template](#). -The [is](#) template is available on the [intranet](#) and may also be supplied [by](#) Human Resources.

### 8.3 Writing New Job [Profiles Descriptions](#)

If the role is completely new, recruiting managers will have to produce a new [job profile \(which incorporates the person specification and job description\)](#) to be used for the recruitment and selection process. **The [job profile job description](#) must be reviewed by a Job Evaluation Panel prior to recruitment.**

#### 8.3.1 Tips for writing new job descriptions:

- Use gender-neutral language.
- When listing tasks, state what the task is rather than how you expect the post-holder to carry out the task. Remember that job descriptions are summaries of key tasks and responsibilities, not exhaustive lists.
- Be concise and only include an appropriate amount of detail. A detailed job description can be inflexible to change and therefore too restrictive. Too little details, however, may be vague and misleading to candidates.
- Avoid naming computer systems as these may be rapidly replaced or outdated.
- Avoid unnecessary jargon that external candidates may not understand.
- Include a date at the end of your job description for future reference.

### 8.4 Reviewing Existing Job Descriptions

If you are advertising for an existing role, you should start by reviewing the related Job Description to check that it is still an accurate representation of the post. A copy of the current Job Description may be provided by Human Resources. Please include the date that you reviewed the job description at the bottom of the document.

## 9. Person Specifications

### 9.1 Purpose

The person specification is a description of the qualifications, skills, experience,



knowledge and other attributes (selection criteria) which are essential or desirable for a candidate to possess in order to perform the duties of the job.

**9.1.1** The specification should be derived from the job description and forms the foundation for the recruitment process and is a fundamental document upon which scoring at shortlisting and interview stages are based.

**9.1.2** The person specification should be used to inform the advert and interview process.

## **9.2 Devising Selection Criteria**

Selection criteria are statements that describe the qualifications, knowledge, skills, abilities and experience that are required in a job. They represent the essential (or in some cases, desirable) criteria that applicants will be expected to meet in order to be shortlisted for interview. The person specification should indicate which criteria are essential, so that potential applicants can self-evaluate their suitability for the role. The person specification also advises potential applicants at which point in the recruitment process they will be assessed on a particular criteria (e.g. application stage, interview stage).

**9.3** Selection criteria may include any of the following:

- Qualifications (specify type).
- Experience (specify type and level but NOT length).
- Knowledge (job specific knowledge, e.g. Health & Safety legislation).
- Skills (e.g. presentation skills, computer skills).
- Competencies (e.g. behaviours required in order to perform the role effectively – being proactive, being able to work independently with minimal supervision, etc.).

**9.4** In order to meet best practice requirements, selection criteria must be:

- **Specific**

This helps ensure that candidates understand the skills/qualifications and experience you are looking for and also consistency of selection decisions by shortlisting or interview panel members.

E.g. Rather than “good communication skills”, try to specify the nature and level of communication skills that the job requires.

- **Justifiable**

Selection criteria must be justifiable in relation to the job tasks and requirements. Non-justifiable criteria could be discriminatory and prevent suitable applicants applying for your position.

E.g. A requirement for an applicant for a general administrative role to hold a good degree will be unjustifiable.

- **Measurable**

When writing selection criteria, you need to consider how you are going to assess how each candidate measures against the criteria.

E.g. How would you assess the criteria “Committed to promoting equal opportunities”?

- **Non-Discriminatory**

Selection criteria must be fair, objective and directly relevant to the job requirements. Discriminatory language or statements concerning protected characteristics covered by the Equality Act 2010 must not be used (i.e. age, gender reassignment, marital status, sex, sexual orientation, disability, race, religion or belief and pregnancy/maternity).

E.g. A requirement that an applicant must be a 'native English speaker' is likely to be considered by an employment tribunal as discriminatory on the basis of nationality or race.

## **10. Advertisements**

### **10.1 Purpose**

Advertisements should be devised with the following aims in mind:

- To attract suitable candidates to apply for the position (and minimise unsuitable candidate applications).
- To market the benefits of working for the Council.

### **10.2 Duration**

Where possible, all vacancies should be advertised in accordance with the Council's recommended durations below:

- Internal – minimum of 1 week (7 calendar days).
- External – minimum of 2 weeks (14 calendar days).

**10.3** Where appropriate, internal and external adverts will be advertised simultaneously, but an offer of employment will not be made until all suitable internal candidates have been interviewed. If you wish to advertise a role internally and externally at the same time please discuss with Human Resources.

### **10.4 Advert Placement**

Human Resources have responsibility for placing both internal and external adverts. However, recruiting managers are responsible for producing the initial draft and for updating the relevant person specification and job description, which will be attached to the final advert. **Please read the Structure & Style and Avoiding Discrimination sections below before preparing your draft advert.**

**10.4.1** When planning your advertisement consider:

- The need to shortlist the applications shortly after the closing date.
- Interview date. It is helpful to notify candidates at advertising stage of the interview date if possible, to minimise the number of candidates withdrawing their application because they cannot attend the interview.

**10.5** The basic process for adverts is as follows:

#### **10.5.1 Internal Adverts**

Following final approval, internal adverts will be placed for a minimum of 7 calendar days both i) on the intranet -and ii) on the notice boards of Surrey Heath House. Adverts will also be distributed to managers of off-site locations to be advertised locally.

#### **10.5.2 External Adverts - Council Website**

— All external adverts will be ~~publically~~ publicly visible via the Council website, generally for

— a minimum of two weeks. The Council's advertising and recruitment process is administered via an online applicant tracking system (ATS), which is accessible to recruiting managers for the purposes of viewing the application data and online shortlisting. Instructions for using the ATS are available from Human Resources.

### 10.5.3 External Adverts – Other Websites

The Council's policy is to advertise on our website and Jobsgopublic first. However, if the first advert run is unsuccessful, or you are advertising for a specialist/technical role that may benefit from advertising on a particular professional website, please contact Human Resources who will obtain a quote for the placement and the relevant approvals.

### 10.6 Structure & Style

Ask Human Resources for an up-to-date internal/external advert template (for a new position) or a previous version of an advert for an existing role as a basis to work from.

10.7 The style of the advertisement should be appropriate to the nature of the position. Sentences should be short, clear and easy to understand. Paragraphs should be short and thereby easy to read.

10.8 There is a certain degree of flexibility with the structure and content of each advert as this will depend on the requirements of the role being advertised. **However, all adverts should contain the following:**

- One or two brief sentences which set the context of the role/department.
- One or two sentences highlighting the most attractive features of the position or highlighting key responsibilities, e.g. "You will play a key role in ..."
- A few sentences summarising the key selection criteria required for the role. This must directly relate to the person specification; **do not introduce new selection criteria for the role.**
- Information about how to apply for your vacancy and the closing date.
- Human Resources will add the following information: Salary, hours of work (weekly), type of contract, annual leave entitlement, position number and other relevant benefits.

### 10.9 Example Advert

The following fictional advertisement provides an illustration of the style, structure of a fictional advertisement for an administrative position.

Fig 10.1

## Parking Administrator

Parking Services  
Fixed Contract - Maternity Cover  
Internal secondment opportunity

Hours: 25 per week, Monday to Friday, 5 hours per day  
Salary Range: £23,577 - £27,696 (pro rata)  
Grade: SH04  
Post number: DAL042

We are looking for an enthusiastic and experienced administrator to work within our busy parking team.

This role will work closely with the Parking Services Manager providing administrative, financial and notice processing functions. This role will on occasion provide direct support to the Car Park team, covering the office in Main Square car park, full on-the-job training will be given.

This will be a varied and interesting role which will require excellent customer services and negotiation skills. As the appellant, you will be self-confident, have excellent ICT skills and a comprehensive knowledge of Microsoft software.

Knowledge of parking enforcement and the NVQ Level 3 Parking Notice Processing qualification are highly desirable.

Benefits include 24 days annual leave (pro rata), Local Government Pension Scheme, free parking and lifestyle rewards benefits.

For an informal chat about the position please call XXX on XXX.

Applications should be forwarded to [recruitment@surreyheath.gov.uk](mailto:recruitment@surreyheath.gov.uk) quoting the job title.

Closing date: Sunday 21<sup>st</sup> October 2018  
Interview Date: Monday 29<sup>th</sup> October 2018

*Surrey Heath Borough Council is committed to equality of opportunity in employment and service delivery and welcomes applications from all sectors of the community.*

### 10.10 Avoiding Discrimination

Ensure your advertisement does not potentially discriminate against candidates by avoiding direct or indirect discriminatory criteria.

For example:

- Do not state a minimum duration of experience
- Do not use unnecessary jargon or abbreviations that may not be understood by overseas candidates.
- Do use gender neutral language
- Do state that you will accept overseas qualifications in place of a UK qualification where appropriate (this will depend on the role)

10.11 When you have completed your draft advert, please email it to [human.resources@surreyheath.gov.uk](mailto:human.resources@surreyheath.gov.uk), where it will be actioned by a member of the Human Resources team within 4 working days.

## 11 Shortlisting

### 11.1 Purpose

Shortlisting reduces a larger list of applicants to a shorter list containing only the details of the individuals that meet a set of essential criteria.

### 11.2 Shortlisting Process

There are two elements to the Council's shortlisting process:

- i. The hard copy application shortlisting process – for internal applicants or external applicants that have not submitted online. Hard copy applications will be provided to the recruiting manager by Human Resources.
- ii. The online shortlisting process (for external applicants only – log on and follow the guidance notes available from Human Resources).

Fig 11.1 Essential Criteria for Shortlisting Form

## SHORTLISTING FORM

Appendix C

Post:

Post No:

Interview date(s):

Name of shortlisting officers:

Rating	Description
3	<b>Fully Met</b> - good response which demonstrates required skills and with a range of supporting evidence.
2	<b>Partially Met</b> - adequate response with minimal supporting evidence.
1	<b>Not Met / Partially Met</b> - weak response with little detail.
0	<b>Not Met</b> - fails to address criteria.
NT	<b>Not tested</b>

Candidate Name	Essential Criteria (refer to Person Specification)																	Selected for interview	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	TOTAL	YES (Y) NO (N)

### 11.3 Shortlisting Tips

Below are some general guidelines for shortlisting. Please note that the lists are not exhaustive and any specific queries may be directed to Human Resources.

#### DO

- **Have at least two members of staff on the shortlisting panel (gender balanced wherever possible).**  
Ideally, at least one member of staff should have attended a recruitment and selection course.
- **Ensure that all applications are treated confidentially.**  
The recruiting manager must ensure that applications are only circulated to those involved in the shortlisting process.
- **Assess each applicant objectively and consistently against the selection criteria listed in the person specification.**  
When shortlisting, assess each candidate in turn against the essential criteria, and then any desirable criteria, giving a score for each criteria.
- **Decide which criteria you will be using for shortlisting before you begin and the types of evidence that you will be looking for.**  
Some criteria may only be suitable for assessing at interview or test stage.
- **Ensure that the scoring for your candidates is consistent and fair.**  
Your shortlisted candidates should be those who scored the highest; do not shortlist someone who scores lower than other non-shortlisted candidates and/or does not meet the essential criteria.
- **Ensure that all the shortlisted candidates fully meet the essential criteria.**  
Normally all candidates who meet the essential criteria should be shortlisted unless there are too many to be interviewed. In such cases, you should shortlist the candidates who score the highest when assessed against the selection criteria.

#### DO NOT

- **Score every essential criteria listed on the person specification.**  
Some criteria will not be measurable at the application stage. Take note of which criteria have been listed on the criteria as available for scoring at the application stage and select the most appropriate of these criteria to produce your final shortlisting scores. However, where possible please keep the number of criteria to a minimum of ten.
- **Score entire sections of the person specification.**

The individual criteria have been specially selected to reflect the personal attributes required for the role. By scoring sections instead of individual criteria the shortlisting score will be taking account of non-essential criteria and will therefore be less consistent and reflective of whether the candidate meets the minimum criteria for interview.

- **Introduce new criteria not listed on the original person specification.**  
This would be inappropriate as applicants would not have had the opportunity to self-evaluate against this criterion before applying.
- **Make assumptions about a candidate's skills, experience or qualifications.**  
Do not take candidate assertions for granted but rather look for evidence that backs up any claims. If candidates have not provided any demonstrable evidence, ensure that they are scored accordingly.

#### 11.4 Avoiding Discrimination

When shortlisting, take care to be objective and base your selection decisions solely on the selection criteria on the person specification. In some cases, failure to avoid discrimination may be unlawful.

