Public Document Pack

ADUR & WORTHING
C O U N C I L S

Joint Staff Committee	
Date:	**29 March 2023**
Time:	**6.30 pm**
Venue:	**QEII Room, Shoreham Centre, Shoreham-by-Sea**

Committee Membership:

Adur District Council: Councillors; Carson Albury (Adur Chair), Mandy Buxton (Adur Vice-Chair) and Robina Baine

Worthing Borough Council: Councillors; Rosey Whorlow (Worthing Chairman), Margaret Howard (Worthing Vice-Chairman) and Elizabeth Sparkes

Agenda

Part A

1. **Substitute Members**

   Any substitute members should declare their substitution.

2. **Minutes**

   To approve the minutes of the Joint Staff Committee meeting held on 10th October 2022, copies of which have been previously circulated.

3. **Declarations of Interest**

   Members and officers must declare any disclosable pecuniary interests in relation to any business on the agenda. Declarations should also be made at any stage such an interest becomes apparent during the meeting.

   If in doubt, contact the Legal or Democratic Services representative for this meeting.

4. **Public Question Time**

   To provide the best opportunity for the Committee to provide the public with the fullest answer, questions from the public should be submitted by **midday on Friday 24th March 2023**.

   Questions should be submitted to Democratic Services - democratic.services@adur-worthing.gov.uk

5. **Members Questions**

   Pre-submitted Members questions are pursuant to rule 12 of the Council & Committee Procedure Rules.

   Questions should be submitted by **midday** on **Friday 24th March 2023** to Democratic Services, democratic.services@adur-worthing.gov.uk

   (Note: Member Question Time will operate for a maximum of 30 minutes.)

6. **Items Raised under Urgency Provisions**

   To consider any items the Chairman of the meeting considers to be urgent.

7. **Alcohol and Drugs Policy** (Pages 5 - 38)

   To consider the report by the Director for Digital, Sustainability and Resources, attached as Item 7.

8. **Managing People Change Policy** (Pages 39 - 74)

   To consider the report by the Director for Digital, Sustainability and Resources, attached as Item 8.

9. **Blended Working Policy** (Pages 75 - 146)

   To consider the report by the Director for Digital, Sustainability and Resources, attached as Item 9.

   Part B - Not for Publication – Exempt Information Reports

   No items.

Recording of this meeting
Please note that this meeting is being live streamed and a recording of the meeting will be available on the Council's website. This meeting will remain on our website for one year and will be deleted after that period. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

For Democratic Services enquiries relating	For Legal Services enquiries relating to

to this meeting please contact:	this meeting please contact:
Neil Terry - Democratic Services Manager & Deputy Monitoring Officer neil.terry@adur-worthing.gov.uk	Joanne Lee Head of Legal Services & Monitoring Officer joanne.lee@adur-worthing.gov.uk

Duration of the Meeting: Three hours after the commencement of the meeting the Chairperson will adjourn the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

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Ward(s) Affected:

HR Policies - Alcohol & Drugs Policy

Report by the Director for Digital & Resources

Executive Summary

> **1. Purpose**
> 1.1 The report seeks the changes to the Adur & Worthing Councils Alcohol and Drug Policy to be noted.
> 1.2 The aim of the policy is to protect the health, wellbeing and safety of our employees and the public and to help employees who may have problems with drug and alcohol abuse.

> **2. Recommendations**
> 2.1 The Joint Staff Committee is recommended to note the changes to the Alcohol & Drug Policy with an implementation date of immediate effect.
> 2.2 The changes have been agreed by the Head of Human Resources, in consultation with the Chief Financial Officer and the Head of Legal Services, as these changes are deemed as minor and non-consequential amendments to the Policy, under the delegated authority given to them by The Joint Staff Committee.

3. Context

3.1 Since the policy was implemented there have been a number of changes within the services which has resulted in some job titles changing.

4. Issues for consideration

4.1   The only changes to the policy are that the job titles in the list of Most Safety Critical roles and Safety Critical roles have been updated.

4.2   The job titles need to be up-to-date in the policy to ensure that the correct roles qualify for random and for cause alcohol and drug testing.

4.3   The testing for alcohol and drugs is now in place for the safety of the staff themselves, their colleagues and the Adur & Worthing Councils Communities

5. Engagement and Communication

5.1   Unison have been consulted with and have agreed the changes.

6. Financial Implications

6.1   There are no financial implications arising from the update of this policy.

7. Legal Implications

7.1   The Councils may impose policies that affect its staff. This policy introduces testing for alcohol and certain drugs for a specified group of staff. This is classed as 'special category data' under data protection legislation. The staff will need to consent to such testing for it to take place, however, not providing consent may lead to disciplinary action being taken.

7.2   Officers will need to consult with the Council's Information Governance Officer to consider if the data protection impact assessment previously undertaken on the adoption of this policy needs to be updated with this variation and to ensure that Officers are compliant with data protection legislation.

7.2   This policy forms part of the Officers' terms and conditions of employment.

Background Papers

● Amended Adur & Worthing Councils Alcohol & Drug Policy dated September available at Appendix 1

- Current Adur & Worthing Councils Alcohol & Drug Policy dated September available at Appendix 2
- Alcohol & Drug Policy Equality Impact Assessment (EIA) available at Appendix 3

Officer Contact Details:-
Heidi Christmas
Head of Human Resources
Worthing Town Hall
Direct Dialling No 01903 221183
Email:heidi.christmas@adur-worthing.gov.uk

Sustainability & Risk Assessment

1. Economic
   2.1   Matter considered and no issues identified.

2. Social

2.1   Social Value

2.1.1   Positive impact due to the open and transparent approach to protect the health, wellbeing and safety of the Councils' employees and the Adur and Worthing communities.

2.2   Equality Issues

2.2.1   The Equality Impact Assessment for this policy is attached as Appendix 3

2.3   Community Safety Issues (Section 17)

2.3.1   Positive impact due to the open and transparent approach to protect the health, wellbeing and safety of the Councils' employees and the Adur and Worthing communities.

2.4   Human Rights Issues

2.4.1   This was considered in relation to the drug and alcohol screening and agreement made to only randomly screen safety critical roles identified by the Councils.

3. Environmental

3.1   Matter considered and no issues identified.

4. Governance

2.4.1   Positive impact due to the open and transparent approach to protect the health, wellbeing and safety of the Councils' employees and the Adur and Worthing communities.

Alcohol & Drug Policy

1.0 Overview

1.1 This policy applies to all employees of Adur and Worthing Councils. It also applies to third parties working on our premises, namely contractors, temporary and agency staff and volunteers, individuals participating in a secondment, internship or work experience placement within the Councils.

1.2 Adur and Worthing Councils are committed to providing a safe, healthy and productive workplace for our employees in line with our obligations under legislation, e.g. Health & Safety at Work Act 1974, Management of Health & Safety at Work Regulations 1999, Misuse of Drugs Act 1971.

1.3 Some of the Councils' day to day operations take place in safety critical environments where any issues of drug or alcohol misuse can have a serious adverse effect on safety.

1.4 The aim of this policy is to protect the health, wellbeing and safety of our employees and the public and to help anyone who may have problems with drug or alcohol abuse. This policy explains the Councils' position on alcohol and drug misuse and provides a procedure whereby employees who have a problem of drug or alcohol abuse/misuse can seek and be offered help in confidence.

1.5 The policy is to be used to establish standards and a commitment to safety in this important area and therefore should be used to brief staff, including on recruitment into the organisation, as a reference document and the guideline to judge all relevant activity.

1.6 The Councils recognise that alcohol and drug dependency may be an illness and the sickness policy may be more appropriate. This will be considered in each instance.

1.7 The Councils offer assistance to members of staff who may have developed a problem with either drugs or alcohol. To facilitate this, information on organisations available is provided at www.westsussexwellbeing.org.uk

1.8 The Councils recognise that the use of prescribed medicine, as opposed to illegal drugs can have an impact on an employee's performance at work. It is not expected that this would be grounds for disciplinary action; however, employees are advised to follow any medical advice given to them regarding taking prescribed medicines.

1.9 It should be noted that if drug misuse and/or alcohol consumption reduces performance to unacceptable levels – in terms of safety, sickness absence or other factors – this may prove to be grounds for dismissal if counselling or other treatments are unsuccessful.

2.0 Roles & Responsibilities

2.1 All employees have the responsibility for adhering to this policy.

2.2 Individual areas of responsibility are:

Corporate Leadership Team – overall responsibility for publishing and promoting the adoption of this policy across the Councils and ensuring that it is applied consistently and appropriately

HR Team - reviewing this policy to ensure it is effective and advising managers on the interpretation and consistent application of the policy and on best practice

Managers – responsible for ensuring that the policy is implemented and for the consistent application of the policy and ensuring compliance with this policy across their teams

Employees – complying with the spirit and wording of this policy and to report to their line manager if they see anyone consuming alcohol or misusing drugs, or who appears to be under the influence of either.

3.0   Consumption of Alcohol

3.1   The consumption of alcohol is prohibited during work hours, including lunch and break times and whilst on Council business.

3.2   Alcohol consumption must be managed by all staff such that no member of staff presents for work under the influence of alcohol. Alcohol consumption in breach of the above restrictions is strictly prohibited, risks the safety and comfort of other staff and visitors, and will be regarded as a disciplinary matter.

4.0   Drug Misuse

4.1   "Drug misuse" refers to the use of illegal drugs and the misuse of prescribed drugs, controlled drugs, over the counter medication, psychoactive (or mind altering substances (formerly known as legal highs) and the misuse of substances such as solvents.

4.2   Drug misuse by staff is strictly prohibited such that:-

(i) no member of staff may present for work under the influence of misused drugs, nor may any member of staff misuse drugs during the working day (on the premises or off site);

(ii) drug misuse in breach of the above restrictions is strictly prohibited, risks the safety and comfort of other staff and visitors, and will be regarded as a disciplinary matter.

5.0   Responsibilities of the Employee

5.1   Everyone covered by this policy has a responsibility to present themselves for work unimpaired by drugs or alcohol (i.e. if they have drunk the night before) and to remain unimpaired by drugs or alcohol whilst at work. Being under the influence of alcohol, illegal drugs or other substances during working hours normally constitutes gross misconduct under the Councils' Disciplinary Policy

5.2   Those covered by the policy must never drive or operate machinery if they are under the influence of alcohol or drugs (including prescribed and over-the-counter medication) which may impair their ability to carry out their normal duties. If in any doubt, they must report to their line manager and/or Occupational Health for advice.

5.3   They should check with their doctor, pharmacist or Occupational Health about the side effects of any medication when commencing any prescribed or over the counter medication. They should never take any medication prescribed for anyone else or exceed recommended dosage on either prescribed or over the counter medication as this may result in serious side effects or damage to health.

5.4   They should seek advice from their GP or the Councils' Employee Assistance Programme (EAP) team for guidance on sensible limits of alcohol consumption.

5.5   If they suspect or believe that they may have a drug and/or alcohol misuse problem they are encouraged to refer themselves to the Councils' Occupational Health Team as soon as possible. Appointments can be made via their line manager.

5.6   In the event of a confirmed non-negative result for the presence of alcohol or drugs whilst working on Council premises, this will be fully investigated under the Adur & Worthing Councils' Disciplinary Procedure, which carries a potential penalty of summary dismissal. Consideration will be given on a case by case basis to suspending an employee on normal pay whilst the case is being investigated as per point 12.1 in the Disciplinary Policy. Consideration will be given as to whether alternative work can be found and the level of risk to the Councils.

5.7   If you know or suspect that a colleague may have alcohol or drug abuse issues you should encourage them to seek help. If they will not do so, you should draw the matter to the attention of your line manager. You should not attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol or drug-related problem.

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6.0   Voluntary Disclosure & Seeking Advice and Support

6.1   If you have an issue with alcohol and/or drugs, you will have found it hard to control your consumption. Employees are encouraged to voluntarily disclose to their line manager, or HR, that they may have an abuse/addiction problem. Any attempts to disclose "voluntarily" that they have an abuse/addiction problem after being selected for random testing or for cause testing in anticipation of a positive result may not be accepted by the Councils under the voluntary disclosure section of this policy.

6.2   An employee should seek advice and support early on to ensure that they can be provided support at the earliest opportunity. A good place to start is with your GP. There are also a range of support options available, many of which can be found on the website http://www.westsussexwellbeing.org.uk

6.3   Support is also available via the Councils' Employee Assistance Programme (EAP). Details are available on the Councils' Intranet at EAP

6.4   Where an employee volunteers to disclose to the Councils that they have a drug/alcohol dependency problem, and the employee will readily accept help and treatment, the Councils will refer them to Occupational Health for advice about an appropriate treatment programme.

6.5   The Councils will take advice from Occupational Health as to what is considered a reasonable time period to complete a treatment programme and, if an employee is absent from work because they are following a treatment programme, the expected date for their return to work. Please see point 6.2 for information regarding the support that is available.

6.6   An employee will receive Occupational Sick Pay during absence from work caused by a treatment programme. However, if an employee fails to comply with the recommendations of the agreed programme of treatment, it will be at the Councils' discretion as to whether Occupational Sick should cease.

6.7   If an employee fails to comply with the recommendations of the agreed programme of treatment, fails to complete the rehabilitation programme successfully or suffers a relapse following the treatment programme, the Councils will then consider terminating the employee's contract of employment.