Examples to consider are:

- **It is the Council's policy to interview any disabled candidates that meet the minimum requirements for a role.** Where an applicant has stated that they have a **disability or specific impairment**, do not assume that they will not be able to undertake the duties of the role. Special adaptive equipment, changing working patterns and other reasonable adjustments will frequently enable disabled candidates to carry out full duties of a particular position.
- **Poor handwriting or spelling mistakes** in an application form may be the result of a disability such as dyslexia, or due to English not being the applicants first language. Discriminating on these grounds would be unlawful unless the person [specification](#) listed a high standard of written English as an essential criterion.
- **Periods of inactivity between work or study** [are acceptable and](#) may be directly linked to a disability or if they have not been employed for a long period, this could be the result of a career break or a period of absence due to a health condition or disability. [Discriminating](#) on these grounds would be unlawful [but you can enquire the nature of any long breaks](#). Any discussions regarding fitness for work should be undertaken by Human Resources, not by the recruiting manager.

## 12 Selection Measures

### 12.1 Purpose

Selection measures must only be used if they effectively measure abilities or skills that are relevant to the job and selection criteria (person specification). If you are considering using a selection test or measure, you will need to analyse the Job Description and Person Specification to determine what type of measure would be most appropriate, possibly in consultation with colleagues, the former post-holder or Human Resources.

- 12.2 Certain types of skills (such as IT skills) can be more readily measured by tasks than by interview – it is in these cases that selection measures would be most appropriate.

### 12.3 Types of Selection Measures

Effective selection measures aim to replicate actual job tasks or situations to assess if the candidate has the skills, experience or qualifications to carry out the work. They may also provide the candidate with an idea of the type of task they will be expected to carry out as part of the role.

#### 12.3.1 Possible selection measures include:

- Prioritisation or 'in-tray' exercises which ask candidates to prioritise a list of tasks (which would be actual/similar tasks required for the post) and explain why they would carry out tasks in a specific order
- Drafting a report, letter, memo or briefing
- Correcting a document to check proof-reading and attention to detail
- Computer based tasks – which could range from technical tests for IT staff to tests for administrative staff in using specific computer packages required by the role
- [Typing test or audio-typing tasks](#)
- Numerical tasks
- Presentations

### 12.4 Psychometric Questionnaires

Where appropriate, the Council may choose to utilise psychometric questionnaires to provide information on applicant skills or key behaviours that may not be easily measured by alternative means.

The information obtained from these questionnaires is intended only to compliment other competency measures and the results should never form the basis for a decision not to recruit.

**N.B. Psychometric questionnaires must be administered only by trained Administrators. Any managers wishing to utilise this service must contact Human Resources for guidance.**

### 12.5 Selection Measure Validation

Selection exercises should normally be validated before being used in the selection process.

**12.5.1** Validation involves asking a colleague (preferably someone who has carried out the role) to perform a 'dry run' of the test under the proposed conditions, then obtaining feedback from them regarding the process. Validation is particularly important for testing proposed time-limits.

**12.5.2** Validation will also help ensure that tests do not discriminate against one particular group and ensure that the test is relevant to the selection criteria and role.

### 12.6 Reasonable Adjustments

Remember, it is the employer's responsibility to ensure that selection measures do not discriminate against disabled candidates and offer reasonable adjustments where appropriate, such as additional time to complete a task or permitting a reader or scribe to assist the candidate with the exercise. Adjustments may also need to be made for candidates for whom English is not a first language.

## 12.7 Selection Measure Preparation

You must ensure that all candidates are given the same (clear) instructions, equipment (pens, paper, calculator, PC) and conditions to carry out the test – including the same time to complete it. If possible, book a quiet office or room for the test. When carrying out computer-based tasks, you will need to make arrangements to ensure that candidates cannot access previous candidates' task responses or confidential data. [Reasonable adjustments must be considered where applicable as detailed in 12.6](#)

**12.7.1** Ensure that you provide Human Resources with any details of the selection measure that may need to be communicated to the candidate in advance, e.g. type of task, duration, whether it is computer-based. Most tasks will be 'blind' (i.e. the candidates will not have prior knowledge of the questions) except in cases where candidates are asked to prepare a presentation for use during the interview.

## 12.8 Selection Measure Results

The results of selection measures must be reviewed fairly and objectively and the method of scoring should be determined in advance. You will need to consider how the test results will be considered or weighted with interview outcomes when making the selection decision. Using a scoring system for both interview and test results can help facilitate this.

**12.9** Selection measure results and scores must be returned to Human Resources with all other recruitment documents.

## 13 Interviews

**Guidance and training is available to assist with the interview process, please contact Human Resources for further information.**

### 13.1 Purpose

Selection interviews should be designed to build upon the information already provided by the candidate in their application, to determine their suitability for a particular role by assessing each applicant's role-relevant skills, experience and knowledge. Interviews also give the candidate an opportunity to find [out](#) more information about working for the Council and the services that it provides to the local community and beyond.

### 13.2 Interview Panel

Ideally, the interview panel should include the same staff members that were involved in the shortlisting of the candidates. However, if this is not possible, please be sure that all members of the interview panel are the same when conducting interviews.

**13.2.1** In the event of a manager requiring extra support during the interview process it is acceptable for a more experienced manager or a member of the Human Resources team to sit in on the interviews. Similarly, this would be appropriate for situations that may pose a potential conflict of interest to the recruiting manager or where the manager feels it would be appropriate to have a neutral member of staff on the panel.



### **13.3 Interview Preparation**

Where possible, interview dates and panel composition should be determined before the post is advertised. This will help ensure that the most appropriate panel members are available and give candidates sufficient warning of the interview date.

**13.4** A core set of interview questions should be prepared which should be asked of all candidates. However, candidates can be questioned further on an individual basis in relation to their responses to these key questions.

**13.5** Human Resources will prepare and distribute interview packs prior to the interview date. If you require the pack by a specific date due to absence or annual leave, please inform Human Resources in advance so that your request may be accommodated.

**13.6** Interviewers should familiarise themselves with candidate's application forms, the job description and the person specification for the role.

### **13.7 Candidates with Disabilities**

All candidates are asked in their interview invitation (sent out by Human Resources) if they require any special arrangements in order to attend the interview. If any such adjustments are required for disabled candidates, the Human Resources team will notify the interview panel of any special arrangements in advance.

**13.8** If you are interviewing a candidate with a disability or health condition, it is important that:

- You do not make assumptions about their disability and how it may impact on their ability to carry out the job.
- You ask the disabled candidate the same key questions that you ask of all other candidates. Any questions about the candidate's disability should only relate to their ability to do the job and to identify any reasonable adjustments which will enable them to perform the role.
- Your selection decision is based on the applicant's capability after the reasonable adjustments have been made.
- You do not use a candidate's disability as a reason for not selecting them; this will be regarded as unlawful discrimination under the Equality Act 2010.

### **13.9 Interview Record & Notes**

All members of the panel must take notes during each interview, which should be used as the basis for the selection decision.

**13.9.1** Following the interview, managers must ensure that all interview notes are collated and returned to Human Resources for filing/appropriate disposal.

**13.9.2** Under the Data Protection Policy candidates have a right to access data we hold about them including interview notes, which may also be used as the basis for feedback and to help defend selection decisions if unsuccessful candidates make discrimination claims.

## **14 Interview Questions**

### **14.1 Purpose**

Interview questions and selection tests should also derive from the person

specification and be designed to elicit more evidence on candidates against the criteria. A number of core interview questions should be asked of all candidates – although probing follow up questions may need to be asked of each candidate to elicit more information as appropriate.

- 14.2** A structured interview that used the same questions based on the selection criteria for every candidate will help ensure consistency of process – i.e. that candidates are assessed fairly and only against the selection criteria – in addition to help defending discrimination claims from unsuccessful applicants.

### **14.3 Types of Interview Questions**

- **Open questions**  
Open questions encourage candidates to talk and therefore are a useful way of commencing interviews.  
E.g. Please tell me how your experience makes you suitable for this job?
- **Probing questions**  
These will often be unplanned due to their nature. Use probing questions as a follow on from other questions to elicit more information if you think the full facts have not been disclosed.  
E.g. What exactly was your role in the project?
- **Closed questions**  
Closed questions should be used to clarify facts and are designed to elicit a brief response, often a yes or no answer or a simple fact.  
E.g. How many staff did you manage?
- **Critical incident questions**  
Focus on past experience in order to assess how candidates will deal with future events. [Such questions](#) can provide useful information on the nature of candidates' experience and how they have dealt with incidents in the past.  
E.g. Please describe an occasion where you have had to negotiate with others to reach a successful outcome?

### **14.4 Questions to Avoid**

- **Discriminatory questions**  
You should not ask any questions which could discriminate against candidates on the basis of age, marital status, gender/sex, race/nationality, disability, sexual orientation or religion/belief.  
E.g. Who will look after the children while you are at work?
- **Hypothetical questions**  
Hypothetical questions lead to hypothetical answers and may not reflect how a candidate will behave in reality. It is better to focus a question on a past incident rather than a fictional one; this will be a better predictor of how an applicant is likely to perform in future.  
E.g. How would you deal with an unhappy client?
- **Multiple questions**  
Multiple questions often confuse candidates and are likely to be only partially answered. It is better to answer a series of single questions rather than multiple questions posed simultaneously.  
E.g. Can you tell me about your experience of staff management including if you have had any responsibility for staff appraisal and whether you have ever had to take formal disciplinary action against staff, and if so, why?
- **Leading questions**

Leading questions encourage candidates to answer in a specific way, and the answer is normally a foregone conclusion.

E.g. This job involves working to deadlines – are you able to do this?

#### 14.5 Keeping control

Some candidates can give verbose answers and you may need to politely refocus the candidates to move onto other areas.

E.g. Thank you, I have a good idea of your experience ~~on~~regarding this; could you now tell me about .....

14.5.1 Playback questions can be useful in checking you have understood a candidate's answer correctly and summarising their response for notes and to enable you to move onto the next question.

E.g. As I understand it, you have had experience of staff management including recruiting and appraising staff but have no experience of managing poor performance. Have I got this right?

#### 14.6 Closing the interview

You may find it useful to close the questions by checking if there is any information the candidate thinks is relevant that has not been explored yet.

E.g. Is there anything else about your experience that has not been raised yet in this interview, but which you think is relevant for the post?

14.7 If the post involves weekend working, shift working or unsocial hours, you should explain this to all candidates at the end of the interview and ask them if this would be a problem.

14.8 You should give candidates the opportunity to ask questions about the role at the very end of the interview.

14.9 It is good practice to let the candidates know how and when they will be told the outcome of the interview.

### 15 Feedback

#### 15.1 Purpose

Feedback is very helpful for both internal and external candidates:

- **Internal candidates** – assisting them to understand why they may have been unsuccessful, focusing them on how to improve any future applications and identifying any training needs to support their future development.
- **External candidates** – wish to find out the reasons for their non-appointment and ways in which they could improve any future applications.

#### 15.2 Composing Feedback

Human Resources will generally take responsibility for contacting candidates following the shortlisting or interview stages to advise candidates of their success.

However, all candidates are entitled to request feedback regarding their performance [from the Recruiting Manager](#).

Please contact Human Resources in this instance for further information.

### **15.3 Data Protection**

Under the Data Protection Policy, candidates have a right to access data we hold about them including interview notes, which may also be used as the basis for feedback and to help defend selection decisions if unsuccessful candidates make discrimination claims.

## 16 Interview Decision & Offer of Employment

### 16.1 Interview Decisions

All interview decision criteria should be entered on the **Interview Panel Decision Form**, including all scores and comments pertinent to the decision making process.

**Fig 16.1. Interview Panel Decision Form**

**INTERVIEW PANEL DECISION FORM**

<b>Vacancy:</b>  <b>Panel Members:</b> 1. (Chair) 2. 3. <b>Date:</b>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Rating</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">3</td> <td><b>Fully Met</b> - provides wide range of examples that demonstrate skills, experience and high level of understanding.</td> </tr> <tr> <td style="text-align: center;">2</td> <td><b>Partially Met</b> - good overall response demonstrating required skills but limited range of examples.</td> </tr> <tr> <td style="text-align: center;">1</td> <td><b>Not/Partially Met</b> - adequate response with minimal supporting evidence.</td> </tr> <tr> <td style="text-align: center;">0</td> <td><b>Not Met</b> - weak response with little or no detail.</td> </tr> <tr> <td style="text-align: center;">NT</td> <td><b>Not tested.</b></td> </tr> </tbody> </table>	Rating	Description	3	<b>Fully Met</b> - provides wide range of examples that demonstrate skills, experience and high level of understanding.	2	<b>Partially Met</b> - good overall response demonstrating required skills but limited range of examples.	1	<b>Not/Partially Met</b> - adequate response with minimal supporting evidence.	0	<b>Not Met</b> - weak response with little or no detail.	NT	<b>Not tested.</b>
Rating	Description												
3	<b>Fully Met</b> - provides wide range of examples that demonstrate skills, experience and high level of understanding.												
2	<b>Partially Met</b> - good overall response demonstrating required skills but limited range of examples.												
1	<b>Not/Partially Met</b> - adequate response with minimal supporting evidence.												
0	<b>Not Met</b> - weak response with little or no detail.												
NT	<b>Not tested.</b>												

This form is to be used for recording the Panel's selection discussion and final decision. The information recorded here may be used for providing feedback to candidates (where requested). It is the responsibility of the Chair to complete the form, although decisions made are the responsibility of the Panel.

Candidates Name:	TOTAL																	
Person Specification Criteria																		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
Comments:																		

**16.2** Interview decisions should be based on the merits of the individual candidates according to their shortlisting, task and interview scores.

**16.3** Unless there are exceptional circumstances, the employment offers should always be offered to the highest scoring candidate (and if the offer is declined, the next highest scoring candidate, etc.). Any issues relating to the suitability of a candidate for a role should be reflected in their scores. If this is not the case, recruiting managers should discuss their concerns with Human Resources.

**16.4 Do not offer a role to any candidate without discussing the outcome of your selection process with Human Resources first.**

**16.5** However, following discussion with Human Resources a recruiting manager may contact a successful candidate by telephone to discuss an offer of employment.

**16.6** Only staff from Human Resources are authorised to make formal written offers of employment to salaried staff. Therefore, all recruiting managers need to be extremely careful when communicating with successful candidates. If you are in any doubt regarding the correct process for discussing a job offer with a candidate, contact Human Resources for guidance.

### 16.7 Making a Verbal Job Offer

You should inform the successful candidate that:

- They are the preferred candidate following interview

- All offers of employment are subject to the satisfactory completion of the Council's pre-employment checks (further details of which will be included in their offer letter).
- That Human Resources will contact them to confirm the offer of employment once a starting salary has been agreed.

**DO NOT:**

- Make an unconditional offer of employment which is not subject to satisfactory references or eligibility to work in the UK.
- Discuss or negotiate contractual terms and conditions other than salary expectations.

**17 Post-Offer Recruitment Process**

For details of the post-offer recruitment process, see the **BPSS-Compliant Recruitment Policy and Procedure**.

## BPSS Compliant Pre-employment Checks

### 18 Background & Process

- 18.1 For recruitment purposes, local authorities are ~~now~~ required to complete mandatory pre-employment security checks in accordance with HMG advised Baseline Personnel Security Standard (BPSS) prior to start date. Checks 1 – 3 apply to all staff and check 4 applies to roles identified as requiring a criminal record check.
- 18.2 Please refer to Appendix 2 & 3; Recruitment Process Flowchart & BPSS Pre-employment Check Procedure Flowchart for further information.
- 18.3 The pre-employment checks include:
- i) identify verification.
  - ii) immigration status verification.
  - iii) reference check (covering 3 years occupational history).
  - iv) criminal record check (where appropriate).
- 18.4 Throughout the recruitment process, prospective employees are expected to assist the Council in the completion of all checks described above by prompt provision of relevant documents and information where requested.
- 18.5 Failure to successfully complete the appropriate pre-employment checks within a satisfactory time period or manner will automatically preclude employment. The council reserves the right to withdraw an offer of employment where the baseline security requirements have not been met.
- 18.6 As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, Surrey Heath Borough Council complies fully with the relevant codes of practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.
- 18.7 The policies and procedures outlined in this document will continue to be reviewed on a regular basis and will be subject to amendment in line with changes in the law or HMG guidance.

### 19 Identity & Immigration Status Verification

- 19.1 Identity and eligibility to work in the UK must be verified before any individual can begin their employment. Identity can be verified by physically checking a range of appropriate documentation (e.g. passport or other photo ID together with utility bills, bank statements, etc).
- 19.2 **Under no circumstances** should an employee begin working for the Council prior to presentation and verification of **original** documents\* proving the immigration status

of an individual and their right to work in the UK. [\\*Between 30 March 2020 and 5 April 2022, Covid 19 adjusted measures are in place which means checks can take place upon submission of scanned identification documents.](#) See **guidance notes** for further instructions regarding document checking and verification.

- 19.3 Personal identity and immigration documents should only be checked and verified by trained, authorised staff.
- 19.4 For the purposes of recruitment, the Council generally adheres to the document requirements set for Disclosure and Barring Service (DBS) applications.
- 19.5 **For roles that do not require any criminal record check the DBS documentation requirements are set as a baseline standard that applicants are expected to meet if possible.** In the event that an applicant is unable to meet the document requirement for any of the routes described by the DBS document checking guidance notes, the applicant's details may be submitted to Human Resources for risk assessment.
- 19.6 In order to avoid incurring a penalty under The Immigration Act 2016, the Council must adhere to set procedures including:
  - 19.6.1 To take all reasonable steps to check the validity of immigration documents. Proof of this verification process must be documented.
  - 19.6.2 To ensure that staff will not be penalised for not identifying counterfeit or fraudulent documents, but **must** ensure all reasonable steps are taken to check the validity of such documents.
- 19.7 Checks relating to prospective employee's eligibility to work in the UK must be applied evenly in accordance with the Council's obligations under the Equality Act 2010.
- 19.8 New employees will also be required to complete a **Nationality/Immigration Status Declaration Form** as part of their new starter paperwork. However, self-declaration is merely a further check in the immigration status verification process and should never replace checking original documents.

**Fig 19.1 Nationality/Immigration Status Declaration Form**

NATIONALITY/IMMIGRATION STATUS DECLARATION FORM			
<p><b>Important:</b> This form contains 'personal' data as defined by the Data Protection Act 1998 and will be processed accordingly. This data is supplied solely for the purpose of a check against the UK's immigration and nationality records in accordance with BPSS guidelines.</p> <p>By signing the declaration on this form, you are explicitly consenting for the data you provide to be processed in the manner described above. If you have any concerns about any of the questions or what we will do with the information you provide, please contact Human Resources immediately for further information.</p>			
PERSONAL DETAILS			
SURNAME:		FORENAME(S):	
MAIDEN SURNAME:		PREFERRED NAME:	
ALIAS(ES)/OTHER NAMES:			
TITLE (MR, MRS, MISS):		DATE OF BIRTH:	
HOME TELEPHONE:		MOBILE TELEPHONE:	
NATIONALITY DETAILS			
<p>In the context of the questions below, Nationality refers to the political nation or group of nations to which you belong, i.e. the nation responsible for issuing your passport.</p>			
NATIONALITY AT BIRTH:			
PRESENT NATIONALITY:			
Please provide an original copy of your passport (if you have not already done so)			
Have you ever possessed any other nationality or citizenship that is not declared above?		YES/NO	If yes, please provide details:



## **19.9 N.B. NINO Confirmations**

National Insurance numbers are **not proof of identification or immigration status** and fraudulent numbers may be acquired more easily than other document types. The Council will accept related letters and payslips as proof of NI number for payroll purposes, or proof of address only.

## **20 Employment History/Occupational status Verification**

**20.1** Surrey Heath Borough Council has adopted a referencing policy in line with the HMG advised BPSS best practice guidance for employment/occupational history verification. Prospective employees are required to provide a full, unbroken employment/occupational history for the last 3 years to date at the point of application. This account will be verified at the offer stage as part of the BPSS-compliant pre-employment checks.

**20.2** For prospective employees with only one employer during the 3 years preceding offer, the verification process is straightforward (minimum requirement: one reference from the employer cover the 3 year period only).

**20.3** However for those that have had multiple roles, have had period of unemployment (greater than 3 months) or periods of over 3 months spent abroad, the verification process may cause significant delay to the start date of the individual. All employment gaps longer than 3 months should be investigated.

**20.4** Where possible, employment references should be received on headed paper/from a valid company account and include the start and end date of each period of employment and job title. Ideally, the reference should confirm that the individual's business was properly conducted and was terminated satisfactorily. However, many organisations are now choosing to provide only basic references -so the latter may prove problematic. Employment references should be sought from impartial sources (Human Resources, management) not from colleagues or family friends except for the purposes of supporting other documentation.

**20.5** In the absence of impartial, direct referencing it is acceptable to approach personal references or to seek verification via indirect sources, e.g. the provision of documents confirming receipt of benefits, a 'To Whom it May Concern' letter confirming employment dates on headed paper that is not addressed directly to the Council or medical documents confirming periods of incapacity.

**20.6** Personal references should be individuals that have known the prospective employee personally for over 5 years and are willing to endorse the good character of the individual in question.

**20.7** All documentation must match the declared employment/occupational history (allowing for a reasonable margin of error). In the event of significant or numerous inconsistencies please contact Human Resources.

## **21 Incomplete employment history/occupational history**

**21.1** While an incomplete employment/occupational history will not necessarily preclude employment, it is the Council's responsibility to – as far as possible – ensure that prospective employees are not concealing inappropriate associations

or gaps and to verify employment history that has been provided.

- 21.2** In the event of unverifiable employment/occupational gaps in the individual's history greater than 3 months, prospective employees will be required to complete and sign an **OCCUPATIONAL STATUS DECLARATION FORM (GAPS IN EMPLOYMENT)**. This serves as a record of their self-verification and summary for reference in the event of risk assessment by the Human Resources.

**Fig 21.1 Occupational Status Declaration**

OCCUPATIONAL STATUS DECLARATION (Gaps in Employment)			
<p><b>Important:</b> This form contains 'personal' data as defined by the Data Protection Act 1998 and will be processed accordingly. This data is supplied solely for the purpose to check against your employment records in accordance with BPSS guidelines.</p> <p>By signing the declaration on this form, you are explicitly consenting for the data you provide to be processed in the manner described above. If you have any concerns, about any of the questions or what we will do with the information you provide, please contact Human Resources immediately for further information.</p>			
Name Details			
Surname:		Forename(s):	
Maiden Surname:		Preferred Name:	
<i>(please provide an original copy of the certificate, e.g. Deed Poll or Marriage)</i>			
Title:		<i>(eg: Mr, Mrs, Miss, Ms, Dr)</i>	
Date of Birth:			
Home Tel No:		Mobile Tel No:	
Occupational Status Details			
<p>BPSS guidelines require that appropriate measures should be undertaken to establish an <b>unbroken</b> occupational history for a minimum of 3 years prior to the offer date.</p> <p>Please complete the table below with details. Where possible, please submit documentation or evidence to support your claim. If you are unable to provide evidence for your occupational status during the period stated please indicate this in the box provided.</p>			
Occupational History			
Status	Dates	Supporting Documents?	Details of Evidence
		YES / NO	
		YES / NO	

## 22 Criminal Record Checks

- 22.1** In accordance with HMG BPSS requirements, staff must undergo a criminal record check if they are in a role where this has been identified as necessary.
- 22.2** Roles identified as requiring a criminal record check fall under a 2-tier clearance model:
- Tier 2: Standard Disclosure – unspent and spent convictions only.  
 Tier 1: Enhance Disclosure – unspent, spent and any information relevant to role.
- 22.3** Currently, Tier 1 and 2 clearances are requested directly from the Disclosure & Barring Service (DBS) – the replacement for the Criminal Records Bureau (CRB).  
 ———Surrey Heath Borough Council use an umbrella body (~~Babcock International~~ Strictly Education 4S Ltd)  
 ———to submit DBS Checks.

## 23 Application procedure for Tier 1 and 2 Disclosures

- 23.1 Disclosure and Barring Service (DBS) Checks – formerly CRB checks.**  
 Individuals working in eligible roles will be sent a link to the DBS application form and related guidance notes to assist completion of the form. Once this is complete, the relevant supporting documentation should be provided to Human Resources. As a Registered Body, Surrey Heath Borough Council complies with the DBS Code of

Practice and has written policies on the recruitment of ex-offenders and the handling Of Disclosure information. Copies of these documents are available from Human Resources on request. A criminal record is not necessarily a bar to employment. Once you receive your DBS certificate this is your information which we require to see as part of this recruitment process. Upon sight of the certificate we will note on our electronic Human Resources Information System (HRIS) the certificate number, type of certificate and issue date, ~~not no~~ copies of the actual certificate are kept on record.