7.0   Drug & Alcohol Screening

7.1   Drug and alcohol misuse may be tested for under the following conditions:

i)   for the most safety critical roles (List1) - randomly or for cause testing where there is reasonable cause to suspect that the member of staff is attending work under the influence of drugs or alcohol and after an incident or accident where there is reasonable cause to suspect that the member of staff has been under the influence of drugs or alcohol

ii)   for safety critical roles (List 2)– for cause screening after an incident or accident, where there is reasonable cause to suspect that the member of staff has been under the influence of drugs or alcohol

*'**Most safety critical roles'** involve activities where, because of the risks associated with the role, the employees need to have full, unimpaired control of their physical and/or mental capabilities to carry out a particular task or make critical decisions which can impact on the health or welfare of themselves or others.

7.2   The Councils reserve the right to conduct random alcohol and/or drug testing or random alcohol testing or random drug testing on some or all employees in all safety critical roles at any time of the working period and no notice will be given.

7.3   Prior to 'for cause' testing being carried the manager's checklist (Appendix 3) will be completed by the line manager with the employee.

7.4   Any employee who refuses to give consent to be screened will be subject to the Councils' Disciplinary

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Procedure whereby refusal may be treated as gross misconduct for which summary dismissal is one possible outcome. Employees will be given one further opportunity to agree to screening before the disciplinary procedure is invoked.

7.5   Drug and alcohol screening will always be carried out by trained and competent people. Screening will be carried out in privacy and employees undergoing screening will be treated with dignity and respect at all stages of the process.

7.6   Alcohol screening will be carried out by using an electronic breath testing device. "Unimpaired" for these purposes means with a negative blood/alcohol or drugs test result. The alcohol level for drivers in England and Wales is a level in excess of 35mg of alcohol in 100ml of breath, 80mg of alcohol per 100ml blood or 107mg per 100ml of urine, so these are the levels that the Councils will use as an indication of an employee's capability and awareness being affected and levels over these limits will be classed as a positive test result.

7.7   It is not currently scientifically possible to identify a level of drug concentration in the blood or urine to effectively indicate whether capability or awareness is affected by the use of drugs and therefore the Councils take a zero tolerance view of a positive drugs test result. Drug screening will be carried out by urine testing which screens for cocaine, amphetamines and methamphetamines (including ecstasy), cannabis, opiates (including heroin) and benzodiazepines.

7.8   Records of screening results are considered to be 'special category data' and will be subject to and processed in accordance with the Data Protection Act 2018 and GDPR.

7.9   We aim to ensure that the confidentiality of any member of staff experiencing alcohol or drug related problems is maintained appropriately. However, it needs to be recognised that, in supporting staff, some degree of information sharing is likely to be necessary.

8.0   Monitoring & Review

This policy will be monitored and reviewed on a regular basis by the Human Resources team with a thorough review taking place in three years if required.

9.0   Legislative Framework

This policy has been written in reference to the following documents:

- Health & Safety at Work Act 1974
- Management of Health & Safety at Work Regulations 1999
- Misuse of Drugs Act 1971
- ACAS (Advisory, Conciliation and Arbitration Service) guidance
- Human Rights Act 1998
- Data Protection Act 2018
- Equalities Act 2010
- Road Traffic Act 1988

Appendices

Appendix 1 List of Most Safety Critical Roles

Appendix 2 List of Safety Critical Roles

Appendix 3 Manager's For Cause Testing Checklist

Date policy agreed with Unison: November 2022
Date agreed by Joint Staff Committee: November 2022
Date for review: 18 months from formal adoption of policy

Appendix 1

'Most safety' critical roles				
'Most safety critical roles' involve activities where, because of the risks associated with the role, the employees need to have full, unimpaired control of their physical and/or mental capabilities to carry out a particular task or make critical decisions which can impact on the health or welfare of themselves or others				
This list is not exhaustive and the list of jobs and job titles may change over time - the main focus is on the types of work that is carried out that is safety critical				
Directorate	**Department**	**Job Title**	**Why Critical?**	**Approx. number of posts**
Communities / Economy	Housing Maintenance & Repairs/Surveying	Multi Trade Operative (including Charge Hands)	Operates a number of power and hand tools. Often works alone in Council properties. Drives Council vehicles.	13
Communities	Bereavement Services	Burial Grounds Officer	Operates hedgecutters, strimmers and other power tools. Drives and operates dumper trucks and excavators etc. Drives Council vehicles. Works in confined spaces excavating and shoring graves.	6
Communities	Bereavement Services	Bereavement Services Team Leader - Grounds	Operates hedgecutters, strimmers and other power tools. Drives and operates dumper trucks and excavators etc. Drives Council vehicles. Works in confined spaces excavating and shoring graves.	1
Communities	Bereavement Services	Crematorium Technician (including Relief)	Represents Council dealing with bereaved people. Operates complex crematorium equipment. Responsible for the integrity of the cremated remains.	11
Communities	Bereavement Services	Senior Crematorium Technician	Represents Council dealing with bereaved people. Operates complex crematorium equipment. Responsible for the integrity of the cremated remains.	1
Digital, Sustainability & Resources	Transport Team	Mechanic	Responsible for service, maintenance and repair of vehicles and mobile plant in accordance with legislation.	1
Digital, Sustainability & Resources	Transport Team	HGV Mechanic	Responsible for service, maintenance and repair of vehicles and mobile plant in accordance with legislation. Drives Council vehicles.	3

Digital, Sustainability & Resources	Waste & Cleansing	Kerbside Loader Operative (including Relief)	Operates automatic hydraulic bin lifts and works on highways alongside traffic and pedestrians.	32
Digital, Sustainability & Resources	Waste & Cleansing	Cleansing Driver Operative (including Relief)	Drives Council LGV, operates machinery, works on highways alongside traffic/pedestrians, occasional lone worker.	40
Digital, Sustainability & Resources	Waste & Cleansing	Driver Loader	Drives Council HGV and LGV, operates machinery and works on highways alongside traffic/pedestrians.	27
Digital, Sustainability & Resources	Waste & Cleansing	Cleansing Driver Team Leader	Drives Council LGV, operates machinery, works on highways alongside traffic/pedestrians, occasional lone worker.	2
Digital, Sustainability & Resources	Waste & Cleansing	Phase Leader	Drives Council HGV and LGV, operates machinery and works on highways alongside traffic/pedestrians.	8
Digital, Sustainability & Resources	Waste & Cleansing	Street Cleansing Operative	Work alongside HGV vehicles, responsible for site safety, works on highways alongside traffic/pedestrians, occasional lone worker.	5
Digital, Sustainability & Resources	Waste & Cleansing	Yard Operative	Operates power tools. Makes safety assessments. Responsible for site safety, works alongside HGV and LGV traffic and occasional lone worker.	1
Economy	Parks & Foreshore	Coastal Warden	Operates power boats, administers first aid, makes safety critical decisions, coordinates with emergency services, pier closure, water safety activities etc.	3
Economy	Parks & Foreshore	Senior Coastal Warden	Operates power boats, administers first aid, makes safety critical decisions, coordinates with emergency services, pier closure, water safety activities etc.	1
Economy	Parks & Foreshore	Craft Gardener	Operates hedgecutters, strimmers, other power tools, pedestrian and ride-on mowers. Works in traffic management systems and drives Council vehicles.	5

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Economy	Parks & Foreshore	Grounds Maintenance Operative	Operates hedgecutters, strimmers, other power tools, pedestrian and ride-on mowers. Works in traffic management systems and drives Council vehicles (may include tractor).	16
Economy	Parks & Foreshore	Senior Grounds Maintenance Operative	Operates hedgecutters, strimmers, other power tools, pedestrian and ride-on mowers. Works in traffic management systems and drives Council vehicles (may include tractor).	1
Economy	Parks & Foreshore	Sports Team Operative	Operates hedgecutters, strimmers, other power tools, pedestrian and ride-on mowers. Works in traffic management systems and drives Council vehicles.	5
Economy	Parks & Foreshore	Head/Park Ranger/Assistant	Operates hedgecutters, strimmers and other power tools, drives Council vehicles. Assesses safety of parks, open spaces and play area infrastructure.	6
Economy	Parks & Foreshore	Operations Supervisor	Operates hedgecutters, strimmers and other power tools, drives Council vehicles, oversees traffic management systems and conducts safety assessments.	1
			Total number of posts	189

Appendix 2

'Safety Critical' Roles

This list is not exhaustive and the list of jobs and job titles may change over time - the main focus is on the types of work that is carried out that is safety critical				
Directorate	**Department**	**Job Title**	**Why Critical?**	**Approx. number of posts**
Communities	Housing Maintenance & Repairs	Compliance Manager (Contracts)	Will be attending sites, required to lift items.	1
Communities	Housing Maintenance & Repairs	Voids & Lettings Officer	Critical to business if action and decisions taken aren't correct e.g. heating provision for new tenant	1
Communities	Housing Maintenance & Repairs	Housing Officer	Officers carry out visits to tenants homes and often them of safety issue in the cause of their job, some of whom are very vulnerable	3
Communities	Housing Maintenance & Repairs	Repair Services Manager	Officer responsible for making decisions on safety of officers who handle equipment and machinery often in the home of vulnerable tenants.	1
Communities	Housing	Senior Housing Officer/Homeless Intervention & Prevention Officer (including Assistant)/Temporary Accommodation Officer	Conduct visits to tenants homes. Critical decision in relation to health and welfare of homeless and vulnerable.	9
Communities	Housing	Sheltered Housing Officer	Responsible for the welfare of vulnerable people living on site.	3
Digital, Sustainability & Resources	Waste & Cleansing	Education & Compliance Officer	Issuing enforcement action on behalf of Councils.	3
Digital, Sustainability & Resources	Waste & Cleansing	Assistant Operations Manager/Operations Support Officer	Drives Council LGV vehicles when required.	2
Digital, Sustainability & Resources	Waste & Cleansing	Waste, Cleansing & Fleet Manager	Carries out drivers' assessments. WAMITAB and O licence holder on behalf of Councils.	1

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Digital, Sustainability & Resources	Waste & Cleansing	Waste/Operations Supervisor	Drives Council HGV and/or LGV vehicles when required.	2
Digital, Sustainability & Resources	Waste & Cleansing	Mobile Cleaner Operative	Drives council vehicles, uses chemicals and conducts site safety assessments.	6
Digital, Sustainability & Resources	Car Parks	Customer Service Advisor (Car Parks) (incl. Car Parks Advisor/Operative/Support Officer)	Drives Council vehicles, conducts safety assessments which may result in car park closure, lift entrapments/closures etc.	8
Digital, Sustainability & Resources	Car Parks	Car Parks Operation Officer	Drives Council vehicles, conducts safety assessments which may result in car park closure, lift entrapments/closures etc.	1
Digital, Sustainability & Resources	Car Parks	Car Parks Team Leader	Drives Council vehicles, conducts safety assessments which may result in car park closure, lift entrapments/closures etc.	2
Digital, Sustainability & Resources	Revenues & Benefits	Inspector & Collector	Conducts visits to domestic and commercial properties in respect of Council Tax or Business Rates. Involves considerable driving to undertake visits.	2
Economy	Facilities & Technical Services	Maintenance Surveyor	Conducting risk assessments and making decisions with regards to maintenance of Civic, operational buildings and other sites, e.g., theatres, leisure centres. Instructing maintenance activities.	2
Economy	Facilities & Technical Services	Maintenance Assistant/Inspector	Conducting risk assessments and making decisions with regards to maintenance of Civic, operational buildings and other sites, e.g., theatres, leisure centres. Instructing maintenance activities.	1
Economy	Parks & Foreshore	Arboricultural Inspector	Conducts safety inspections of trees. Drives Council vehicles.	2
			Total number of posts	50

Appendix 3

ADUR & WORTHING
COUNCILS

Manager's Alcohol or Drug Testing Checklist

Employee's Name	
Job title	
Date and time	
Manager's name	
Manager's Job Title	
Reason for the test:	
Alcohol:	
Incident or accident occurred	Yes No Provide details:
Smells of alcohol (fresh or stale)	Yes No
Unsteady on feet	Yes No
Slurred speech	Yes No
Blood shot eyes	Yes No
Unusually aggressive	Yes No
Erratic behaviour	Yes No
Information provided by another person	Yes No
Other justifiable reason	Yes No Provide details:

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Drugs:	Type of drug:	
Incident or accident occurred	Yes No Provide details:	
Dilated pupils	Yes	No
Smell of drugs	Yes	No
Change in attitude	Yes	No
Lack of coordination	Yes	No
Confused	Yes	No
Unusually talkative	Yes	No
Information provided by another person	Yes	No
Other justifiable reason	Yes No Provide details:	
Consent		
Member of staff understands the reason for the test?	Yes No Notes:	
Member of staff consents to the test?	Yes No Provide details i.e. if they refuse what is their reason for refusing:	

Test results (circle appropriate)	
Alcohol Test (Negative/Non negative If non negative – final test result)	Negative Non negative Not Applicable If non negative – final test result: Negative Non negative Not Applicable
Drug test (Negative/Non negative If non negative – final test result)	Negative Non negative Not Applicable If non negative – final test result:
Signed employee:	
Date & Time:	
Signed manager:	
Date & Time:	

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Alcohol and Drug Policy

1.0   Overview

1.1   This policy applies to all employees of Adur and Worthing Councils. It also applies to third parties working on our premises, namely contractors, temporary and agency staff and volunteers, individuals participating in a secondment, internship or work experience placement within the Councils.