## 24 Selecting an appropriate disclosure level for the role

The table below provides further information relating to the application of each tier of disclosure to the workforce. Use this guide, but any specific queries may be directed to Human Resources.

**Table 24.1 Disclosure Levels – Tier 1-2**

<b>TIER 1</b>	<p><b>Enhanced DBS Check</b> <span style="float: right;"><b>Average Timescale: 4 weeks</b></span></p> <p><i>Roles that involve regular interaction with ‘at risk’ groups, such as children or vulnerable adults (or both), in order to undertake their normal duties. This includes the same as the standard check plus any additional information held by local police that’s reasonably considered relevant to the workforce being applied for (adult, child or ‘other’ workforce). ‘Other’ workforce means those who don’t work with children or adults specifically, but potentially both e.g. taxi drivers. In this case, the police will only release information that’s relevant to the post being applied for.</i></p>
<b>TIER 2</b>	<p><b>Standard DBS Check</b> <span style="float: right;"><b>Average Timescale: 4 weeks</b></span></p> <p><i>Roles where the employee may be required to interact with vulnerable groups as part of their role either as undertaken by daily duties or exceptional circumstances. Generally public-focused roles, e.g. Car Parks.</i></p> <p><i>Roles where the employee has responsibility for a workforce that undertakes public-focused duties that may expose them to such interactions.</i></p> <p><i>This will check for spend and unspent convictions, cautions, reprimands and final warnings.</i></p>

## 25 Local Government Continuous Service

**25.1** In-keeping with the provisions of The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999, Surrey Heath Borough Council will recognise continuous employment carried over from another Authority as equivalent to employment at Surrey Heath Borough Council for the purposes of pre-employment verifications.

## 26 Medical Clearance

**26.1** Medical endorsement of fitness is not required for BPSS purposes, but it forms part of the Council’s mandatory pre-employment checks. The questionnaire is distributed by a third party (Team Prevent) and reviewed by an independent medical professional.

**26.2** Where appropriate, Team Prevent will issue a report to Human Resources detailing any specific medical conditions that may require adjustments at work. Human Resources will schedule a meeting with the affected employee to discuss the adjustments. Any relevant information will be disseminated to the manager following the meeting if appropriate.

## **27 Successful Clearance**

**27.1** The pre-employment check process may be considered complete when:

- i) Original identity and immigration documents have been seen, copied and verified. Qualification and address details have been seen, copied and verified.
- ii) Medical report has been received and individuals have been determined to be FIT for role or special working arrangements have been agreed and emplaced.
- iii) Employment/occupational history for at least 3 years has been verified, or unverifiable gaps declared by the individual on the correct form.
- iv) Original disclosure certificate appropriate to role has been presented to and checked by Human Resources. Certificate number and expiry date must be recorded electronically as a copy of the certificate may not be kept on file as the individual owns this information.

## **28 Induction**

**28.1** All inductions should be carried out on the first day of service by Human Resources, unless agreed otherwise.

**28.2** There are a number of mandatory induction processes and forms that must be completed at this stage. These will vary according to the individual's i) job role, ii) working location and iii) contract type. It is essential that any representative carrying out the induction on behalf of Human Resources must be clear as to which apply in each case, thus ensuring compliance to the Council's statutory duties.

# APPENDIX 1

## Document Checking & Verification Procedure

FOR MANAGER INFORMATION ONLY:

Checks should only be undertaken by Human Resources unless explicit permission has been granted for other staff members to complete them.

**Under no circumstances** should an employee begin working for Council prior to presentation and verification of **original** documents\* proving the immigration status of an individual and their right to work in the UK. [\\*Between 30 March 2020 and 5 April 2022, Covid 19 adjusted measures are in place which means checks can take place upon submission of scanned identification documents.](#)

Personal identity and immigration documents should only be checked and verified by trained, authorised staff.

### Procedure

#### 1. Visual Check of the document

The table below provides very basic instructions for checking and verification of identity and immigration documents.

This is not an exhaustive guide and please do not hesitate to contact Human Resources if you have any queries relating to document verification or immigration.

#### 2. Photocopy document

Copy the document as per the guidance in the table, or for other documents copy all pages that contain information relating to the identity or immigration status – e.g. for a utility bill, you want to copy information confirming the name and address of the individual but not how much they owe on their account!

#### 3. Verify Copies

All checked/verified documents must be dated and signed by the authorised staff member undertaking the check. By signing the document, you are confirming that you believe the original has been presented to you at that time. While you are not personally responsible for identifying counterfeit documents, a false declaration (e.g. verifying a document for which you have not seen the original) may result in disciplinary action or legal consequences.

### Feeling unsure ...?

If you do not feel confident that the documents you are checking are authentic or correct, please copy the document and [contact Human Resources immediately.](#)

You are not required to endorse a document that you do not believe to be genuine and you should not advise the individual that you believe their document to be invalid without sufficient evidence.

In the event of a document query, Human Resources may seek further advice or expertise from other departments or government services.

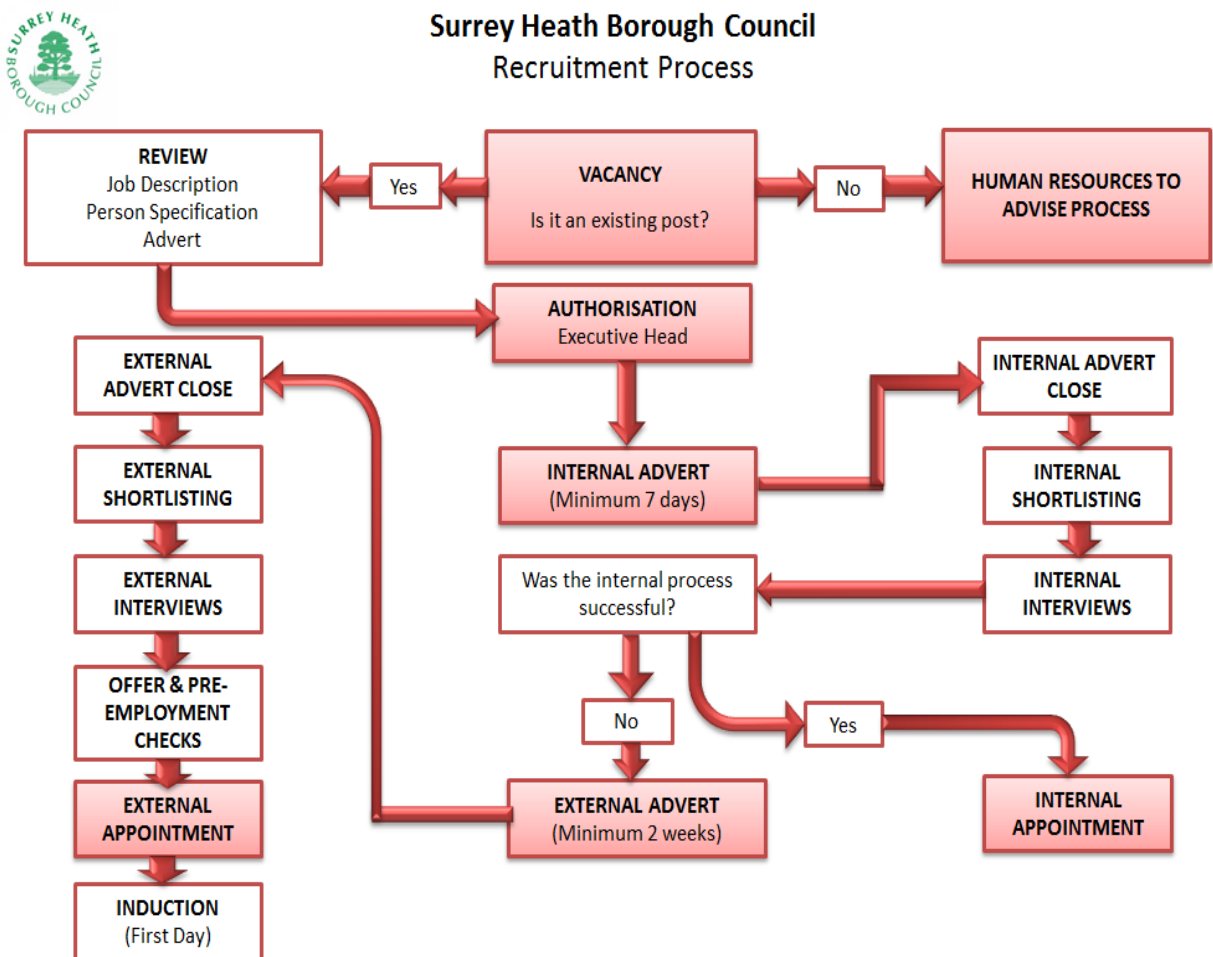
**Table: Basic Document Checks (Identity/Immigration)**

<b>Document - ORIGINAL COPY</b>	<b>Check</b>	<b>Photocopy</b>
<b>Passport UK &amp; EU</b>	Details page states PASSPORT <u>not</u> TRAVEL DOCUMENT Front page states European Union Expiry date Nationality (Citizen <u>not</u> resident) Name, Date of birth vs other documents Some pages react to UV light	Front cover, pages confirming right to work in the UK, plus pages including nationality details, photograph, date of expiry, name/signature.
<b>Passport Non-EU</b>	Refer to HR for verification	Front cover, pages confirming right to work in the UK, plus pages including nationality details, photograph, date of expiry, name/signature.
<b>Birth Certificate (UK)</b>	Date of issue - if not issued in year of birth, may not be used as primary ID Before April 1969 = landscape, after April 1969 = portrait Watermarked but do not react to UV light Name, date of birth vs other documents May be handwritten, typed or computer generated.	All pages
<b>Certificate of Naturalisation</b>	States British Nationality Act 1981 Date of issue - does this fall before issue date of passport/immigration docs? Name, date of birth vs other documents	All pages
<del>Birth Certificate</del> <b>Birth Certificate Non-EU</b>	Refer to HR for verification	All pages
<b>Driving Licence (UK/ Channel Islands/ EU only)</b>	Check country of issue Photocard or paper version (if issued before 1998).	All pages

	<p>Expiry date - photocard only</p> <p>Security features - photocard only, <a href="#">eg-e.g. Holographics</a>, image under photo shows expiry date when tilted (pre-2014 issue)</p> <p>Endorsements - are they relevant to role?</p> <p>Name, date of birth vs other documents</p> <p>Address - £1000 fine if not current</p>	
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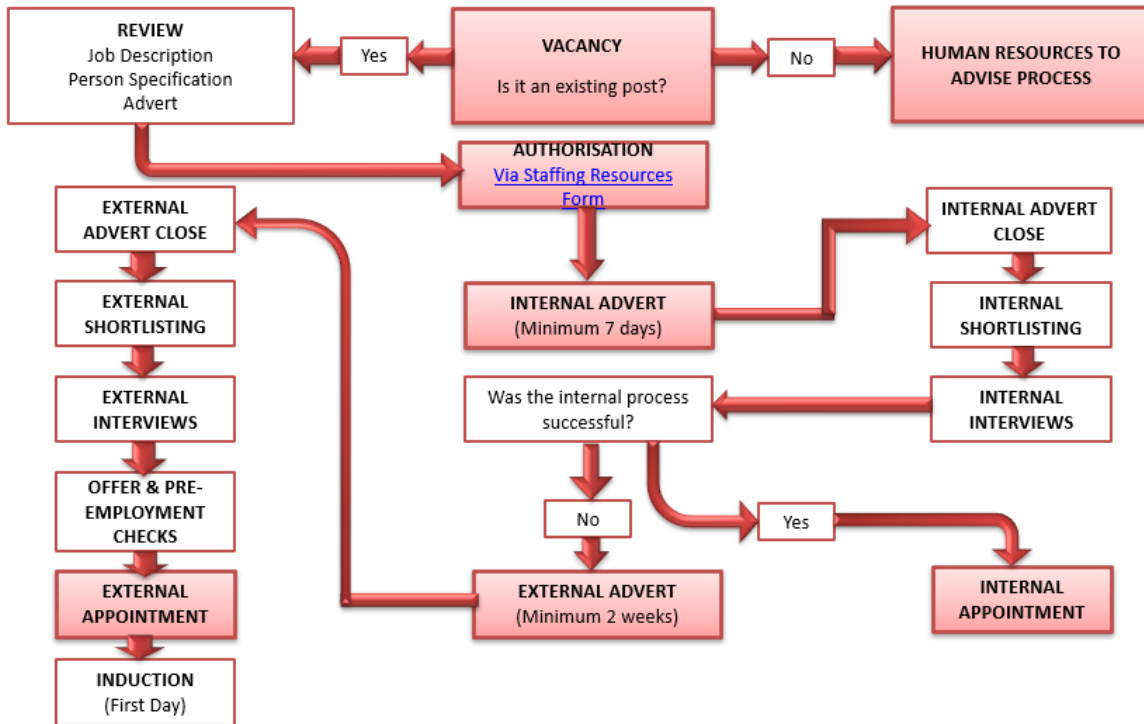
**Gov.uk guidance on document checking:**  
<https://www.gov.uk/government/publications/basic-passport-checks>

## APPENDIX 2





### Surrey Heath Borough Council Recruitment Process

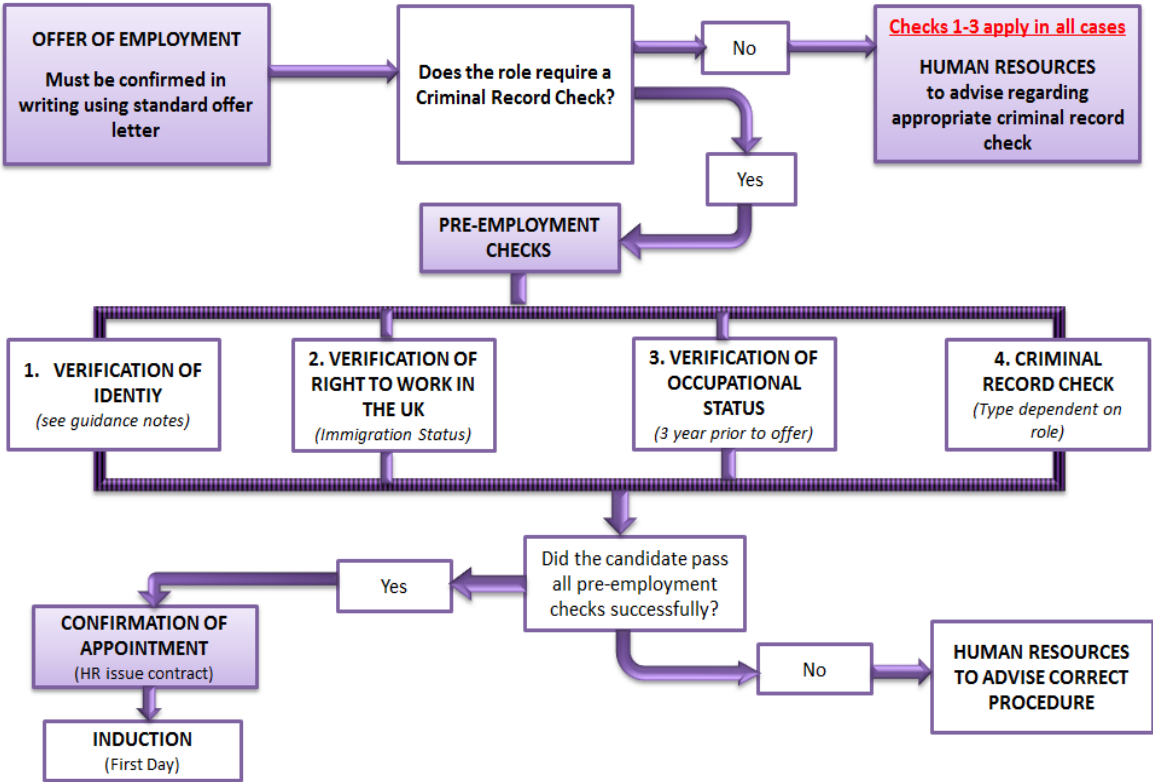




APPENDIX 3



Surrey Heath Borough Council  
BPSS Pre-Employment Checks Process



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**Surrey Heath Borough Council**  
**Employment Committee**  
**8 February 2022**

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**Review of Health and Safety – Statement of Intent**

**Strategic Director** Nick Steevens –Strategic Director of Environment & Community  
**Report Author:** Joe Fullbrook – Environmental Health Officer  
**Key Decision:** No  
**Wards Affected:** n/a

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**Summary and purpose**

This report provides the Employment Committee with information regarding the Council's updated Health and Safety Policy – Statement of Intent.

**Recommendation**

The Committee is advised to RESOLVE that the updated Health and Safety Policy-Statement of Intent, as set out at Annex A to this report, be adopted.

**1. Background and Supporting Information**

1.1 The Health and Safety Policy – Statement of Intent has been updated to reflect the change in Chief Executive. .

**2. Reasons for Recommendation**

2.1 Ensuring that the policy and processes are up to date.

**3. Proposal and Alternative Options**

3.1 The Committee is advised to recommend the Policy for adoption, with or without any further amendments it considers appropriate.

**4. Resource Implications**

4.1 n/a

**5. Other Considerations and Impacts**

**Environment and Climate Change**

5.1 n/a

### **Equalities and Human Rights**

5.2 n/a

### **Community Engagement**

5.3 n/a

### **Annexes**

Annex A – Health and Safety Policy – Statement of Intent

### **Background Papers**

n/a

# **Section 1: Health & Safety Policy - Statement of Intent**

## **1. INTRODUCTION**

1.1 Section 2(3) of the Health and Safety at Work etc., Act 1974 requires every employer to prepare a written health and safety policy statement and to bring it to the attention of all its employees.

1.2 The Council's Health and Safety Policy is in three parts:-

Section 1 is a statement of the Council's general policy and commitment to the health, safety and welfare of its employees and to the health and safety of other people affected by its work.

Section 2 describes the Council's organisation for carrying out the policy.

Section 3 sets out more detailed policy on specific areas of health and safety and outlines the arrangements in place for ensuring the health and safety of staff, including corporate guidance.

1.3 This corporate policy document is supported by service procedures where appropriate. These may be in the form of instructions, which are supplementary to Section III.

1.4 The organisation described at Section II is that accountable to the Council through the Chief Executive. Comparable organisation in respect of individual departments are to be determined by the respective Head of Service and included in the service procedures.

1.5 The arrangements for ensuring the effective implementation of the Council's policy, described at Section III are those applicable to all services. Arrangements applicable to an individual department or work section will be included in the relevant service procedures.

1.6 Where arrangements in respect of a particular type of workplace, machine, equipment, material, facility or procedure, requires to be described in greater detail than can conveniently be included in either the corporate or a service procedure document, the necessary information will be presented as a separate supplementary document, usually in the form of a code of practice.

Corporate Guidance will generally:-

- (a) Give background information,
- (b) Highlight hazards,
- (c) Specify precautions,
- (d) Lay down rules for a safe system of work to minimise risk.

## **2. CORPORATE HEALTH & SAFETY POLICY STATEMENT**

Surrey Heath Borough Council is firmly committed to Health & Safety. The Council recognises the responsibility to provide and maintain a safe and healthy workplace, environment and systems of work for our employees, visitors and contractors and for those receiving Council services. Everyone should be protected from ill health and accidents arising from work activities. Good health and safety management will help reduce loss and injury, and promote a positive safety culture at work.

The Council will ensure it aspires to achieve the highest standards of health & safety and that all managers work towards this aim. Effective and efficient management of health, safety and welfare is a management responsibility on an equal footing with other management tasks. Adequate financial, human and other resources are to be available to ensure the effective implementation of this policy, and proper monitoring procedures are to be established to monitor health and safety performance and ensure good communication and co-ordination.

The Council's aim can succeed only with the active support and co-operation of all employees at every level, working together to establish, maintain and improve standards. In this connection, the Council would remind its employees at all levels of their legal duties under Section 7 of the Health and Safety at Work, etc.: Act. To take care for their own safety and that of their fellow workers and to co-operate with the Council and others to enable them to carry out their statutory responsibilities successfully. The Council expects and encourages similar support from clients and other visitors who use the facilities or visit premises.

Further, the Council undertakes to provide whatever information, instruction, training and supervision is necessary to enable employees to avoid hazards and contribute positively towards their own safety and health at work and that of other employees.

The Council also undertakes that where employees are required to work in premises or at locations over which they (the Council) have no control, suitable guidance instruction, and where necessary additional training will be provided to ensure, as far as it is reasonably practicable, that any risks associated with their work are under control.

In addition, the Council will ensure, as far as either is reasonably practicable, that the health and safety of persons not in their employ are not placed at risk by their activities or any premises or facilities made available for use by members of the public.

Arrangements for ensuring safe and healthy working conditions are a primary responsibility of Heads of Service, exercised through managerial and supervisory staff of the service. Without detracting from this principle, the Council undertakes to provide competent technical advice on matters of health, safety and welfare at work wherever that is necessary to assist line management in its task through the Community Services team.

The Council believes that no policy is likely to be successful unless it actively involves staff themselves. For this reason, the organisation and arrangements for fulfilling the provisions of the policy will include appropriate consultation between representatives of the Council and those of their employees and arrangements to encourage employees to identify hazards and suggest measures for improving safety performance.

In addition to ensuring that their statutory obligations are, fulfilled and satisfactory standards maintained. The organisation and arrangements in support of this general policy are intended to provide that by a continuous programme for progressive improvement wherever necessary, the safest and healthiest working conditions possible in the circumstances, are provided, that accidents are reduced to a minimum, and wherever practicable are eliminated.

To this end the policy will be reviewed and amended as appropriate, to take account of new legal requirements, approved codes of practice, technological advances, authoritative and local experience.

## Principles

It is the policy of the Council as far as is reasonably practicable:

1. To ensure that in the decision making process, where relevant, health and safety will be given full consideration.
2. To provide and maintain machinery, equipment and systems of work that are safe and without risks to health.
3. To ensure safety and the absence of risks to health in connection with the use, handling, storage and transport of articles and substances.
4. To provide such information, instruction, training and supervision as is necessary to ensure the health and safety at work of employees, Council Members, members of the public and others whilst engaged in Council business.
5. To maintain all places of work under the Council's control, including means of access and egress, in a condition that is safe and without risk to health.
6. To provide and maintain a working environment that is safe and without risk to health, and to provide appropriate facilities for welfare.
7. To identify and assess all risks, and to seek to achieve their elimination or control.
8. To establish, maintain and develop arrangements for effective consultation with staff on health and safety.
9. To comply with the statutory requirements as a minimum standard for health, safety and welfare of employees at work, Council Members, members of the public and all others toward whom the Council has statutory obligations.
10. To ensure that effective arrangements exist to deal with incidences that could arise in public offices and any large-scale emergency.
11. To ensure that the responsibilities of management are clearly allocated at all levels and those individual roles are defined.
12. To recognise the link between efficiency and health and safety, and to minimise the costs, losses and disruption which arise from accidents, ill health and dangerous occurrences?
13. To ensure that employees are aware that they are required to work safely and to co-operate with Managers in all matters that affect their health and safety at work.
14. To undertake a triennial review of the Safety Policy. However additions to, or modification of this statement may be made at any time and may be supplemented as appropriate by further statements relating to the work of particular services and in accordance with any new Regulations or Codes of Practice.

This policy has been prepared in furtherance of Section 2(3) of the Health and Safety at Work etc. Act 1974 and binds all Executive Service Heads, Managers, and Employees, in the interests of Employees and Visitors.

All Visitors and Members are required to respect this Policy, a copy of which can be obtained on demand.

Signed:

A handwritten signature in black ink, appearing to read 'Damian Roberts', written in a cursive style.

Dated: 30 April 2021

**Damian Roberts**

Chief Executive  
Surrey Heath Borough Council



**Surrey Heath Borough Council**  
**Employment Committee**  
**8 February 2022**

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**Review of Health and Safety - Organisation**

**Strategic Director** Nick Steevens –Strategic Director of Environment & Community  
**Report Author:** Joe Fullbrook – Environmental Health Officer  
**Key Decision:** No  
**Wards Affected:** n/a

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**Summary and purpose**

This report provides the Employment Committee with information regarding the Council's updated Health and Safety Policy - Organisation

**Recommendation**

The Committee is advised to RESOLVE that the updated Health and Safety Policy- Organisation, as set out at Annex A to this report, be adopted.