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grounds for disciplinary action; however, employees are advised to follow any medical advice given to them regarding taking prescribed medicines.

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- **Managers –** responsible for ensuring that the policy is implemented and for the consistent application of the policy and ensuring compliance with this policy across their teams
- **Employees –** complying with the spirit and wording of this policy and to report to their line manager if they see anyone consuming alcohol or misusing drugs, or who appears to be under the influence of either.

3.0 Consumption of Alcohol

3.1 The consumption of alcohol is prohibited during work hours, including lunch and break times and whilst on Council business.

3.2 Alcohol consumption must be managed by all staff such that no member of staff presents for work under the influence of alcohol. Alcohol consumption in breach of the above restrictions is strictly prohibited, risks the safety and comfort of other staff and visitors, and will be regarded as a disciplinary matter.

4.0 Drug Misuse

4.1 "Drug misuse" refers to the use of illegal drugs and the misuse, of prescribed drugs, controlled drugs, over the counter medication, psychoactive (or mind altering substances (formerly known as legal highs) and the misuse of substances such as solvents.

4.2 Drug misuse by staff is strictly prohibited such that:-

(i) no member of staff may present for work under the influence of misused drugs, nor may any member of staff misuse drugs during the working day (on the premises or off-site);

(ii) drug misuse in breach of the above restrictions is strictly prohibited, risks the safety and comfort of other staff and visitors, and will be regarded as a disciplinary matter.

5.0   Responsibilities of the Employee

5.1   Everyone covered by this policy has a responsibility to present themself for work unimpaired by drugs or alcohol (i.e. if they have drunk the night before) and to remain unimpaired by drugs or alcohol whilst at work. Being under the influence of alcohol, illegal drugs or other substances during working hours normally constitutes gross misconduct under the Councils' Disciplinary Policy

5.2   Those covered by the policy must never drive or operate machinery if they are under the influence of alcohol or drugs (including prescribed and over-the-counter medication) which may impair their ability to carry out their normal duties. If in any doubt, they must report to their line manager and/or Occupational Health for advice.

5.3   They should check with their doctor, pharmacist or Occupational Health about the side effects of any medication when commencing any prescribed or over the counter medication. They should never take any medication prescribed for anyone else or exceed recommended dosage on either prescribed or over the counter medication as this may result in serious side effects or damage to health.

5.4   They should seek advice from their GP or the Councils' Employee Assistance Programme (EAP) team for guidance on sensible limits of alcohol consumption.

5.5   If they suspect or believe that they may have a drug and/or alcohol misuse problem they are encouraged to refer themself to the Councils' Occupational Health Team as soon as possible. Appointments can be made via their line manager.

5.6   In the event of a confirmed non-negative result for the presence of alcohol or drugs whilst working on Council premises, this will be fully investigated under the Adur And Worthing Councils' Disciplinary Procedure, which carries a potential penalty of summary dismissal. Consideration will be given on a case by case basis to suspending an employee on normal pay whilst the case is being investigated as per point 12.1 in the Disciplinary Policy. Consideration will be given as to whether alternative work can be found and the level of risk to the Councils.

5.7   If you know or suspect that a colleague may have alcohol or drug abuse issues you should encourage them to seek help. If they will not do so, you should draw the matter to the attention of your line manager. You should not attempt to cover up for a colleague whose work or behaviour is suffering as a result of an alcohol or drug-related problem.

6.0   Voluntary Disclosure and Seeking Advice and Support

6.1   If you have an issue with alcohol and/or drugs, you will have found it hard to control your consumption. Employees are encouraged to voluntarily disclose to their line manager, or HR, that they may have an abuse/addiction problem. Any attempts to disclose "voluntarily" that they have an abuse/addiction problem after being selected for random testing or for cause

testing in anticipation of a positive result, may not be accepted by the Council under the voluntary disclosure section of this policy.

6.2   An employee should seek advice and support early on to ensure that they can be provided support at the earliest opportunity. A good place to start is with your GP. There are also a range of support options available, many of which can be found on the website http://www.westsussexwellbeing.org.uk

6.2   Support is also available via the Councils' Employee Assistance Programme (EAP). Details are available on the Councils' Intranet at EAP

6.3   Where an employee volunteers to disclose to the Council that they have a drug/alcohol dependency problem, and the employee will readily accept help and treatment, the Council will refer them to Occupational Health for advice about an appropriate treatment programme.

6.4   The Council will take advice from Occupational Health as to what is considered a reasonable time period to complete a treatment programme and, if an employee is absent from work because they are following a treatment programme, the expected date for their return to work. Please see point 6.2 for information regarding the support that is available.

6.5   An employee will receive Occupational Sick Pay during absence from work caused by a treatment programme. However, if an employee fails to comply with the recommendations of the agreed programme of treatment, it will be at the Council's discretion as to whether Occupational Sick should cease.

6.6   If an employee fails to comply with the recommendations of the agreed programme of treatment, fails to complete the rehabilitation programme successfully or suffers a relapse following the treatment programme, the Council will then consider terminating the employee's contract of employment.

7.0   Drug & Alcohol Screening

7.1 Drug and alcohol misuse may be tested for under the following conditions:

i)   for the **most safety critical roles** (List1) - randomly or for cause testing where there is reasonable cause to suspect that the member of staff is attending work under the influence of drugs or alcohol and after an incident or accident where there is reasonable cause to suspect that the member of staff has been under the influence of drugs or alcohol

ii)   for **safety critical roles** (List 2)– for cause screening after an incident or accident, where there is reasonable cause to suspect that the member of staff has been under the influence of drugs or alcohol

*'**Most safety critical roles'** involve activities where, because of the risks associated with the role, the employees need to have full, unimpaired control of their physical and/or mental capabilities to carry

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out a particular task or make critical decisions which can impact on the health or welfare of themselves or others

7.2   The Councils reserve the right to conduct random alcohol and/or drug testing or random alcohol testing or random drug testing on some or all employees in all safety critical roles at any time of the working period and no notice will be given.

7.3   Prior to 'for cause' testing being carried the manager's checklist (Appendix 3) will be completed by the line manager with the employee.

7.4   Any employee who refuses to give consent to be screened will be subject to the Councils' Disciplinary Procedure whereby refusal may be treated as gross misconduct for which summary dismissal is one possible outcome. Employees will be given one further opportunity to agree to screening before the disciplinary procedure is invoked.

7.5   Drug and alcohol screening will always be carried out by trained and competent people. Screening will be carried out in privacy and employees undergoing screening will be treated with dignity and respect at all stages of the process.

7.6   Alcohol screening will be carried out by using an electronic breath testing device. "Unimpaired" for these purposes means with a negative blood/alcohol or drugs test result. The alcohol level for drivers in England and Wales is a level in excess of 35mg of alcohol in 100ml of breath, 80mg of alcohol per 100ml blood or 107mg per 100ml of urine, so these are the levels that the Councils will use as an indication of an employee's capability and awareness being affected and levels over these limits will be classed as a positive test result.

7.7   It is not currently scientifically possible to identify a level of drug concentration in the blood or urine to effectively indicate whether capability or awareness is affected by the use of drugs and the Councils therefore takes a zero tolerance view of a positive drugs test result. Drug screening will be carried out by urine testing which screens for cocaine, amphetamines and methamphetamines (including ecstasy), cannabis, opiates (including heroin) and benzodiazepines.

7.8   Records of screening results are considered to be 'special category data and will be subject to and processed in accordance with the Data Protection Act 2018 and GDPR.

7.9   We aim to ensure that the confidentiality of any member of staff experiencing alcohol or drug related problems is maintained appropriately. However, it needs to recognised that, in supporting staff, some degree of information sharing is likely to be necessary.

8.0   Monitoring and Review

8.1   This policy will be monitored and reviewed on a regular basis by the Human Resources team with a thorough review taking place in three years if required.

9.0   Legislative framework

9.1   This policy has been written in reference to the following documents:
- Health & Safety at Work Act 1974
- Management of Health & Safety at Work Regulations 1999
- Misuse of Drugs Act 1971
- ACAS (Advisory, Conciliation and Arbitration Service) guidance
- Human Rights Act 1998
- Data Protection Act 2018
- Equalities Act 2010
- Road Traffic Act 1988

Appendices

Appendix 1   List of Most Safety Critical Roles
Appendix 2   List of Safety Critical Roles
Appendix 3   Manager's For Cause Testing Checklist

Date policy agreed with Unison:
Date agreed by Joint Staff Committee:
Date for review: 18 months from formal adoption of policy

Appendix 1

Most safety critical roles				
'Most safety critical roles' involve activities where, because of the risks associated with the role, the employees need to have full, unimpaired control of their physical and/or mental capabilities to carry out a particular task or make critical decisions which can impact on the health or welfare of themselves or others				
This list is not exhaustive and the list of jobs and job titles may change over time - the main focus is on the types of work that is carried out that is safety critical				
Directorate	**Department**	**Job Title**	**Why Critical?**	**Approx. number of posts**
Communities	Housing - maintenance and repairs	Multi-Trade Operative	Plumbers and Electricians for the Council using a variety of tools. Often lone working in Council properties	17
Environment	Parks and Foreshore	Foreshore Inspector	Operates power boats, adminsters first aid, makes safety critical decisions re pier closure, water safety activities etc.	3
Environment	Parks and Foreshore	Craft Gardener	Operates power tools - hedgecutters, strimmers, drives council vehicles	3
Environment	Parks and Foreshore	Snr Foreshore Inspector	Operates power boats, adminsters first aid, makes safety critical decisions re pier closure, water safety activities etc.	1
Environment	Parks and Foreshore	FO Seasonal Safety Boat Operator	Operates power boats, adminsters first aid, makes safety critical decisions re pier closure, water safety activities etc.	5
Environment	Parks and Foreshore	Head Gardener	Operates power tools - hedgecutters, strimmers, drives council vehicles	1
Environment	Parks and Foreshore	Grounds Maintenance Team	Operates power tools - hedgecutters, strimmers, drives council vehicles	19
Environment	Parks and Foreshore	Seasonal Grounds Maintenance	Operates power tools - hedgecutters, strimmers, drives council vehicles	6
Environment	Parks and Foreshore	Senior Green Keeper	Operates power tools - hedgecutters, strimmers, drives council vehicles	3
Environment	Parks and Foreshore	Cemetery Operatives	Operates power tools - hedgecutters, strimmers, drives council vehicles, works in confined spaces excavating and shoring graves.	4
Environment	Parks and Foreshore	Bereavement Services GM Team Leader	Operates power tools - hedgecutters, strimmers, drives council vehicles, works in confined spaces excavating and shoring graves.	1
Environment	Parks and Foreshore	Gardener	Operates power tools - hedgecutters, strimmers, drives council vehicles	1
Environment	Parks and Foreshore	Community Park Ranger	Operates power tools - hedgecutters, strimmers, drives council vehicles.	2

Environment			Assesses safety of parks and opren spaces infrastructure.	
Environment	Parks and Foreshore	Environment Maintenance Officer	Operates power tools - drills, grinders etc. Assesses safety of play equipment	2
Environment	Parks and Foreshore	Environment Maintenance TL	Operates power tools - drills, grinders etc. Assesses safety of play equipment	1
Environment	Parks and Foreshore	Coast Protection Grounds Maintenance Operative	Operates power tools - drills, grinders etc. Assesses safety of coastal defences. Operates heavy plant machinery.	1
Environment	Parks and Foreshore	Coast Protection Team Leader	Operates power tools - drills, grinders etc. Assesses safety of coastal defences. Operates heavy plant machinery.	1
Environment	Parks and Foreshore	Grounds Maintenance Supervisor	Operates power tools - hedgecutters, strimmers, drives council vehicles. Makes safety assessments.	1
Environment	Parks and Foreshore	Apprentice Gardener	Operates power tools - hedgecutters, strimmers.	1
Environment	Bereavement Services	Crematorium Technician	Represents Council dealing with bereaved people and operates complex crematorium equipment where the impact could be major both H&S and reputationally if operated incorrectly. Responsible for the integrity of the cremated remains.	10
Environment	Bereavement Services	Snr Crematorium Technician	Represents Council dealing with bereaved people and operates complex crematorium equipment where the impact could be major both H&S and reputationally if operated incorrectly. Responsible for the integrity of the cremated remains.	1
Environment	Transport Team	Mechanic	H&S of others, both Council and general public could be impacted if their work was defective due to be under the influence of drugs or alcohol. Could also influence Council's retention of Operators Licence for vehicle fleet.	1
Environment	Transport Team	HGV mechanic	H&S of others, both Council and general public could be impacted if their work was defective due to be under the influence of drugs or alcohol. Could also influence Council's retention of Operators Licence for vehicle fleet.	3
Environment	Transport Team	Semi Skilled Mechanic	H&S of others, both Council and general public could be impacted if their work was defective due to be under the influence of drugs or alcohol. Could also influence Council's retention of Operators Licence for vehicle fleet.	1