**1. Background and Supporting Information**

1.1 The Health and Safety Policy – Organisation has been updated to reflect the new Senior Restructure within SHBC which took effect from 1<sup>st</sup> October 2021.

**2. Reasons for Recommendation**

2.1 Ensuring that the policy and processes are up to date.

**3. Proposal and Alternative Options**

3.1 The Committee is advised to recommend the Policy for adoption, with or without any further amendments it considers appropriate.

**4. Resource Implications**

4.1 n/a

**5. Other Considerations and Impacts**

**Environment and Climate Change**

5.1 n/a

### **Equalities and Human Rights**

5.2 n/a

### **Community Engagement**

5.3 n/a

### **Annexes**

Annex A – Health and Safety Policy - Organisation

### **Background Papers**

n/a

## **Section 2: Health & Safety Policy - Organisation**

### **2.1 Responsibilities of the Council Members**

2.1.1 The Members of the Council will make resources available to ensure, as far as is reasonably practicable, that their responsibilities are properly carried out and to this end they will ensure that appropriate arrangements are established for the effective planning, organisation, control, monitoring and review of measures to manage health and safety.

2.1.2 In practice, these duties and responsibilities are delegated to specific post holders.

### **2.2 Responsibilities of the Chief Executive**

The Chief Executive has the prime responsibility for ensuring that the Health and Safety Policy is effectively implemented throughout the Council's activities and that proper resources are made available in order to achieve this. As such ~~he/she/they~~ is/has the final authority on matters concerning health and safety at work, and carries the ultimate responsibility to and for the Council.

The Chief Executive shall:

2.2.1 Ensure that human, financial and other resources are made available to secure a high standard of health and safety management, taking competent advice on matters of health and safety where appropriate;

2.2.2 Ensure the provision of health and safety training to employees is a high priority;

2.2.3 Ensure that all employees' responsibilities for health and safety are properly assigned and communicated;

2.2.4 Monitor compliance performance with the statutory requirements and standards, and this Health and Safety Policy, keeping the appropriate Members of the Council regularly informed;

2.2.5 Ensure that health and safety objectives are defined annually and that where possible the success of employees in meeting these objectives is formally measured;

2.2.6 Retain overall responsibility in the case of his/her own Department but place day to day responsibility under the control of the Heads of Service.

### **2.3 Responsibilities of ~~Executive Heads of Services~~ Strategic Directors**

Each ~~Executive Service Head~~ Strategic Director is responsible to ensure that the Health and Safety Policy is implemented and publicised in the services s under his/her operational control.

Each Strategic Director shall

2.3.1 Ensure ~~he/she/they~~ is sufficiently conversant in the issues of health and safety to make certain that all decisions are made using sound health and safety principles, based on a proper assessment of all risks, and to ensure their control in an appropriate manner;

2.3.2 Ensure that suitable and sufficient assessment of risk is carried out in respect of all areas of operational work under their control by a competent person under the authority of the relevant manager. Proposed changes in working practice must be assessed before adoption;

2.3.3 Establish safe systems of work to eliminate or minimise risks, and communicate them with information about any known risks to employees under his/her control and others who need to know;

2.3.4 Ensure that all employees receive adequate supervision, training, information and clear instructions to enable them to work safely;

2.3.5 Identify training needs and seek authority where necessary;

2.3.6 Report to their line manager any results of health and safety audits carried out by the Council's safety team or external consultants;

2.3.7 Ensure where committee approval is sought for operational changes which require health and safety consideration the Committee report must spell out the health & safety consequences and the financial effects;

2.3.8 Seek competent advice on health and safety whenever appropriate, using the resources provided by the Council through the ~~Executive Head~~ Strategic Director of Environment and Community Services. In addition ~~he/she/they~~ needs to have regard to the

- professional advice [he/she/they](#) will have received from bodies within his/her own discipline which will have particular reference to his/her operational needs;
- 2.3.9 Make copies of all relevant documents available to the Executive Head of Community Services or his/her representative on request;
- 2.3.10 Identify and ensure the effective implementation of the health and safety needs of his/her Service;
- 2.3.11 Make appropriate recommendations to their manager in respect of additional responsibilities or technological progress which becomes available to significantly improve health & safety;
- 2.3.12 Regularly review the method of operation where there is a likelihood of regular overtime needing to be worked above acceptable levels which could result in maximum working periods being exceeded.
- 2.3.13 Ensure time is made available for staff to undertake necessary health and safety work
- 2.3.14 Ensure that all new staff, agency staff, persons on secondment and visitors are fully briefed in the emergency arrangements immediately upon arriving within a work area.

## 2.4 Duties of Managers

Managers have the duty to carry out risk assessments and implement the Health and Safety Procedures in the work areas under their control, including the day-to-day overseeing of safe operations as part of their normal managerial function.

Each Manager shall:

- 2.4.1 Operate the work activities within his/her control, under safe and healthy working conditions. This requires the acceptance of health and safety as an integral part of the Manager's job;
- 2.4.2 After consultation with the staff involved, identify and assess, or instruct a competent member of staff to identify and assess the nature of any hazard to health or safety arising out of the work under their control, and record these where required by legislation; such assessment shall be suitable and sufficient;
- 2.4.3 Follow through any action required ~~as a result~~[because](#) of the assessments of risk, and refer back to their ~~Executive Service Head~~ [Strategic Director](#) any matters [he/she/they](#) cannot themselves rectify;
- 2.4.4 Establish safe systems of work in order to eliminate or minimise risks, and make these systems and information about any risks known to employees under their control and any other employees, or Council Members engaged in work within the same work area;
- 2.4.5 Provide all employees in their work areas (including all persons on attachment, temporary staff, work experience persons and consultants) with adequate supervision, training, information, clear instruction and personal protective equipment necessary to enable them to work safely;
- 2.4.6 Provide all persons in the work place with a hard copy of all appropriate documentation including appropriate risk assessments which [he/she/they](#) shall sign for to acknowledge receipt and understanding prior to commencing any tasks. Such requirements not only apply to new employees but also apply to existing employees especially where it is intended to change tasks prior to the introduction of such changes;
- 2.4.7 Provide immediate 'On-the-job' training and provide to new employees all aspects of induction training that cannot be provided by the HR Department, including those aspects specific to the employee's job.
- 2.4.8 Immediately institute or initiate as appropriate, any measures found to be necessary for the proper management of health and safety or if this is not possible and serious harm could be occasioned terminate the task until the advice of the Strategic Director has been sought;
- 2.4.9 Encourage consultation with employees and make themselves available to receive and discuss health and safety queries raised by employees under their control;
- 2.4.10 Investigate accidents and incidents which could have led to accidents in order to ensure as far as possible that the circumstances are not repeated;
- 2.4.11 Ensure all work related accidents within their control are properly and promptly recorded in the accident book, as required by law. Participate and help in any subsequent investigation ~~with~~ [with](#) the [Health & Safety Advisor](#)~~Officer~~;

2.4.12 Be actively involved in the assessment procedure whenever any new process or operation is commissioned. ~~He/she/They~~ will also consult with the workpeople who will be involved in the new process etc. in order to ensure that all foreseeable health and safety concerns have been properly considered, following the corporate procedure on contractor selection and monitoring;

2.4.13 Ensure that ~~he/shethey~~ or designated team member undertakes annual workplace inspections of all sites, and inspects at more frequent intervals, as deemed necessary within procedures, or high risk locations.

Nothing undertaken to assist Managers in undertaking their health and safety duties takes away the Manager's legal responsibility to inform, train and protect those who report to him/her.

## **2.5 Responsibilities of the ~~Executive Head of Community Services Strategic Director of Environment & Community~~**

The ~~Executive Head of Community Services Strategic Director of Environment & Community~~ has overall responsibility~~ies~~ for co-ordinating the management of health and safety policies and practices. In practice such responsibilities are delegated to authorised representatives but ~~he/she/they~~ is responsible for ensuring that they are effectively carried out, and that the Chief Executive is provided with competent advice. The ~~Executive Head of Community Services Strategic Director of Environment & Community~~ is the 'Competent Person' for the Council, as required by Regulation 7 of the Management of Health & safety at Work Regulations 1999.

The ~~Executive Head of Community Services Strategic Director of Environment & Community~~ shall:

2.5.1 Be responsible for the triennial review of the Health and Safety Policy and for ensuring that it is up to date and effective;

2.5.2 Make provision for a suitable level of advice and assistance on health and safety to be made available to the Council. ~~This is provided by officers within Community Services;~~

2.5.3 Co-ordinate the effective monitoring of health and safety through council-wide audits, in order that the Chief Executive and appropriate Council Members are kept properly informed of the health and safety performance of the Council; Reports thereon will be made to the Corporate Management Team or Management Board at appropriate intervals of not more than 12 months;

2.5.4 ~~He/she/They~~ will also make arrangements to ensure that monitoring is carried out at a suitable level by all Managers;

2.5.5 Operate the budget for health and safety training and arrange the delivery of such training, other than specific on-the-job training;

2.5.6 Determine the competence of those with duties and responsibilities under the policy.

## **2.6 Responsibilities of Facilities Manager, ~~Operations~~Venue Manager Camberley Theatre, Windle Valley Centre Site Manager and those in charge of other satellite premises away from these buildings**

2.6.1 The relevant Manager is responsible for ensuring that a safe and healthy working environment is maintained at the workplace they are responsible for, for the benefit of staff, members and all visitors.

The Manager shall

2.6.2 Ensure that the structure of buildings is maintained in a condition which allows safe access and egress at all times including during emergencies;

2.6.3 Ensure risk assessments are undertaken for Fire and Emergency Evacuation.

2.6.4 Ensure risk assessments are undertaken for Legionella and Asbestos where appropriate;

2.6.5 Take urgent action to ensure that all services including lighting, heating, ventilation and security measures provided for the use of staff, members and visitors are provided and continuously maintained in a manner which ensures that risks are minimised to them;

2.6.6 Ensure that all chairs, desks, office furniture, carpets, telephones, electrical equipment fixtures and fittings, appliances and equipment are installed, and maintained to prevent hazards.

2.6.7 Ensure that all visitors, including members, are aware of the Council's Health & Safety policy and can view a copy upon request.

## **2.7 Responsibilities of the HR Manager:**

The HR Manager shall protect the welfare of all employees and he/shethey is responsible for the progress of all medical issues.

The HR Manager shall

2.7.1 Receive representations from employees health & safety representatives or any approved employees negotiating group regarding issues which they consider are not being adequately addressed by Management; following discussion of such issues with the appropriate Head of Service and report thereon to the Chief Executive and the Joint Staff Consultative Committee, if necessary after consideration of any advice from the Head of Community Services;

2.7.2 Ensure that a written response is made within an appropriate timescale and no longer than 21 working days of receipt of the complaint, to any issues raised by employees, health & safety representatives or negotiation body;

2.7.3 Provide audiometry tests (if necessary), eye tests (DSE) and, where applicable to the work undertaken, immunisation and make necessary arrangements for the maintenance of health records;

2.7.4 Seek to identify disease or adverse health conditions which are occurring related to the Council's work;

2.7.5 Organising any necessary health surveillance measures;

2.7.6 Seek to resolve with the appropriate officer any health & safety issues raised by any aggrieved employees.

## **2.8 Duties of the ~~Health and Safety Officer~~ Health & Safety Advisor ~~Advisor~~**

The ~~Health and Safety Officer~~ Health & Safety Advisor shall

2.8.1 Undertake health and safety audits of each service and agree with Heads of Service a Health & Safety Action Plan; Frequency of audits will be determined by risk level to which staff and others are exposed to hazards;

2.8.2 Maintain up to date health & safety guidance for use by all services;

2.8.3 Provide regular advice to all staff on Health & Safety matters through the internet/intranet and staff publications;

2.8.4 In conjunction with Heads of Service, determine health and safety training needs of staff, including induction training. Provide training or outsourced to a suitable training consultant;

2.8.5 To carry out regular reviews of the health and safety policy and advise the Management Board (MB) and/or Corporate Management Team (CMT) of any change in policy that may be required. Ensure that all changes are communicated to all staff.

2.8.6 To maintain a record of all accidents and assist Heads of Service in the investigation of serious accidents or near misses.

2.8.7 Notify the Health and Safety Executive in the event of an incident reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) Regulations and keep and interpret accident records for the Council;

2.8.8 Provide central collation of accident reports provided by employees and undertake analysis of these.

2.8.9 Procure safety equipment and personal protective equipment from agreed budget.

Carry out a monthly monitoring of health and safety budget and notify Head of Environmental Services of any variances and any requirements for additional funding.