Environment	Waste and Cleansing	Relief Driver Operative	Potential major H&S and reputational risk if operating HGV or LGV vehicles under the influence of drugs & alcohol.	1
Environment	Waste and Cleansing	Relief Operative	Potential major H&S risk as operate automatic hydraulic bin lifts and also working on highway alongside traffic and pedestrians.	9
Environment	Waste and Cleansing	Relief Operative - Pool	Potential major H&S risk as operate automatic hydraulic bin lifts and also working on highway alongside traffic and pedestrians.	2
Environment	Waste and Cleansing	Cleansing Driver Operative	Potential major H&S and reputational risk if operating HGV or LGV vehicles under the influence of drugs & alcohol.	29
Environment	Waste and Cleansing	Kerbside Loader	Potential major H&S risk as operate automatic hydraulic bin lifts and also working on highway alongside traffic and pedestrians.	11
Environment	Waste and Cleansing	Grounds Maintenance Operative	Operates power tools - hedgecutters, strimmers, drives council vehicles.	22
Environment	Waste and Cleansing	Environmental Services Manual Operative	Operates power tools - hedgecutters, strimmers, drives council vehicles. Potential major H&S risk as operate automatic hydraulic bin lifts and also working on highway alongside traffic and pedestrians.	6
Environment	Waste and Cleansing	Refuse / recycling driver team leader	Potential major H&S and reputational risk if operating HGV or LGV vehicles under the influence of drugs & alcohol.	18
Environment	Waste and Cleansing	Refuse / recycling driver operative	Potential major H&S and reputational risk if operating HGV or LGV vehicles under the influence of drugs & alcohol.	32
Environment	Waste and Cleansing	Loader Phase Leader	Potential major H&S risk as operate automatic hydraulic bin lifts and also working on highway alongside traffic and pedestrians.	11
Environment	Waste and Cleansing	Manual Sweeper	Work alongside staff using HGV vehicles plus power tools.	2
Environment	Waste and Cleansing	Street Sweeper Chargehand Driver	Potential major H&S and reputational risk if operating HGV or LGV vehicles under the influence of drugs & alcohol.	2
Environment	Waste and Cleansing	Bulky Household Waste Collector	Potential major H&S risk as operate automatic hydraulic bin lifts and also working on highway alongside traffic and pedestrians.	2
Environment	Waste and Cleansing	Pedestrian Sweeper Driver	Potential major H&S and reputational risk if operating HGV or LGV vehicles under the influence of drugs & alcohol.	1

Environment	Waste and Cleansing	Street Sweeper manual sweeper	Work alongside staff using HGV vehicles plus power tools. Work alongside staff using HGV vehicles plus power tools. Also responsible for site safety. At times lone worker.	4
Environment	Waste and Cleansing	Yard Operative	Operates power tools. Makes safety assessments. Also responsible for site safety. At times lone worker.	1
			Total no of posts	242

Appendix 2

Safety Critical Roles				
This list is not exhaustive and the list of jobs and job titles may change over time - the main focus is on the types of work that is carried out that is safety critical				
Directorate	**Department**	**Job Title**	**Why Critical?**	**Approx. number of posts**
Communities	Housing - maintenance and repairs	Compliance Manager Contract	Will be attending site, required to lift items.	1
Communities	Housing - maintenance and repairs	Voids and Lettings officer	Critical to business if action and decisions taken aren't correct e.g re heating provision for new tennant	1
Communities	Adur Homes Team	Housing Officer	Officers carry out visits to tenants homes and often them of safety issue in the cause of their job, some of whom are very vulnerable	3
Communities	Adur Homes Team	Senior Housing Officer	Officers carry out visits to tenants homes in the cause of their job, some of whom are very vulnerable	1
Communities	Adur Homes Team	Sheltered Housing Officer	Responsible for the welfare of vulnerable people living on site	2
Communities	Adur Homes Team	Assistant Building Services Manager	Officer responsible for making decisions on safety of officers who handle equipment and machinery often in the home of vulnerable tenants	1
Environment	Business Support	Education & Compliance Officer	Issuing enforcement action on behalf of Council	2
Environment	Parks and Foreshore	Arboricultural Inspector	Carries out safety inspections of trees which could have major potential impact on the H&S of others.	1
Environment	Waste and Cleansing	Assistant Operations Manager	Carries out drivers assessments. WAMITAB and O licence holder on behalf of Council.	1
Environment	Waste and Cleansing	Waste Operations Supervisors	Drives HGV and LGV vehicles when needed.	2
Environment	Car Parks	Car Parks Advisor	Drives Council vehicles, carries out safety assessments which may result in car park closure, lift entrapments etc.	9
Environment	Car Parks	Car Parks Supervisor	Drives Council vehicles, carries out safety assessments which may result in car park closure, lift entrapments etc.	1
Environment	Car Parks	Car Parks Team Leader	Drives Council vehicles, carries out safety assessments which may result in car park closure, lift entrapments etc.	2
Environment	Waste and Cleansing	Mobile Toilet Cleaners (drivers)	Drives council vehicles, uses chemicals, site safety assessments.	7
Digital & Resources	Facilities and Tech Services	Maintenance Surveyor	Out on site on a daily basis advising and making decisions regarding	1

			maintenance as well as undertaking maintenance. E.g. Swimming pool maintenance if not correctly undertaken could have significant impact on the functioning of the service. Also could injure themselves or others if not able to carry out tasks correctly or make decisions effectively.	
Digital & Resources	Facilities and Tech Services	Maintenance Assistant	Out on site on a daily basis advising and making decisions regarding maintenance as well as undertaking maintenance. E.g. Swimming pool maintenance if not correctly undertaken could have significant impact on the functioning of the service. Also could injure themselves or others if not able to carry out tasks correctly or make decisions effectively.	1
Digital & Resources	Revs and Bens	Inspector/Collector	these roles are "outside" inspectors which involves ECU and majority of working time is spent driving or visiting properties to inspect or collect	2
			Total no of posts	38

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Appendix 3

Manager's Alcohol or Drug Testing Checklist

Employee's Name	
Job title	
Date and time	
Manager's name	
Manager's Job Title	
Reason for the test:	
Alcohol:	
Incident or accident occurred	Yes/No Provide details
Smells of alcohol (fresh or stale)	Yes/No
Unsteady on feet	Yes/No
Slurred speech	Yes/No
Blood shot eyes	Yes/No
Unusually aggressive	Yes/No
Erratic behaviour	Yes/No
Information provided by another person	Yes/No
Other justifiable reason	Yes/No. Provide details
Drugs:	Type of drug:
Incident or accident occurred	Yes/No Provide details
Dilated pupils	Yes/No
Smell of drugs	Yes/No
Change in attitude	Yes/No
Lack of coordination	Yes/No
Confused	Yes/No
Unusually talkative	Yes/No
Information provided by another person	Yes/No
Other justifiable reason	Yes/No Provide details
Member of staff informed of the reason for the test?	Yes/No Notes:

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Member of staff understands the reason for the test?	Yes/No Notes:
Member of staff consents to the test?	Yes/No Notes: i.e. if they refuse what is their reason for refusing

Test results:

Alcohol Test	Negative/Non negative If non negative – final test result
Drug test	Negative/Non negative If non negative – final test result

Signed employee……………………………………….. Date:

Signed manager   ………………………………… Date:

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Equality Impact Assessment – Alcohol and Drug Policy

Name of project/policy/strategy (hereafter referred to as "initiative"): Alcohol and Drug Policy

Provide a brief summary (bullet points) of the aims of the initiative and main activities: To review, update and make additions to the current Adur & Worthing Councils Alcohol and Drugs Policy and Guidance. This includes: ● more detail regarding support for employees regarding voluntary disclosure if they have a drug or alcohol dependency problem ● Clarity around not consuming alcohol during work hours, including lunch and break times and whilst on Council business ● New section on Drug and Alcohol screening

Project Officer : Heidi Christmas   Date : November 2019

Stage 1: 'Screening'
This stage establishes whether a proposed initiative will have an impact on equality groups, (age, disability, gender, race, religion/belief, sexual orientation), or whether it is "equality neutral" (i.e. have no effect either positive or negative). So for example in the case of gender impact, consider whether men and women are affected differently.

Q.1. Who will benefit from this initiative? Is there likely to be a positive impact on specific equality groups (whether or not they are intended beneficiaries), and if so, how? <u>Or</u> is it clear at this stage that it will be equality "neutral"? i.e. will have no particular effect on any group. The aim of the policy is to protect the health, wellbeing and safety of our employees and the public and to help employees who may have a problem with drug or alcohol abuse. The policy will be applied consistently irrespective of any protected characteristic.

Q.2. Is there likely to be an adverse impact on one or more equality group as a result of this initiative? If so, who may be affected and why? Or is it clear at this stage that it will be equality "neutral"?

The policy will not have an adverse impact on any one or more equality group.

The screening process can identify any medication that might affect the test outcome to ensure that a positive test is not due to any medication being taken by the individual.

The potential for the individual to have an underlying disability will be considered on a case by case basis.

The 'for cause' drug and alcohol screening will be only be carried out once a manager has completed the manager's checklist showing the reason why the test is being requested

The random drug and alcohol screening will only be carried out on those roles that have been identified as safety critical or where the staff has a role in safeguarding children or adults. That list has been agreed by Unison.

Q.3. Is the impact of the initiative - whether positive or negative - significant enough to warrant a more detailed assessment (Stage 2 - see guidance)? If not, will there be monitoring and review to assess the impact over a period of time? Briefly (bullet points) give reasons for your answer and any steps you are taking to address particular issues, including any consultation with staff or external groups/agencies.

It is not considered necessary to have a more detailed assessment. The policy is not considered to have a negative impact on any equality group. The policy will be reviewed in three years time and at this point, the equality impact assessment will also be reviewed.

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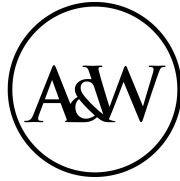
A&W

ADUR & WORTHING
C O U N C I L S

Key Decision: No

Ward(s) Affected:

Managing People Change Policy

Report by the Director for Digital, Sustainability and Resources

Executive Summary

1. **Purpose**
   1.1 This report seeks approval of the proposed changes to the Adur & Worthing Councils' Managing People Change Policy.
   1.2 The overarching aim of this policy is to manage the impact of organisational change, particularly in relation to where the need for redundancy arises, and to provide members of staff with a clear understanding of the principles that will underpin any change in the organisation.

2. **Recommendations**
   2.1 The Joint Staff Committee is recommended to approve the amendments to the Managing People Change Policy with immediate effect.
   2.2 The amendments to the policy were deemed as more than minor and non-consequential by the Head of Human Resources, (in consultation with the Chief Financial Officer and the Head of Legal Services), and therefore are being brought to The Joint Staff Committee for approval.

3. **Context**

    3.1 The Managing People Change Policy has been reviewed following a number of redesigns that have taken place since the policy was implemented and incorporates the learning gained from those redesigns.

4. **Issues for consideration**

    4.1 The changes to the policy are summarised in appendix 1 and shown as tracked changes on Appendix 3.

    4.2 In section 5.1 the wording has been changed with the removal of the '70% similar' replaced with 'substantially similar' in terms of the skills, knowledge and abilities required for the role.

    4.3 Section 6.1 has been expanded to increase the scope of looking for redeployment for someone at risk of redundancy

    4.4 Section 6.4 has changed to staff only being redeployed into roles of the same grade rather than the same grade and 2 grades down. Staff can still choose to apply for vacancies of up to 2 grades lower, but they would not be automatically classed as suitable alternatives. If they are successful in their application then they would receive pay protection.

    4.5 Section 6.5 - the option to receive support on writing CVs and expressions of interest has been added in.

    4.6 Section 7.1 clarifies the point regarding pay protection if someone that is at risk of redundancy is successful in applying for a role of up to 2 grades lower than the role that is being made redundant

    4.7 Section 8.12 clarifies which years of service are taken into account when calculating redundancy pay..

5. **Engagement and Communication**

    5.1 Unison have been consulted with and have agreed the changes.

6. **Financial Implications**

   6.1 There are no financial implications arising from the update of this policy.

7. **Legal Implications**

   7.1 The Council does not class the Managing People Change policy as contractual and therefore, it is not viewed as forming part of the terms and conditions of employment.

   7.2 There are no legal implications due to the changes being made to this policy.

   7.3 Section 112 Local Government Act 1972 and The Local Authorities (Standing Orders) (England) Regulations 2001 gives the Council the power to appoint staff on such terms and conditions as it considers appropriate.

Background Papers
- Summary of changes to the policy as Appendix 1
- The current Adur & Worthing Councils' Managing People Change Policy available at Appendix 2
- The amended Adur & Worthing Councils' Managing People Change Policy available at Appendix 3
- Managing People Change Policy Equality Impact Assessment (EIA) available at Appendix 4

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Sustainability & Risk Assessment

1.   Economic
Ensuring that the impact of organisational change is managed, particularly where there is a need to make redundancies

2.   Social

2.1   Social Value
Matter considered and no issues identified

2.2   Equality Issues
The Equality Impact Assessment for this policy and associated statistics are attached as Appendix 4

2.3   Community Safety Issues (Section 17)
Matter considered and no issues identified.

2.4   Human Rights Issues
Matter considered and no issues identified.

3. Environmental
Matter considered and no issues identified.

4. Governance
Matter considered and no issues identified.

Managing People Change Policy					
Amends January 2023					
CURRENT			**PROPOSED**		
5.0 Selection			**5.0 Selection**		
5.1 Where individuals roles are likely to be impacted by a proposed restructure, the following scenarios may be outlined in the consultation pack:			5.1 Where individuals roles are likely to be impacted by a proposed restructure, the following scenarios may be outlined in the consultation pack:		
Term used	**Scenario**	**Outcome**	**Term used**	**Scenario**	**Outcome**
Slot-in/direct match	Where the proposed organisational change identifies that a role in the final structure is substantially similar to the role the employee held before (i.e. over 70% of the job will be the same) and there are enough jobs for the number of staff doing that role	Members of staff will be slotted directly into the roles available	Slot-in/direct match	Where the proposed organisational change identifies that a role in the final structure is substantially similar (in duties, skills, knowledge and abilities required) to the role the employee held before, at the same grade and there are enough jobs for the number of staff doing that role.	
Ring fencing	Where the proposed organisational change identifies that roles in the final structure are substantially similar to the role the employee held before (i.e. over 70% of the job will be the same) but there are not enough jobs for the number of affected staff	Where the proposed organisational change identifies that roles in the final structure are substantially similar to the role the employee held before (i.e. over 70% of the job will be the same) but there are not enough jobs for the number of affected staff	Ring fencing	Where the proposed organisational change identifies that a role in the final structure is substantially similar (in duties, skills, knowledge and abilities required) to the role the employee held before, at the same grade, but there are not enough jobs for the number of affected staff	Voluntary redundancy will be offered in the first instance. This may enable Slot-in to be applied. If there are still not enough jobs for the number of staff, then a competitive selection process will be required which may result in compulsory redundancies.
Not a match	Where an individual's role is being deleted and there are no suitable options for ring fencing (because any new roles in the structure entail less than 70% of previous role)	Compulsory redundancy would apply. Individuals will be issued notice of being at risk of redundancy and supported to find alternative employment through redeployment/ retraining (see section 6).	Not a match	Where an individual's role is being deleted and there are no suitable options for ring fencing that are substantially similar (in duties, skills, knowledge and abilities required) and/or at the same grade.	Following a period of consultation, individuals will be issued notice of being at risk of redundancy and supported to find alternative employment. Compulsory redundancy would apply if alternative employment is not secured.
6.0 Redeployment and Training			**6.0 Redeployment and Training**		
6.1 The Councils will attempt to seek suitable alternative employment for staff at risk of being made redundant. This will be through redeploying staff where possible into a different section, group or service area, including different but suitable work within the capability of the employee given adequate training.			The Councils will take all reasonable steps to avoid a redundancy situation and/or limit the number of redundancies. This may be through redeploying staff, where possible, to suitable alternative roles, potentially in a different section, group or service area. This may also occur through transfer to different but suitable work, as an alternative to redundancy, within the capability of the employee given adequate training and, where necessary, further support and guidance to obtain the skills and knowledge expected.		
6.4 Individuals are eligible to apply for redeployment opportunities at the same grade as the post they are being made redundant from or two grades lower. If an individual wishes to apply for a job being advertised that is at a higher grade or more than two grades below, they will need to apply for the role in the normal way outside of the redeployment process.			6.4 Individuals are eligible to apply for redeployment opportunities at the same grade as the post they are being made redundant from. If an individual wishes to apply for a job being advertised that is up to two grades lower than the post they are being made redundant from, then they will need to apply for the role in the normal way, however if they are successful in being recruited to the role then pay protection will apply. If an individual wishes to apply for a job being advertised that is at a higher grade, then they will need to apply for the role in the normal way.		
6.5 Those eligible to apply for roles through redeployment will have 48 hours advance access to Adur and Worthing Councils jobs that are due to be advertised. It is the employee's responsibility to look through these roles and notify the HR department if they wish to submit an expression of interest and apply for the role within the allocated timeframe.			6.5 Those eligible to apply for roles through redeployment will have 48 hours advance access to Adur and Worthing Councils' jobs that are due to be advertised. It is the employee's responsibility to look through these roles and notify the HR department if they wish to submit an expression of interest and apply for the role within the allocated timeframe. Assistance can be sought from HR in relation to CV and/or expression of interest writing.		
7.0 Pay Protection			**7.0 Pay Protection**		
7.1 If an employee secures a job up to two grades lower as a result of redeployment as part of organisational change, their salary will be protected at that of their original job for the first year at 100% for the hours they're working and for the second year at 50% for the hours they're working. After this second year, the salary will decrease to the actual grade of the role.			7.1 If an employee secures a job up to two grades lower as a result of applying for roles whilst at risk of redundancy as part of organisational change, their salary will be protected at that of their original job for the first year at 100% for the hours they're working and for the second year at 50% for the hours they're working. After this second year, the salary will decrease to the actual grade of the role.		
8.0 Redundancy			**8.0 Redundancy**		
8.12 The maximum number of year's continuous service that can be counted for statutory redundancy payments purposes is 20 years counted backwards from the date of continuous service.			8.12 The maximum number of year's continuous service that can be counted for redundancy payments purposes is 20 years counted backwards from the date of redundancy.		
End.					

Managing People Change Policy

1.0 Overview

1.1 Every organisation has to go through change, whether it's related to the introduction of new technology, making efficiencies or where the requirements of work of a particular kind or in a particular location reduces or ceases.

1.2 The overarching aim of this policy is to manage the impact of organisational change, particularly in relation to where the need for redundancy arises, and to provide members of staff with a clear understanding of the principles that will be underpin any change in the organisation.

1.3 As individual circumstances of change will not ever be the same, it's not possible to outline a definitive set of measures that will always be taken by the Councils. However, the principles in this policy will be followed where possible and the Councils will always comply with statutory requirements related to organisational change.

1.4 The following areas are covered in this policy:
   a. Restructure and redundancy (including consultation, selection process and redeployment)
   b. Work Base Relocation

1.5 This policy applies to all employees. It does not apply to casual workers or contractors.

2.0 Areas of responsibility

2.1 All employees have the responsibility for the Managing Change Policy. Individual areas of responsibility are:
   - **Corporate Leadership Team** – publicising the policy
   - **HR team -** reviewing this policy to ensure it is effective and advising managers on the interpretation and consistent application of the policy and on best practice and providing managers with appropriate training to manage people change

- **Managers -** responsible for discussing any organisational changes needed with their HR Business Partner at the earliest possible opportunity, implementing any changes in line with this policy and attending training about people change management
- **Employees and those working on behalf of the Councils –** complying with the spirit and wording of this policy and (under work base relocation) ensuring they inform their manager of any changes to their arrangements which will alter their ability to make a financial claim.

3.0   Restructure and Redundancy

3.1   The Councils recognise that its trained and experienced workforce is its most valuable asset. Where it becomes necessary to make organisational changes which will have staffing implications (e.g. significant organisational change, redundancies, TUPE, restructures and relocation), the Councils will undertake to consult meaningfully, and at the earliest opportunity, with recognised Trade Unions.

3.2   Where possible, the Councils will try to minimise the impact of the organisational change through the following non-exhaustive list:
   a) Restricting recruitment, consultants, contractors and agency staff in the sections affected where this will reduce the need for redundancies
   b) Appropriate posts to be advertised internally only during the period of potential redundancy/compulsory redundancy
   c) Reviewing overtime where this will reduce the need for redundancies
   d) Reviewing and managing temporary and casual contracts
   e) Exploring redeployment and retraining opportunities
   f) Offering voluntary redundancy where appropriate as set out in 5.1

4.0   Consultation

4.1   Consultation is a commitment to exchange views on a proposal. Under the Trade Union Labour Relations (Consolidation) Act 1992, the Councils have a duty to consult with recognised unions. Additionally, the Councils will also undertake to engage with employees impacted by any proposed changes.

4.2   Where a review of services is going to take place which will result in significant change or impact on either numbers of posts and/or job grading, recognised Trade Unions and individuals affected by the change will be consulted.

4.3   Whilst the Councils' aim to secure agreement to proposed changes between all parties, it reserves the right to implement changes where agreement has not been reached after proper consultation and when, in its view, all reasonable courses of action have been explored without success.

Before a formal consultation period

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4.4   The first stage of any organisational change process is for the manager to meet with their HR Business Partner and accountant to discuss initial thoughts regarding the change that is needed and people/financial implications.

4.5   As part of our commitment to engagement with staff, managers will ideally informally involve stakeholders (staff, members and customers) via staff workshops, team meetings, feedback from pilot schemes or individual meetings to give insight to any organisation change before formal consultation begins.

4.6   Prior to formal consultation, managers and their HR Business Partner will meet informally and confidentially with Trade Union Representatives prior to the start of a formal consultation. This will be to:
- Make the Trade Unions aware of upcoming organisational changes, including:
- Ensure Trade Union Representatives have adequate time set aside to support their members at any formal consultation meetings
- Discuss and agree reasonable timescales

4.7   When Trade Unions are made aware of upcoming changes, it will be with the understanding that this information is confidential and that they will not speak to their members about the consultation before the start of formal consultation.

4.8   The Councils will ensure that any individual members of staff whose role does not appear in any formal restructure proposal will be notified confidentially prior to the launch of any formal consultation process.

Formal consultation

4.9   Formal consultation starts with a meeting between union representatives, the manager and the HR Business Partner to go through:
- The reasons for the proposed changes
- The services to be affected
- Potential numbers and roles at risk of redundancy
- The numbers of employees currently working in the affected roles
- When and how any wider communication to staff will be made
- The principles of how potential redundancy exercises will be managed
- Timescales for identifying the pool for selection
- When any proposed dismissals will take effect
- Measures to minimise staff feelings of uncertainty

4.10   Trade Unions will receive confirmation in writing of the key elements of these discussions and will be given the opportunity to respond to this. Any proposals or counter proposals will be considered and responded to in writing as part of the consultation process. Consultation with the Trade Union will be ongoing during the redundancy process as the plans and proposed approach are further defined.

4.11   Individuals affected by the change will be invited to a meeting where they will be provided with an information pack outlining the proposed changes. Those who are unable to attend (i.e. due to sickness/maternity leave) will be sent relevant information by e-mail on the same day as the meeting or, if they request it, sent by post in hard copy on the day of the meeting.

4.12   Individuals on secondments out of their department will be included in the consultation process and consulted with as if they were in their substantive post. Individuals do not have any rights over the post that they have been seconded into. Those in a seconded post within a team where change is taking place will not be included in the consultation process but should be kept up-to-date with what is happening.

4.13   The Councils will adhere to legislative minimum timeframes for all formal collective consultation periods as shown in the table below. Managers may choose to extend the period of consultation at their discretion on a case-by-case basis. When this is the case, the extension will be clearly communicated.

Number of redundancies	How many days the consultation must start before any dismissals take effect
Under 20 redundancies	No minimum time limit
20-99 redundancies	30 days
100+ redundancies	45 days

4.14   The purpose of consultation is for staff to provide feedback in writing about any suggestions they have about alternative ways of achieving the business objective(s) of the change. This feedback can be individually, in teams, in job groups and through the recognised Trade Union.

4.15   Where a service is solely or partly funded through external parties, consideration will be given to whether consultation also needs to take place with the parties funding the service affected by the proposal or other stakeholders.

4.14   During the period of formal consultation, individuals have the right to request a formal 1:1 meeting with their manager to ask any questions they may have about the proposed changes and discuss individual circumstances.

End of consultation

4.15   Following consolidation of the feedback received throughout the consultation period, and as soon as practicably possible, the manager will arrange another meeting with the union and those affected by the change. At this meeting, the manager will share a finalised consultation pack, which will respond to union and staff feedback and outline the final proposal. It will also include an expression of interest form and a recruitment timetable should new roles feature as part of the proposal.

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5.0   Selection

5.1   Where individuals roles are likely to be impacted by a proposed restructure, the following scenarios may be outlined in the consultation pack:

Term used	Scenario	Outcome
Slot-in/direct match	Where the proposed organisational change identifies that a role in the final structure is substantially similar to the role the employee held before (i.e. over 70% of the job will be the same) and there are enough jobs for the number of staff doing that role	Members of staff will be slotted directly into the roles available
Ring fencing	Where the proposed organisational change identifies that roles in the final structure are substantially similar to the role the employee held before (i.e. over 70% of the job will be the same) but there are not enough jobs for the number of affected staff	A competitive selection process will be required and voluntary redundancy will be offered where appropriate.
Not a match	Where an individual's role is being deleted and there are no suitable options for ring fencing (because any new roles in the structure entail less than 70% of previous role)	Compulsory redundancy would apply. Individuals will be issued notice of being at risk of redundancy and supported to find alternative employment through redeployment/ retraining (see section 6).

Selection criteria and interview

5.2   Where roles are ring-fenced as there are not enough roles for people and a selection exercise is needed, a fair and robust set of selection criteria will be used. The criteria will be established at the start of the process and will depend on the existing circumstances and the particular needs of the organisation at the time.

Criteria

5.3   If compulsory redundancies are necessary the selection criteria used will be fair, objective, consistent and free from unlawful discrimination or bias and may include:

a) Relevant skills, competencies and experience.
b) Qualifications (where essential),
c) Current disciplinary and performance support records.
d) Attendance and absence (excluding absences that are related to maternity or pregnancy and taking into account any reasonable adjustments for those covered by the Equality Act 2010 under disability)

5.4   In order to ensure objectivity, the selection process will involve recruitment style interviews or another transparent assessment process involving more than one manager and a rating or scoring system. However in other situations such as a total service closure or because there is less work of a unique type relating to specific post(s) at a specific work location, there will be no need to use the selection process outlined above.