2.8.10 Make the arrangements for the nomination and training of Fire Wardens, First Aiders and other posts where corporate specialist training is required;

2.8.11 Attend safety committee, and agree with chairman items to be included on the agenda.

2.8.12 Advise employees on the route to be followed by them in order to progress any concerns he/shethey has regarding health and safety issues;

## 2.9 Duties of all Employees

The law makes it the duty of everyone at work to take reasonable care for their own health and safety and that of others. In particular, this duty of all employees requires:

2.9.1 Co-operation with all Managers, to ensure that safe and health working practices and workplaces are maintained;

2.9.2 Reporting promptly to their appropriate Manager any hazardous situation or defect;

2.9.3 Making full and proper use of any personal protective equipment or any other equipment with a health and safety function, keep such equipment in a clean and serviceable condition, reporting any defects promptly to their manager;

2.9.4 Making proper use of the washing facilities provided to ensure high standards of personal hygiene where hazardous substances put personnel at any risk;

2.9.5 Acting responsibly and refraining from horseplay at work;

2.9.6 Co-operating with the Council in the implementation and observation of all statutory requirements placed upon the Council;

2.9.7 Observing the duty not to modify, misuse or interfere with any machinery, appliance, equipment or any other item provided in the interests of health and safety.

In addition, in accordance with a practical interpretation of these legal obligations, employees are expected to:-

2.9.8 Keep informed of any advances in their sphere of operations which would improve their health & safety together with that of their colleagues and bring forward such suggestions to their managers;

2.9.9 Report to the HR Manager any circumstances where action has not been taken by the Manager or Service Head to respond in what the employee considers to be an appropriate time and manner to the health and safety issues which [he/shethey](#) has raised.

2.9.10 Ensure that clothing worn at work is appropriate to the task being undertaken.

## 2.10 Organisation for Joint Consultation.

### 2.10.1 Safety Representatives

In accordance with the Safety Representatives and Safety Committee Regulations 1977. Employee Safety Representatives can be appointed by recognised trade unions who also specify the group or groups of employees that each will represent.

The functions of the Safety Representatives are as follows:-

(a) To investigate potential hazards and dangerous occurrences at the workplace.

(b) To examine the causes of accidents at the workplace.

(c) To investigate complaints by any employee [he/shethey](#) represents, relating to that employee's health, safety and welfare at work.

(d) To make representations to management on items (a) to (c) and general matters affecting the health, safety and welfare at work of employees.

(f) To make inspections as indicated below.

(g) To represent the employees [he/shethey](#) was appointed to represent in consultation at the workplace with inspectors of the Enforcing Authority (HSE).

(h) To receive information from inspectors, and

(i) To attend meetings of the Safety Committee and any other Consultation meetings in connection with any of his/her functions.

2.10.2 The inspections of the workplace, or part of the workplace that Safety Representatives are entitled to make, are as follows:-

(a) Every three months, provided that appropriate arrangements have been made.

(b) Following consultation with the manager (or his/her representative) of the workplace concerned where, since the last inspection:-

(i) There has been a substantial change in the condition of work; or

(ii) New information, relevant to the hazards of the workplace concerned, has been published by the Health and Safety Executive.

(c) Where there has been a notifiable accident or dangerous occurrence in the workplace or a notifiable disease has been contracted there, provided:

(i) It is safe for an inspection to be carried out; and

(ii) The interests of one of more of the employees [he/shethey](#) represents might be involved.

2.10.3 The appropriate Strategic Director or Manager (or his/her nominated representative), will provide whatever facilities and assistance the Safety Representative may reasonably require for the purpose of carrying out an inspection and will normally be present during the inspection. The arrangements must, however, include facilities for independent investigation by the Safety Representative and private discussion with the employee ~~he/she/they~~ represents, if ~~he/she/they~~ so wishes.

2.10.4 Details of the Safety Representatives appointed by recognised trade unions can be obtained from the HR Manager.

2.10.5 Further information regarding Safety Representatives is contained in a Health and Safety at Work Booklet 'Safety Representatives and Safety Committees' published by the Health and Safety Executive, for Health and Safety representatives and members of management who have particular duties in respect of health and safety.

#### 2.10.6 Safety Committee

The Committee will meet on a regular basis to ensure adequate consultation on health and safety matters between employee's representatives and members of management. Staff will be represented at this meeting by both officer and Trade Union representation. Other members that make up the committee are the ~~Head of Community Services Strategic Director of Environment & Community, Health & Safety Officer~~ Health & Safety Advisor and representatives from other Departments and Trade Unions. The ~~Executive Head of Community Services Strategic Director of Environment & Community~~ will chair the committee. Minutes from the safety committee meetings will be circulated to all staff.

### 2.11 Duty of Clients.

Notification A project is notifiable if the construction work on a construction site is scheduled to last longer than 30 working days and have more than 20 workers working simultaneously at any point in the project; or exceeds 500 person days. In respect of every notifiable construction project, the Service Head Manager (Client) with overall responsibility for the project will, upon commencement, ensure the appointment of a suitably qualified principal designer and principal contractor.

For all construction projects the Client shall:

2.11.1 Adhere to the principles set out in the Construction (Design and Management) Regulations 2015 Approved Code of Practice;

2.11.2 Check competence and resources of all appointees;

2.11.3 Ensure there are suitable management arrangements for the project including welfare arrangements;

2.11.4 Allow sufficient time and resources for all stages; and

2.11.5 Provide pre-construction information to designers and contractors

## SECTION 3: COUNCIL PLAN FOR HEALTH AND SAFETY

### 3.1 The Provision of Adequate Resources

3.1.1 It is the policy of Surrey Heath Borough Council to plan for the provision of proper human, financial and any other resources necessary for the effective management of health and safety.

3.1.2 Decisions on resources required for the proper management of health and safety will be made after taking into account employee concerns, legal requirements and accepted standards for health and safety.

3.1.3 The ~~Executive Head of Community Services Strategic Director of Environment & Community~~, after taking advice on current and future legal health and safety requirements, will advise the Council on its corporate budget for health and safety and where necessary the health & safety provision within programme area budgets to meet specific requirements. The Council will approve an appropriate figure for such budgets.

3.1.4 The Council's corporate health and safety budget will be allocated by the ~~Executive Head of Community Services Strategic Director of Environment & Community~~.

3.1.5 ~~Executive Service Heads Strategic Directors~~ will ~~plan ahead~~ plan for health and safety needs when seeking their budget allocations.



### 3.2 Provision of Advice and Assistance

3.2.1 The Council has nominated the Head of Community Services as the in-house person competent to act as co-ordinator in the Council's efforts to manage health and safety. The general responsibilities of this officer and the Community Services Team are set out in this Policy.

~~3.2.2 Community Services, through the use of professionally trained personnel and the Safety Officer/Health & Safety Advisor fulfil specific functions such as auditing (as part of the Council's commitment to monitoring), training and assisting in the formulation of this Policy.~~

3.2.23 Each Head of Service will ensure the necessary resources to assist with monitoring of performance and advice to services. These persons will be given the training ~~he/she/they~~ requires in order to fulfil such a function effectively, and will be given the resources ~~he/she/they~~ requires. The needs for such training and resources must be identified by the Head of Service concerned.

### 3.3 Monitoring Health and Safety Management

3.3.1 It is the policy of the Council to monitor the management of health and safety in a planned manner through the ~~Safety Officer/Health & Safety Advisor with the Community Services Team~~ and ensure that information is fed back to all levels of management.

3.3.2 The Council will use both proactive means of monitoring, such as health and safety audits, and reactive means such as the study of ill-health and accident data.

3.3.3 Those Managers who report directly to ~~Service Heads Strategic Directors~~ will be required to carry out health and safety checks of the areas under their control regularly. Inspections of the workplace will be an important aspect of this check, and any remedial action will be taken promptly by the Managers concerned where it is in their power so to do. Where it is not ~~he/she/they~~ will report that fact to the ~~Service Head Strategic Director~~ who will ensure that such action is taken by the appropriate Manager.

3.3.4 The ~~Safety Officer/Health & Safety Advisor~~ will carry out risk-based auditing of the Council, examining in particular organisational and managerial aspects of health and safety. Inspection of the workplace will not necessarily be a key aspect of this audit, as it is expected that Managers will identify and remedy hazardous situations.

3.3.5 Ill health data will be examined by the HR Department. Accident data will be passed to the ~~Safety Officer/Health & Safety Advisor~~. They will liaise on all issues to ensure that the correct action is taken to protect the employee in the light of the health & safety consequences. It is the policy of the Council to manage its business in such a way that numbers of accidents and ill health incidents are minimised~~at~~.

3.3.6 Feedback on the results of all monitoring will be provided to Heads of Service and after their consideration a report will be made available to the staff representatives on any corrective action required.

### 3.4 Health and Safety Training

3.4.1 It is the Council's policy to deliver any health and safety training, the need for which has been identified.

3.4.2 Training needs will be identified as a result of risk assessments, observations of the employees and the work that is being carried out and management request. In addition, needs shall be identified as part of the procurement procedure before any new service contract is commenced by the Council.

3.4.3 Particular attention will be paid to the training needs of new employees, those whose jobs are changed and those who are exposed to new hazards, new responsibilities, technology, equipment or systems of work.

3.4.4 Local or job-specific health and safety induction including issuing of procedures and personal protection equipment will be carried out by the employee's own Manager. The ~~Safety Officer/Health & Safety Advisor~~ can ~~be asked to help assist~~ with this process.

3.4.5 On-the-job training which includes health and safety will be provided by the Managers with immediate control over the work of their employees. This will be provided whenever employees are exposed to new or changed risks, new technology etc.

3.4.6 Managers will receive such health and safety training as ~~he/she~~they requires in order properly to fulfil the responsibilities allocated to them. Health and safety awareness training, new legislation and training in inspection will be provided.

3.4.7 Managers shall ensure that proper written records are kept of all training provided, the issue of procedures and personal protective equipment.

### **3.5 Communication of Health and Safety Information**

3.5.1 Relevant information and advice received by the Council from the Health and Safety Executive and from other sources will be copied by the ~~Safety Officer~~Health & Safety Advisor to Managers and ~~Heads of Service~~ Strategic Directors;

3.5.2 Employees requiring health and safety information can do so from the ~~Safety Officer~~Health & Safety Advisor;

3.5.3 Employees requiring health and safety advice are encouraged to seek advice from their line manager, staff representative body or union representative. Employees raising a specific workplace issue should do so through their line management;

3.5.4 The Council will agree with its staff, through their representatives, adequate arrangements for joint consultation on measures for promoting health and safety at work, and will make and maintain satisfactory arrangements for the participation of their employees in the development and supervision of such measures;

#### **3.5.5 LINES OF COMMUNICATION**

a) Employees may refer health, safety and welfare matters to either their immediate superior and/or their appointed safety representative;

b) Where a safety representative wishes to raise issues related to the health, safety or welfare of the employees (s)he represents, (whether as the result of a request by an individual or group of employees, a safety inspection or day-to-day observation) with management (s)he will communicate initially with the appropriate Line Manager;

c) Wherever possible, the Line Manager will rectify unsatisfactory conditions, eliminate hazards or otherwise resolve problems referred to them by Safety Representatives and will enlist the aid of other departments or specialist sections or officers wherever necessary;

d) In instances where necessary action is beyond the resources of the line manager or where the action taken or proposed is unacceptable to the Safety Representative, the matter will be referred to the Head of Service in the service concerned and the Safety Representative informed accordingly;

e) In the event that the resolution of a problem is beyond the resources of the Manager or in instances where proposed action cannot be agreed, the matter will be referred to the Head of Service for the department, the Safety Committee or the Management Board;

In all instances, Safety Representatives must be informed of the action taken in respect of the matters they raise and if no action is to be taken they must be informed of this, together with the reasons. Where necessary action will involve some delay, the Safety Representative should be given the details and kept informed of progress. Details of matters raised by Safety Representatives, the action taken or proposed and subsequent progress where applicable, should be passed to the ~~Head of Community Services~~ Strategic Director of Environment & ~~for~~Community for information;

f) All employees are encouraged to submit suggestions for better health and safety to their immediate supervisor, their Safety Representative, or through any Council suggestion scheme.