Selection for interview

5.5   An expression of interest process will be required for affected staff to indicate which roles they are interested in applying for, how they meet the essential criteria for the role or would be able to reach the standard required within 6 months given adequate support/training.

5.6   Completion of an expression of interest form does not guarantee an interview as the manager will need to assess whether the employee has demonstrated that they fulfil the essential criteria requirements or could meet the essential criteria with support and training.

5.7   Individuals who are successful in their selection process will be appointed to a role in the new structure. At the end of the selection process, those who have been unsuccessful in securing a role in the new structure will be met with and issued notice of termination of employment due to redundancy. During the notice period, individuals can look for alternative employment through redeployment (see section 6).

5.8   Each employee should be informed verbally of the result of the selection process within 3 working days of the selection exercise and this decision should be confirmed in writing within 5 working days. Where the outcome is redundancy, the employee will be sent a termination of employment notice, which will include the following information:
- Details of their redundancy payment and pension benefits where applicable
- Details of the notice period
- Proposed date of termination of their contract
- Pro-rata annual leave entitlement with clarification on how this may be taken
- Date of dismissal
- Right to appeal
- Details of the redeployment process during the notice period

Employees on maternity, shared parental or adoption leave

5.9   If the post of an employee on maternity leave, shared parental leave or adoption leave is being deleted as part of a restructure, they are entitled to priority in being offered a suitable alternative employment where an appropriate vacancy exists.

5.10   The work must be suitable in relation to the employee and appropriate for her/him to do in the individual circumstances, and the new contract provisions must not be substantially less favourable than those of the previous contract.

5.11   However, if no suitable vacancy exists, the individual will be issued notice of being at risk of redundancy and supported to find alternative employment through redeployment/ retraining.

6.0   Redeployment and Training

6.1   The Councils will attempt to seek suitable alternative employment for staff at risk of being made redundant. This will be through redeploying staff where possible into a different

section, group or service area, including different but suitable work within the capability of the employee given adequate training.

6.2   Employees have a shared responsibility with the Councils in actively seeking out redeployment opportunities within the Councils.

6.3   Redeployment opportunities will be made available to all employees who have received a letter notifying them that they are formally at risk of redundancy. Redeployment opportunities will be available to individuals throughout their notice period

6.4   Individuals are eligible to apply for redeployment opportunities at the same grade as the post they are being made redundant from or two grades lower. If an individual wishes to apply for a job being advertised that is at a higher grade or more than two grades below, they will need to apply for the role in the normal way outside of the redeployment process.

6.5   Those eligible to apply for roles through redeployment will have 48 hours advance access to Adur and Worthing Councils jobs that are due to be advertised. It is the employee's responsibility to look through these roles and notify the HR department if they wish to submit an expression of interest and apply for the role within the allocated timeframe.

6.6   Individuals may have to complete a formal selection process depending on the role and the number of people who put forward an expression of interest from within the redeployment pool.

6.7   Completion of an expression of interest form does not guarantee an interview as the manager will need to assess whether the employee has demonstrated that they fulfil the essential criteria requirements or has shown that they could meet the essential criteria within a 6 month period with adequate training and support.

6.8   If an individual is successful in securing a role through redeployment, they have the statutory right to a four week trial when they start in the new role. This is to ensure the individual feels capable to perform in the role and to give managers time to assess the individual's suitability in the role.

6.9   The individual should be given support and feedback regularly throughout the trial period. At the end of a trial period, a review will be held with the manager and the individual to determine whether both parties deem that the post is suitable. Where there is disagreement with the individual's suitability in the role, the manager will have the final decision.

6.10   The review can result in the following outcomes:
   ● The role is deemed suitable and the individual is formally redeployed into the post
   ● The role is deemed unsuitable for the individual and they are made redundant with access to their redundancy pay unless further redeployment options are available within their notice period

6.11   In exceptional cases the manager and employee may agree to extend the trial period for a length of time beyond the statutory four weeks. If this time period needs to be extended for reasons such as the individual has pre-booked leave during the trial period or specific training is needed, this must be agreed in writing before the trial period starts.

6.12   If a substantial extension is needed, for example, if the new job requires retraining and it is not possible to ascertain whether the role is suitable for the individual until this training is received, managers should speak to their HR Business Partner for advice. Any such extension must be outlined in writing, specify the date on which the period of retraining will end and outline the terms and conditions of employment that will apply to the employee after the end of that period.

6.13   If the employee works beyond the end of their agreed trial period any redundancy entitlement will be lost because the employee will be deemed to have accepted the new employment unless there are exceptional circumstances.

6.14   If, during the trial period, the employee is dismissed due to a reason unconnected with redundancy (i.e. gross misconduct under the disciplinary policy), the employee will lose their entitlement to redundancy.

6.15   If an employee is dismissed by reason of redundancy, he/she will retain the right to be interviewed for an alternative job for which he/she had applied for prior to leaving, providing that the offer of alternative employment is made within four weeks of the date of leaving (i.e. the date of the old contract ending). In these circumstances, the Councils will withhold any redundancy payment to which the employee may be entitled until the outcome of the interview or trial period is known.

6.16   Employees who are under notice of redundancy are entitled to a request from their manager and take a reasonable amount of time off, with pay, for the purposes of:
- Attending interviews
- Using advisory and counselling services
- Attending to domestic matters triggered by redundancy or new job requirements.

7.0   Pay Protection

7.1   If an employee secures a job up to two grades lower as a result of redeployment as part of organisational change, their salary will be protected at that of their original job for the first year at 100% for the hours they're working and for the second year at 50% for the hours they're working. After this second year, the salary will decrease to the actual grade of the role.

7.2   Protection only applies to the 'normal pay' associated with the role (i.e. basic salary and any enhancements/allowances that were earned as part of the employee's regular work) and does not extend to any other terms and conditions of the role, such as annual leave entitlements.

7.3   The salary to be protected is calculated through looking at 'normal pay' immediately before the change. It does not apply to non-contractual overtime.

7.4   For employees whose earnings vary from month to month, 'normal pay' will be calculated by assessing their earnings in the 3 months before the date of change.

8.0   Redundancy

Voluntary Redundancy

8.1   If there is a ring-fencing scenario and there is the need to reduce the number of employees within a particular role, the Councils have the discretion to seek volunteers for redundancy from employees among the vulnerable groups identified.

8.2   If voluntary redundancy has deemed applicable, then any request for voluntary redundancy must be made in writing and will be treated in the strictest confidence.

8.3   In determining which employees are to be granted release on voluntary redundancy, the Councils will have regard to the following:
- The need to maintain effective and efficient services
- The need to retain a balance of experience and skills within the remaining workforce to meet future needs
- Cost implications

8.4   The Councils reserve the right to refuse individual requests for voluntary redundancy and all decisions about voluntary redundancy (and compulsory redundancy as described below) are subject to member approval.

Compulsory Redundancy

8.5   As a last resort, having exhausted the alternative courses of action, it may be necessary for the Councils to issue formal notice of termination on the grounds of redundancy to an employee.

8.6   Individuals affected will be notified of their redundancy at the earliest possible opportunity, either following the end of the consultation period if there is no role identified for them in the new structure or after the selection procedure (detailed in section 5.0).

8.7   Where an individual is being made redundant following a selection exercise, they will be informed verbally of the result within 3 working days of the selection exercise and this decision should be confirmed in writing within 5 working days.

Redundancy Payments

8.8   Employees being made redundant will receive contractual period of notice. However, the notice duration, with agreement, may be longer. This may be, for example, to support the transition arrangements to the new structure.

8.9   In some situations, it might be deemed appropriate to offer pay in lieu of notice. This is discretionary and will be explored on a case-by-case basis.

8.10   An individual's redundancy pay will be unique to their circumstances and based on their age and length of service. Individuals will be eligible for redundancy pay if they have completed 2 years or more continuous service.

8.11   The redundancy payment is calculated by multiplying a week's gross basic pay (this does not include shift allowances etc) by the number of years of completed continuous local government service according to the following:
- half a week's pay for each year of employment up to the age of 21.
- one week's pay for each year of employment in which the employee was aged between 22 and 40; and
- one and a half weeks' pay for each year of employment in which the employee was aged 41 or over;

8.12   The maximum number of year's continuous service that can be counted for statutory redundancy payments purposes is 20 years counted backwards from the date of continuous service.

8.13   The redundancy payment for compulsory redundancy is enhanced by applying a multiplier of 1.3 to the redundancy payment formula above and the redundancy payment voluntary redundancy is enhanced by applying a multiplier of 1.5 to the redundancy payment formula above.

8.14   Redundancy Pay is not subject to tax and national insurance deductions up to £30,000.

8.15   Where an employee has been issued with notice of termination of their employment, but before their redundancy date they receive an offer of employment from another employer covered by the Modification Order and commence work within four weeks of the redundancy date, the employee will lose their entitlement to a redundancy payment and will be required to repay the amount if already paid to them.

8.16   Where the Councils can clearly evidence that an alternative job offered as a suitable alternative for those on maternity leave or to any member of staff via redeployment is a reasonable and a suitable alternative but the affected employee turns it down, they may lose their entitlement to a redundancy payment.

Efficiency of Service

8.17   Efficiency of service grants the Councils the ability to pay a one-off lump-sum payment to an employee whose employment is terminated by mutual consent in the interests of the efficient exercise of the Councils' functions.

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8.18   The calculation of an efficiency of service payment will be determined on the merits of each individual case. It will usually be less than the payment that would be given if their post was being made voluntarily redundant as set out in 8.11-8.13.

8.19   Factors to be taken into account in granting efficiency of service include:
- Employee relations considerations
- Overall reasonableness, including benefits to the Council Tax Payer by the employee leaving the Council.
- Direct financial savings to be incurred by the employee leaving the Council.

8.20   A payment for efficiency of service is not subject to tax and national insurance deductions up to £30,000.

Holiday Pay

8.21   If an employee is being made redundant and has not taken all their holiday entitlement at the date of termination, it will be expected for the individual to take their holiday entitlement during their notice period.

8.22   If this is not possible for some exceptional reason, the manager has the discretion to agree a payment, which will be made by reference to the number of days outstandings and the pro rata daily rate of pay, calculated in accordance with the Councils' normal rules up to the date of termination of employment.

Repayments outstanding

8.23   Repayment of relocation or training expenses will not be required in the event of a person being made redundant. Other loans (i.e. car or bicycle) will have to be repaid, but requests for revising repayment terms will be viewed sympathetically, taking into account individual circumstances.

Early access to pension

8.24   Individuals who are 55 years of age or over who are members of the local government pension scheme and who are being made redundant have the right to early access to their pension. Employees aged 55 or over are encouraged to visit the relevant pension scheme website for details of the pension benefits they may be entitled to.

8.25   It may be possible for conversion of any lump sum redundancy payment into Additional LGPS Membership at the employee's request. The Councils will not contribute any additional employer contributions if this is requested. For further information, individuals should speak to their HR Business Partner.

9.0   Right to Appeal

9.1   In the event that a member of staff is not successful in being appointed to a position in the new structure and is formally given notice of redundancy, they are entitled to appeal against dismissal due to redundancy.

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9.2   The employee should submit their appeal in writing, clearly stating the grounds for their appeal to the relevant director, copying in HR, within 7 calendar days of receiving the letter issuing notice of redundancy.

9.3   Appeals may only be raised on the grounds of:
   a) Procedure – where a failure to follow procedure had a material effect on the decision;
   b) Decision - the conclusion and/or sanction issued is deemed inappropriate based on the information provided at the hearing; or
   c) New evidence - which has come to light.

9.4   Any appeals against redundancy will be heard by a director within a reasonable period (not usually more than two weeks from receipt of the appeal letter). The director will consider the case and determine whether the original outcome was fair and reasonable based on the grounds of the appeal.

9.5   The appeals process will take place during the individual's notice period. Individuals should engage in the redeployment process whilst their appeal is pending.

9.6   The appeal decision will be confirmed in writing to the employee within 7 calendar days from the appeal hearing. The outcome is final and therefore there is no further right of appeal.

9.7   Further details of the appeal can be found in the Managing People Change procedure documents available on the intranet and in the place of work.

10.0   Support and the right to representation

10.1   The Councils acknowledge that organisational change can be unsettling. Employees are encouraged to access the Employee Assistance Programme detailed on the intranet. Trade unions also provide advice and support to their members.

10.2   Employees have a right to be accompanied at all formal meetings or appeal by a trade union representative or an Adur & Worthing workplace colleague. Accompanying someone is voluntary and an employee's colleagues are under no obligation to do so. If they agree to do so, they will be allowed reasonable time off from duties without loss of pay to act as a companion.

10.4   It is the responsibility of each employee to arrange their own trade union representative or an Adur & Worthing workplace colleague, pass on all details (such as paperwork, meeting information) and to inform the manager at least 3 days in advance of the meeting who will be accompanying them.

10.5   There is no right to legal representation at any stage of this procedure. Legal representatives, including lawyers employed by the Councils, whether or not acting in any official capacity have no right to accompany an individual.

10.6   The trade union representative or Adur & Worthing workplace colleague may make representations and ask questions during any formal meetings. They do not, however, have the right to answer questions on the employee's behalf, address a hearing if the employee does not wish it or prevent any other party from explaining their case.