### **3.6 Review of Health and Safety Documentation**

3.6.1 The Council will formally review the Health and Safety Policy every three years; Employees' representatives will be invited to comment on the final draft before implementation;

3.6.2 Health and safety audits will be carried out by the ~~Safety Officer~~Health & Safety Advisor. These will particularly concentrate on areas of higher risk, change and new legal issues. The ~~Safety Officer~~Health & Safety Advisor will maintain records of all key documentation regarding procedures and training information. Revisions will take place where appropriate, such as when the organisation has undergone a change or new

legislation is introduced. All risks will be reassessed at least every three years and the ~~Safety Officer~~Health & Safety Advisor will check this is done.†

3.6.3 Documentation which is under the control of Managers, such as assessments of risk, should be reviewed by them at frequencies agreed with their Head of Service (but in no case longer than every 3 years). ~~He/she~~They will be expected to operate simple bring-forward systems for the planned review of such records, and to recognise the need to carry out a review early because of a change in the circumstances giving rise to the risk. ~~He/she~~They will revise such records when it is appropriate to do so;

3.6.4 Written health and safety procedures will often be linked to a recognised risk. When the risk is reviewed, related procedures (which may have been established before the requirement for formal risk assessment) will also be reviewed and, where necessary, revised.

Updated: ~~March 2021~~ November 2021

By: ~~Health and Safety Officer~~Health & Safety Advisor

Next review: March 2024

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**Surrey Heath Borough Council**  
**Employment Committee**  
**8 February 2022**

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**Joint Staff Consultative Group Constitution**

<b>Strategic Director/Head of Service</b>	Gavin Ramtohal – Head of Legal and Democratic Services
<b>Report Author:</b>	Rachel Whillis – Democratic Services Manager
<b>Key Decision:</b>	No
<b>Wards Affected:</b>	n/a

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**Summary and purpose**

To consider recommending the adoption of a revised Constitution of the Joint Staff Consultative Group.

**Recommendation**

The Committee is advised to RECOMMEND to Full Council that the revised Joint Staff Consultative Group Constitution, as attached at Annex A to this report, be adopted.

**1. Background and Supporting Information**

- 1.1 The Joint Staff Consultative Group Constitution has been reviewed and updated to reflect the establishment of the Employment Committee and its role in relation to the agreement of Staff Terms & Conditions.
- 1.2 Amendments have also been made to reflect the revised senior management structure and the HR Manager's job title.
- 1.3 The Joint Staff Consultative Group reviewed its Constitution at its meeting on 13 January 2022 and is recommending the changes set out at Annex A to this report. Since this meeting a further amendment has been made to paragraph 2 c) to clarify how the Consultative Group makes recommendations to the Full Council.

**2. Reasons for Recommendation**

- 2.1 The revised Constitution reflects the up to date practices in respect of agreeing revisions to Staff Terms & Conditions since the introduction of the Employment Committee.

### **3. Proposal and Alternative Options**

- 3.1 It is proposed that the revised Constitution is recommended to the Full Council for adoption. The Consultative Group can chose to ask the Employment Committee to recommend its adoptions, with or without any further amendments it considers appropriate.

### **4. Contribution to the Council's Five Year Strategy**

- 4.1 Not applicable

### **5. Resource Implications**

- 5.1 There are no specific resource implications associated with the amendments to the Joint Staff Consultative Group's Constitution.

### **6. Section 151 Officer Comments:**

- 6.1 There are no specific resource implications associated with the amendments to the Joint Staff Consultative Group's Constitution.

### **7. Legal and Governance Issues**

- 7.1 The Joint Staff Consultative Group Constitution requires no fewer than 6 Council Representatives and 6 Staff Representatives to be present at a meeting where any recommendations are made to amend the Constitution. At its meeting on 13 January 2022 this quorum was met.

### **8. Monitoring Officer Comments:**

- 8.1 The Joint Staff Consultative Group Constitution sets out the formal process for negotiating changes to Terms and Conditions for Staff. The proposed amendments reflect other Constitutional documents, primarily the Terms of Reference of the Executive, Committees and Other Bodies.

### **9. Other Considerations and Impacts**

#### **Environment and Climate Change**

- 9.1 Not applicable

#### **Equalities and Human Rights**

- 9.2 Not applicable

## **Risk Management**

9.3 Not applicable

## **Community Engagement**

9.4 Not applicable

## **Annexes**

Annex A – proposed revised Joint Staff Consultative Group Constitution.

## **Background Papers**

None

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**SURREY HEATH BOROUGH COUNCIL**  
**JOINT STAFF CONSULTATIVE GROUP**  
**CONSTITUTION**

**January-February 20182022**

**1. Title**

The name of the Group shall be the "Surrey Heath Borough Council Joint Staff Consultative Group".

**2. Purpose**

The purpose of the Group is to:

- a) provide a forum of consultation between the Council, senior management and staff;
- b) conduct negotiations and reach agreement on changes to the terms and conditions of services of staff;
- c) make recommendations to the Council, through the Employment Committee, in respect of pay and matters relating to the Group's Constitution, and to the ~~Executive~~Employment Committee in respect of all other matters.

**3. Scope**

The scope of the Group covers collective matters affecting those members of staff employed under the Surrey Heath Conditions of Service for Officers.

**4. Membership**

- a) The Group shall normally consist of eight Members of the Council representing the Council and eight members of staff representing the staff.
- b) All members of the Group shall hold office on an annual basis.
- c) The Head of Paid Service shall be invited to attend all meetings of the Group but shall not have voting rights.
- d) The ~~Executive Head of Transformation~~ Head of HR, Performance and Communications and the HR ~~& OD~~ Manager shall attend all meetings of the Group but shall not have voting rights.

**5. Council Representatives**

The Council's Representatives will be appointed annually by the Council. No more than three members of the Executive can be appointed to the Group.

## 6. Staff Representatives

The Council recognises Unison for negotiation purposes and Unison shall be allocated seats on the Group on a proportional representation basis to accord with the level of Unison membership among the staff with *de minimus* of one seat, providing that Unison membership does not fall below thirty members. The allocated Unison seats will be filled by members of the Branch Executive and Service Stewards.

The remaining seats shall be filled by a ballot of all officer staff falling within the provisions of the Surrey Heath Conditions of Service with each candidate being proposed and seconded by two members of staff on a nomination paper.

## 7. Chairman

A ~~C~~hairman and ~~V~~ice-~~C~~hairman shall be appointed by the Group at its first meeting each year. If the ~~e~~~~C~~hairman appointed is a Council Representative, the ~~v~~~~V~~ice-~~C~~hairman shall be a Staff Representative and vice versa. The chairmanship of the Group shall alternate between the Council's Representatives and the Staff Representatives each municipal year.

No member of the Executive shall chair any meeting of the Group or be the appointed ~~vice~~~~V~~ice-~~C~~hairman.

## 8. Full Meetings

The Group shall normally meet at least ~~four~~~~five~~ times a year. The Head of Paid Service may call a meeting at any time at the request of the Chairman, the Vice-Chairman, or of his/her own volition. Unless otherwise agreed with the Chairman and Vice-Chairman, the Head of Paid Service will use their best endeavours to arrange meetings within fourteen days of the request.

## 9. Management Consultation Meetings

The Head of Paid Service, the ~~Head of HR, Performance and Communications Executive Head of Transformation~~ or the Chairman of the Staff Representatives may call management consultation meetings. Such meetings will be attended by the Staff Representatives, the Head of Paid Service, ~~Head of HR, Performance and Communications Executive Head of Transformation~~ and the HR ~~& OD~~ Manager. The purpose of these meetings will be to discuss matters which affect staff and which fall within the purview of

the senior management. No changes to the Conditions of Service for Officers may be made at management consultation meetings. However, subject to agreement, recommendations for change could be prepared for presentation to the full Group.

## 10. Agenda

The ~~Head of HR, Performance and Communications Executive Head of Transformation~~ will place items on the agenda and Democratic Services will be responsible for the preparation and distribution of agendas. Agendas will be distributed to each member of the Group at least five working days before a meeting. Business other than that on the agenda may be introduced with the agreement of the Chairman, Vice-Chairman and the ~~Head of HR, Performance and Communications Executive Head of Transformation~~.

The Chairman of the Staff Representatives may also include items on an agenda after consultation with the ~~Head of HR, Performance and Communications Executive Head of Transformation~~.

## 11. Quorum

A quorum shall consist of four Council Representatives and four Staff Representatives. No business will be conducted in the absence of a quorum. If there is no quorum within 30 minutes of the appointed time for a meeting, then the meeting shall be abandoned.

## 12. Recommendations

Recommendations of the Group, shall be reached by a simple majority of both the Council's Representatives and of the Staff Representatives voting separately; the Chairman does not hold a second or casting vote.

~~In accordance with the Scheme of Delegation of Functions to Officers, amendments to Terms and Conditions of Employment for staff and Human Resources Policies, where there are no additional resource implications and which have been unanimously agreed by the Joint Staff Consultative Group, will be referred to the Head of Paid Service for agreement. Where items considered by the Joint Staff Consultative Group will result in additional resource implications or cannot achieve unanimous agreement of the Group, they will be referred to the Executive and/or the Council in accordance with the Council's Scheme of Delegation.~~

## 13. Other Advisers

Other specialist advisers, including officers and Unison officials, may be invited to attend meetings of the Group in a non-voting capacity.

Such attendance shall be agreed in advance by the Chairman, Vice-Chairman and the Head of Paid Service.

#### **14. Facilities**

The Council shall provide such reasonable facilities as it is agreed are necessary for the conduct of the business of the Group, including the holding of most meetings during normal office hours and paid leave of absence for Staff Representatives to attend meetings and consult with members of staff. Staff Representatives shall consult their ~~Executive Strategic Director/ Head of Service Heads/Service Heads~~ on absence to attend meetings and, subject to the exigencies of the service, no reasonable request will be refused.

#### **15. Notes**

Notes of meetings shall be agreed by the Chairman, Vice-Chairman and ~~Head of HR, Performance and Communications Executive Head of Transformation/ HR & OD~~ Manager. Copies of notes will be placed on the intranet.

#### **16. Review**

The Group may recommend the amendment or rescinding of this Constitution at a meeting at which not *fewer* than six Council Representatives and six Staff Representatives are present and the proposed amendment is supported by a simple majority of the Council Representatives and of the Staff Representatives voting separately.

Any proposed amendment shall be circulated in writing with the agenda calling the meeting and will be referred to the Council for ratification. The Council may not make any amendment to the Constitution as recommended and, should it consider further changes to be appropriate, it can only refer back to the Consultative Group any suggestions for consideration by the Group.

**Surrey Heath Borough Council**  
**Employment Committee**  
**8 February 2022**

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**Work Programme 2021/22**

**Head of Service**     **Gavin Ramtohal – Legal & Democratic Services**  
**Report Author:**   **Rachel Whillis – Democratic Services Manager**  
**Key Decision:**     **No**  
**Wards Affected:**   **n/a**

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**Summary and purpose**

To agree the work programme for the 2021/22 municipal year.

**Recommendation**

The Committee is advised to RESOLVE that the work programme for the remainder of the 2021/22 municipal year be agreed, as set out at Annex A

**1. Background and Supporting Information**

1.1 At each meeting the Committee will consider the work programme, be advised of updates and agree amendments as appropriate.

1.2 Meetings have been scheduled for the 2021/22 municipal year as follows:

- 24 March 2022

**2. Proposal and Alternative Options**

2.1 It is proposed that the Committee considers the list of topics listed in Annex A of the work programme and makes such amendments as appropriate.

**Annexes**

Annex A – proposed Work Programme for 2021/22

**Joint Staff Consultative Group  
Work Programme  
2021/22**

Consultative Group meetings for the municipal year are scheduled to be held on the following dates:

- 24 March 2022

The following work for the 2021/22 municipal year has been identified for consideration by the Consultative Group:

<b>Meeting</b>	<b>Topic</b>	<b>Source</b>
<b>24 March 2022</b>	<b>Pay Settlement 2022/23</b>	<b>HR</b>
	<b>Data Breaches Policy</b>	<b>ICT/HR</b>
	<b>Information Security Policy (Review)</b>	<b>ICT</b>
	<b>Data Protection Policy</b>	<b>ICT</b>
	<b>Social Networking Policy (Review)</b>	<b>HR/ICT</b>
	<b>Employment Stability Policies and Procedures</b>	<b>HR (review)</b>

**To be allocated**

Annual report on the use of the Speak Up Policy  
 Family Friendly Policy (June 2022)  
 Unreasonably Persistent and Vexatious Communication & Complaints Policy  
 Christmas Closure 2022