10.7   If the employee is unable to attend the meeting for whatever reason (i.e. ill health), the employee (or in exceptional circumstances, the trade union representative/Adur & Worthing workplace colleague) must inform his or her line manager immediately and the meeting will be rearranged within 5 working days of the original meeting date where reasonably practicable. The meeting will only be rearranged once.

10.8   If an individual's trade union representative or Adur & Worthing workplace colleague is unable to attend the meeting date or time, the individual should first see if another representative/Adur & Worthing workplace colleague can attend to support in their place. If this is not possible, the employee must inform his or her line manager immediately and the meeting will be rearranged within 5 working days of the original meeting date where reasonably practicable. The meeting will only be rearranged once.

10.9   The employee must make every effort to attend formal meetings; failure to attend without good reason may be treated as misconduct as assessed by the investigating manager. If the employee fails to attend without good reason, or is unable to attend the rescheduled meeting, it may go ahead in his or her absence on the available evidence.

10.10   Managers have a right to be accompanied at all formal meetings or appeals by a Human Resources representative. The role of the Human Resources representative is to advise the manager on policy/procedure. The manager is the decision maker.

11.0   Work Base Relocation

11.1   If the organisation changes an employee's location of work as part of a restructure and their travel expenses increase, they are eligible to claim for the additional costs of travel (the price difference between travelling to old place of work and travelling to new place of work) for a period of 1 year.

11.2   The price difference must be based on the cost of 2nd class train ticket or mileage based on the most direct route on google maps - whatever is the most direct/economical.

11.3   The cost of travel can only be claimed when the individual is at work (i.e. not on bank holidays, not when on annual leave or when off sick). The only exception is when a season ticket is more economical than claiming for travel on a day-by-day basis. A claim a can be made using the work base relocation scheme form available on the intranet and must be

submitted monthly. The manager has the responsibility to check and sign off the mileage form.

11.4   The process of claiming the work base relocation allowance must be done on a monthly basis as per the car mileage policy.

11.5   Tax and national insurance payments will be deducted at normal rates.

11.6   There are some circumstances where changes need to be made to the amount an individual claims may change. The table below outlines these circumstances:

Change	Result
There are changes to applicable mileage rate or fares	These will apply from date of change
The employee moves and is living further away from place of work	The individual is eligible to continue to claim as before (the cost of travelling from old home to new place of work minus the cost of travelling from old home to old place of work).
The employee moves and is living closer to their place of work	If the employee still has increased travel expenses due to work base relocation, they can continue to claim for the remainder of the year. Individuals should recalculate the amount they are eligible to claim and speak to finance if needed. The individual has the duty to inform and provide their manager with evidence of their move. If an individual continues to claim a higher rate of work base relocation despite moving closer to their place of work, disciplinary action may be taken.
The employee has another permanent change to their workplace during the one year period and the new location is closer to their home.	The individual can continue to claim any excess travel costs for the remainder of the one year period for the new distance.
The employee has another permanent change to their workplace during the one year period and the new location is further from their home.	The individual will be eligible to claim their additional travel expenses for a new one year period. Please note, individuals will not be able to claim for any remaining period of eligibility for the first permanent change of work location.
The employee applies for and accepts a role within Adur and Worthing Councils based at another location.	The individual will not be eligible to claim any travel expenses under this scheme.
The employee applies for and accepts a role within Adur and Worthing Councils based at the same location.	The individual will not be eligible to claim any travel expenses under this scheme.

12.0 Monitoring and Review

12.1 This policy will be monitored and reviewed on a regular basis by the Human Resources team with a thorough review taking place in three years if required.

13.0 Legislative framework

13.1 This policy has been written in reference to the following documents:
- ACAS booklet on handling large-scale redundancies
- ACAS booklet on redundancy handling
- Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999
- Equality Act 2010
- Employment Rights Act 1996
- Transfer of Undertakings (Protection of Employment) Regulations 2006
- Trade Union Labour Relations (Consolidation) Act 1992
- Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

Date agreed by Joint Staff Committee: 29 November 2017
Date policy formally adopted: 1 January 2018
Date for review: 3 years from formal adoption of policy (1 January 2021)

Managing People Change Policy

1.0   Overview

1.1   Every organisation has to go through change, whether it's related to the introduction of new technology, making efficiencies or where the requirements of work of a particular kind or in a particular location reduces or ceases.

1.2   The overarching aim of this policy is to manage the impact of organisational change, particularly in relation to where the need for redundancy arises, and to provide members of staff with a clear understanding of the principles that will underpin any change in the organisation.

1.3   As individual circumstances of change will not ever be the same, it's not possible to outline a definitive set of measures that will always be taken by the Councils. However, the principle in this policy will be followed where possible and the Councils will always comply with statutory requirements related to organisational change.

1.4   The following areas are covered in this policy:
a. Restructure and redundancy (including consultation, selection process and redeployment)
b. Work Base Relocation

1.5   This policy applies to all employees. It does not apply to casual workers or contractors.

2.0   Areas of responsibility

2.1   All employees have the responsibility for the Managing Change Policy. Individual areas of responsibility are:

● **Corporate Leadership Team** – publicising the policy

● **HR team -** reviewing this policy to ensure it is effective and advising managers on the interpretation and consistent application of the policy and on best practice and providing managers with appropriate training to manage people change

● **Managers -** responsible for discussing any organisational changes needed with their HR Business Partner at the earliest possible opportunity, implementing any changes in line with this policy and attending training about people change management

● **Employees and those working on behalf of the Councils –** complying with the spirit and wording of this policy and (under work base relocation) ensuring they inform their manager of any changes to their arrangements which will alter their ability to make a financial claim.

3.0   Restructure and Redundancy

3.1   The Councils recognise that its trained and experienced workforce is its most valuable asset. Where it becomes necessary to make organisational changes which will have staffing implications (e.g. significant organisational change, redundancies, TUPE, restructures and relocation), the Councils will undertake to consult meaningfully, and at the earliest opportunity, with recognised Trade Unions.

3.2   Where possible, the Councils will try to minimise the impact of the organisational change through the following non-exhaustive list:
a) Restricting recruitment, consultants, contractors and agency staff in the sections affected where this will reduce the need for redundancies
b) Appropriate posts to be advertised internally only during the period of potential redundancy/compulsory redundancy

c) Reviewing overtime where this will reduce the need for redundancies

d) Reviewing and managing temporary and casual contracts

e) Exploring redeployment and retraining opportunities

f) Offering voluntary redundancy where appropriate as set out in 5.1

4.0 Consultation

4.1 Consultation is a commitment to exchange views on a proposal. Under the Trade Union Labour Relations (Consolidation) Act 1992, the Councils have a duty to consult with recognised unions. Additionally, the Councils will also undertake to engage with employees impacted by any proposed changes.

4.2 Where a review of services is going to take place which will result in significant change or impact on either numbers of posts and/or job grading, recognised Trade Unions and individuals affected by the change will be consulted.

4.3 Whilst the Councils' aim is to secure agreement to proposed changes between all parties, it reserves the right to implement changes where agreement has not been reached after proper consultation and when, in its view, all reasonable courses of action have been explored without success.

Before a formal consultation period

4.4 The first stage of any organisational change process is for the manager to meet with their HR Business Partner and accountant to discuss initial thoughts regarding the change that is needed and people/financial implications.

4.5 As part of our commitment to engagement with staff, managers will ideally informally involve stakeholders (staff, members and customers) via staff workshops, team meetings, feedback from pilot schemes or individual meetings to give insight to any organisation change before formal consultation begins.

4.6 Prior to formal consultation, managers and their HR Business Partner will meet informally and confidentially with Trade Union Representatives prior to the start of a formal consultation. This will be to:

● Make the Trade Unions aware of upcoming organisational changes, including:

● Ensure Trade Union Representatives have adequate time set aside to support their members at any formal consultation meetings

● Discuss and agree reasonable timescales

4.7 When Trade Unions are made aware of upcoming changes, it will be with the understanding that this information is confidential and that they will not speak to their members about the consultation before the start of formal consultation.

4.8 The Councils will ensure that any individual members of staff whose role does not appear in any formal restructure proposal will be notified confidentially prior to the launch of any formal consultation process.

Formal consultation

4.9 Formal consultation starts with a meeting between union representatives, the manager and the HR Business Partner to go through:

● The reasons for the proposed changes

● The services to be affected

● Potential numbers and roles at risk of redundancy

● The numbers of employees currently working in the affected roles

● When and how any wider communication to staff will be made

● The principles of how potential redundancy exercises will be managed

● Timescales for identifying the pool for selection

● When any proposed dismissals will take effect

● Measures to minimise staff feelings of uncertainty

4.10 Trade Unions will receive confirmation in writing of the key elements of these discussions and will be given the opportunity to respond to this. Any proposals or counter proposals will be

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considered and responded to in writing as part of the consultation process. Consultation with the Trade Union will be ongoing during the redundancy process as the plans and proposed approach are further defined.

4.11 Individuals affected by the change will be invited to a meeting where they will be provided with an information pack outlining the proposed changes. Those who are unable to attend (i.e. due to sickness/maternity leave) will be sent relevant information by e-mail on the same day as the meeting or, if they request it, sent by post in hard copy on the day of the meeting.

4.12 Individuals on secondments out of their department will be included in the consultation process and consulted with as if they were in their substantive post. Individuals do not have any rights over the post that they have been seconded into. Those in a seconded post within a team where change is taking place will not be included in the consultation process but should be kept up-to-date with what is happening.

4.13 The Councils will adhere to legislative minimum timeframes for all formal collective consultation periods as shown in the table below. Managers may choose to extend the period of consultation at their discretion on a case-by-case basis. When this is the case, the extension will be clearly communicated.

Number of redundancies	How many days the consultation must start before any dismissals take effect
Under 20 redundancies	No minimum time limit
20-99 redundancies	30 days
100+ redundancies	45 days

4.14 The purpose of consultation is for staff to provide feedback in writing about any suggestions they have about alternative ways of achieving the business objective(s) of the change. This feedback can be individually, in teams, in job groups and through the recognised Trade Union.

4.15 Where a service is solely or partly funded through external parties, consideration will be given to whether consultation also needs to take place with the parties funding the service affected by the proposal or other stakeholders.

4.14 During the period of formal consultation, individuals have the right to request a formal 1:1 meeting with their manager to ask any questions they may have about the proposed changes and discuss individual circumstances.

End of consultation

4.15 Following consolidation of the feedback received throughout the consultation period, and as soon as practicably possible, the manager will arrange another meeting with the union and those affected by the change. At this meeting, the manager will share a finalised consultation pack, which will respond to union and staff feedback and outline the final proposal. It will also include an expression of interest form and a recruitment timetable should new roles feature as part of the proposal.

5.0   Selection

5.1   Where individuals roles are likely to be impacted by a proposed restructure, the following scenarios may be outlined in the consultation pack:

Term used	Scenario	Outcome
Slot-in/direct match	Where the proposed organisational change identifies that a role in the final structure is substantially similar (in duties, skills, knowledge and abilities required) to the role the employee held before, at the same grade and there are enough jobs for the number of staff doing that role. ~~Where the proposed organisational change identifies that a role in the final structure is substantially similar to the role the employee held before (i.e. over 70% of the job will be the same) and there are enough jobs for the number of staff doing that role~~	Members of staff will be slotted directly into the roles available
Ring fencing	Where the proposed organisational change identifies that a role in the final structure is substantially similar (in duties, skills, knowledge and abilities required) to the role the employee held before, at the same grade,but there are not enough jobs for the number of affected staff.~~Where the proposed organisational change identifies that roles in the final structure are substantially similar to the role the employee held before (i.e. over 70% of the job will be the same) but there are not enough jobs for the number of affected staff~~	Voluntary redundancy will be offered in the first instance. This may enable Slot-in to be applied. If there are still not enough jobs for the number of staff, then a competitive selection process will be required which may result in compulsory redundancies.~~A competitive selection process will be required and voluntary redundancy will be offered where appropriate.~~

Not a match	Where an individual's role is being deleted and there are no suitable options for ring fencing that are substantially similar (in duties, skills, knowledge and abilities required) and/or at the same grade. ~~Where an individual's role is being deleted and there are no suitable options for ring fencing (because any new roles in the structure entail less than 70% of previous role)~~	Following a period of consultation, individuals will be issued notice of being at risk of redundancy and supported to find alternative employment. Compulsory redundancy would apply if alternative employment is not secured. ~~Compulsory redundancy would apply. Individuals will be issued notice of being at risk of redundancy and supported to find alternative employment through redeployment/ retraining (see section 6).~~

Selection criteria and interview

5.2 Where roles are ring-fenced as there are not enough roles for people and a selection exercise is needed, a fair and robust set of selection criteria will be used. The criteria will be established at the start of the process and will depend on the existing circumstances and the particular needs of the organisation at the time.

Criteria

5.3 If compulsory redundancies are necessary the selection criteria used will be fair, objective, consistent and free from unlawful discrimination or bias and may include:
a) Relevant skills, competencies and experience
b) Qualifications (where essential)
c) Current disciplinary and performance support records
d) Attendance and absence (excluding absences that are related to maternity or pregnancy and taking into account any reasonable adjustments for those covered by the Equality Act 2010 under disability)

5.4 In order to ensure objectivity, the selection process will involve recruitment style interviews or another transparent assessment process involving more than one manager and a rating or scoring system. However in other situations such as a total service closure or because there is less work of a unique type relating to specific post(s) at a specific work location, there will be no need to use the selection process outlined above.

Selection for interview

5.5 An expression of interest process will be required for affected staff to indicate which roles they are interested in applying for, how they meet the essential criteria for the role or would be able to reach the standard required within 6 months given adequate support/training.

5.6 Completion of an expression of interest form does not guarantee an interview as the manager will need to assess whether the employee has demonstrated that they fulfil the essential criteria requirements or could meet the essential criteria with support and training.

5.7 Individuals who are successful in their selection process will be appointed to a role in the new structure. At the end of the selection process, those who have been unsuccessful in securing a role in the new structure will be met with and issued notice of termination of employment due to redundancy. During the notice period, individuals can look for alternative employment through redeployment (see section 6).

5.8 Each employee should be informed verbally of the result of the selection process within 3 working days of the selection exercise and this decision should be confirmed in writing within 5 working days. Where the outcome is redundancy, the employee will be sent a termination of employment notice, which will include the following information:
● Details of their redundancy payment and pension benefits where applicable

- Details of the notice period
- Proposed date of termination of their contract
- Pro-rata annual leave entitlement with clarification on how this may be taken
- Date of dismissal
- Right to appeal
- Details of the redeployment process during the notice period

Employees on maternity, shared parental or adoption leave

5.9 If the post of an employee on maternity leave, shared parental leave or adoption leave is being deleted as part of a restructure, they are entitled to priority in being offered a suitable alternative employment where an appropriate vacancy exists.

5.10 The work must be suitable in relation to the employee and appropriate for her/him to do in the individual circumstances, and the new contract provisions must not be substantially less favourable than those of the previous contract.

5.11 However, if no suitable vacancy exists, the individual will be issued notice of being at risk of redundancy and supported to find alternative employment through redeployment/retraining.

6.0 Redeployment and Training

6.1 The Councils will take all reasonable steps to avoid a redundancy situation and/or limit the number of redundancies. This may be through redeploying staff, where possible, to suitable alternative roles, potentially in a different section, group or service area. This may also occur through transfer to different but suitable work, as an alternative to redundancy, within the capability of the employee given adequate training and, where necessary, further support and guidance to obtain the skills and knowledge expected. 6.1 The Councils will attempt to seek suitable alternative employment for staff at risk of being made redundant. This will be through redeploying staff where possible into a different section, group or service area, including different but suitable work within the capability of the employee given adequate training.

6.2 Employees have a shared responsibility with the Councils in actively seeking out redeployment opportunities within the Councils.

6.3 Redeployment opportunities will be made available to all employees who have received a letter notifying them that they are formally at risk of redundancy. Redeployment opportunities will be available to individuals throughout their notice period

6.4 Individuals are eligible to apply for redeployment opportunities at the same grade as the post they are being made redundant from. If an individual wishes to apply for a job being advertised that is up to two grades lower than the post they are being made redundant from, then they will need to apply for the role in the normal way, however if they are successful in being recruited to the role then pay protection will apply. If an individual wishes to apply for a job being advertised that is at a higher grade, then they will need to apply for the role in the normal way. 6.4 Individuals are eligible to apply for redeployment opportunities at the same grade as the post they are being made redundant from or two grades lower. If an individual wishes to apply for a job being advertised that is at a higher grade or more than two grades below, they will need to apply for the role in the normal way outside of the redeployment process.

6.5 Those eligible to apply for roles through redeployment will have 48 hours advance access to Adur and Worthing Councils' jobs that are due to be advertised. It is the employee's responsibility to look through these roles and notify the HR department if they wish to submit an expression of interest and apply for the role within the allocated timeframe. Assistance can be sought from HR in relation to CV and/or expression of interest writing. 6.5 Those eligible to apply for roles through redeployment will have 48 hours advance access to Adur and Worthing Councils jobs that are due to be advertised. It is the employee's responsibility to look through these roles and notify the HR department if they wish to submit an expression of interest and apply for the role within the allocated timeframe.

6.6 Individuals may have to complete a formal selection process depending on the role and the number of people who put forward an expression of interest from within the redeployment

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pool.

6.7 Completion of an expression of interest form does not guarantee an interview as the manager will need to assess whether the employee has demonstrated that they fulfil the essential criteria requirements or has shown that they could meet the essential criteria within a 6 month period with adequate training and support.

6.8 If an individual is successful in securing a role through redeployment, they have the statutory right to a four week trial when they start in the new role. This is to ensure the individual feels capable to perform in the role and to give managers time to assess the individual's suitability in the role.

6.9 The individual should be given support and feedback regularly throughout the trial period. At the end of a trial period, a review will be held with the manager and the individual to determine whether both parties deem that the post is suitable. Where there is disagreement with the individual's suitability in the role, the manager will have the final decision.

6.10 The review can result in the following outcomes:
● The role is deemed suitable and the individual is formally redeployed into the post
● The role is deemed unsuitable for the individual and they are made redundant with access to their redundancy pay unless further redeployment options are available within their notice period

6.11 In exceptional cases the manager and employee may agree to extend the trial period for a length of time beyond the statutory four weeks. If this time period needs to be extended for reasons such as the individual has pre-booked leave during the trial period or specific training is needed, this must be agreed in writing before the trial period starts.

6.12 If a substantial extension is needed, for example, if the new job requires retraining and it is not possible to ascertain whether the role is suitable for the individual until this training is received, managers should speak to their HR Business Partner for advice. Any such extension must be outlined in writing, specify the date on which the period of retraining will end and outline the terms and conditions of employment that will apply to the employee after the end of that period.

6.13 If the employee works beyond the end of their agreed trial period any redundancy entitlement will be lost because the employee will be deemed to have accepted the new employment unless there are exceptional circumstances.

6.14 If, during the trial period, the employee is dismissed due to a reason unconnected with redundancy (i.e. gross misconduct under the disciplinary policy), the employee will lose their entitlement to redundancy.

6.15 If an employee is dismissed by reason of redundancy, he/she will retain the right to be interviewed for an alternative job for which he/she had applied for prior to leaving, providing that the offer of alternative employment is made within four weeks of the date of leaving (i.e. the date of the old contract ending). In these circumstances, the Councils will withhold any redundancy payment to which the employee may be entitled until the outcome of the interview or trial period is known.

6.16 Employees who are under notice of redundancy are entitled to a request from their manager and take a reasonable amount of time off, with pay, for the purposes of:
● Attending interviews
● Using advisory and counselling services
● Attending to domestic matters triggered by redundancy or new job requirements.

7.0 Pay Protection

7.1 If an employee secures a job up to two grades lower as a result of applying for roles whilst at risk of redundancy as part of organisational change, their salary will be protected at that of their original job for the first year at 100% for the hours they're working and for the second year at 50% for the hours they're working. After this second year, the salary will decrease to the actual grade of the role.7.1 If an employee secures a job up to two grades lower as a result of redeployment as part of organisational change, their salary will be protected at that of their

~~original job for the first year at 100% for the hours they're working and for the second year at 50% for the hours they're working. After this second year, the salary will decrease to the actual grade of the role.~~

7.2 Protection only applies to the 'normal pay' associated with the role (i.e. basic salary and any enhancements/allowances that were earned as part of the employee's regular work) and does not extend to any other terms and conditions of the role, such as annual leave entitlements.

7.3 The salary to be protected is calculated through looking at 'normal pay' immediately before the change. It does not apply to non-contractual overtime.

7.4 For employees whose earnings vary from month to month, 'normal pay' will be calculated by assessing their earnings in the 3 months before the date of change.

8.0   Redundancy
Voluntary Redundancy

8.1 If there is a ring-fencing scenario and there is the need to reduce the number of employees within a particular role, the Councils have the discretion to seek volunteers for redundancy from employees among the vulnerable groups identified.

8.2 If voluntary redundancy has deemed applicable, then any request for voluntary redundancy must be made in writing and will be treated in the strictest confidence.

8.3 In determining which employees are to be granted release on voluntary redundancy, the Councils will have regard to the following:
● The need to maintain effective and efficient services
● The need to retain a balance of experience and skills within the remaining workforce to meet future needs
● Cost implications

8.4 The Councils reserve the right to refuse individual requests for voluntary redundancy and all decisions about voluntary redundancy (and compulsory redundancy as described below) are subject to member approval.

Compulsory Redundancy

8.5 As a last resort, having exhausted the alternative courses of action, it may be necessary for the Councils to issue formal notice of termination on the grounds of redundancy to an employee.

8.6 Individuals affected will be notified of their redundancy at the earliest possible opportunity, either following the end of the consultation period if there is no role identified for them in the new structure or after the selection procedure (detailed in section 5.0).

8.7 Where an individual is being made redundant following a selection exercise, they will be informed verbally of the result within 3 working days of the selection exercise and this decision should be confirmed in writing within 5 working days.

Redundancy Payments

8.8 Employees being made redundant will receive a contractual period of notice. However, the notice duration, with agreement, may be longer. This may be, for example, to support the transition arrangements to the new structure.

8.9 In some situations, it might be deemed appropriate to offer pay in lieu of notice. This is discretionary and will be explored on a case-by-case basis.

8.10 An individual's redundancy pay will be unique to their circumstances and based on their age and length of service. Individuals will be eligible for redundancy pay if they have completed 2 years or more continuous service.

8.11 The redundancy payment is calculated by multiplying a week's gross basic pay (this does not include shift allowances etc.) by the number of years of completed continuous local government service according to the following:
● Half a week's pay for each year of employment up to the age of 21
● One week's pay for each year of employment in which the employee was aged between 22 and 40; and
● One and a half weeks' pay for each year of employment in which the employee was aged 41

or over;

8.12 ~~The maximum number of year's continuous service that can be counted for redundancy payments purposes is 20 years counted backwards from the date of redundancy.~~ 8.12 The maximum number of year's continuous service that can be counted for statutory redundancy payments purposes is 20 years counted backwards from the date of continuous service.

8.13 The redundancy payment for compulsory redundancy is enhanced by applying a multiplier of 1.3 to the redundancy payment formula above and the redundancy payment voluntary redundancy is enhanced by applying a multiplier of 1.5 to the redundancy payment formula above.

8.14 Redundancy Pay is not subject to tax and national insurance deductions up to £30,000.

8.15 Where an employee has been issued with notice of termination of their employment, but before their redundancy date they receive an offer of employment from another employer covered by the Modification Order and commence work within four weeks of the redundancy date, the employee will lose their entitlement to a redundancy payment and will be required to repay the amount if already paid to them.

8.16 Where the Councils can clearly evidence that an alternative job offered as a suitable alternative for those on maternity leave or to any member of staff via redeployment is a reasonable and a suitable alternative but the affected employee turns it down, they may lose their entitlement to a redundancy payment.

Efficiency of Service

8.17 Efficiency of service grants the Councils the ability to pay a one-off lump-sum payment to an employee whose employment is terminated by mutual consent in the interests of the efficient exercise of the Councils' functions.

8.18 The calculation of an efficiency of service payment will be determined on the merits of each individual case. It will usually be less than the payment that would be given if their post was being made voluntarily redundant as set out in 8.11-8.13.

8.19 Factors to be taken into account in granting efficiency of service include:
● Employee relations considerations
● Overall reasonableness, including benefits to the Council Tax Payer by the employee leaving the Council
● Direct financial savings to be incurred by the employee leaving the Council.

8.20 A payment for efficiency of service is not subject to tax and national insurance deductions up to £30,000.

Holiday Pay

8.21 If an employee is being made redundant and has not taken all their holiday entitlement at the date of termination, it will be expected for the individual to take their holiday entitlement during their notice period.

8.22 If this is not possible for some exceptional reason, the manager has the discretion to agree a payment, which will be made by reference to the number of days outstandings and the pro rata daily rate of pay, calculated in accordance with the Councils' normal rules up to the date of termination of employment.

Repayments outstanding

8.23 Repayment of relocation or training expenses will not be required in the event of a person being made redundant. Other loans (i.e. car or bicycle) will have to be repaid, but requests for revising repayment terms will be viewed sympathetically, taking into account individual circumstances.

Early access to pension

8.24 Individuals who are 55 years of age or over who are members of the local government pension scheme and who are being made redundant have the right to early access to their pension. Employees aged 55 or over are encouraged to visit the relevant pension scheme website for

details of the pension benefits they may be entitled to.

8.25 It may be possible for conversion of any lump sum redundancy payment into Additional LGPS Membership at the employee's request. The Councils will not contribute any additional employer contributions if this is requested. For further information, individuals should speak to their HR Business Partner.

9.0 Right to Appeal

9.1 In the event that a member of staff is not successful in being appointed to a position in the new structure and is formally given notice of redundancy, they are entitled to appeal against dismissal due to redundancy.

9.2 The employee should submit their appeal in writing, clearly stating the grounds for their appeal to the relevant director, copying in HR, within 7 calendar days of receiving the letter issuing notice of redundancy.

9.3 Appeals may only be raised on the grounds of:
a) Procedure – where a failure to follow procedure had a material effect on the decision;
b) Decision - the conclusion and/or sanction issued is deemed inappropriate based on the information provided at the hearing; or
c) New evidence - which has come to light.

9.4 Any appeals against redundancy will be heard by a director within a reasonable period (not usually more than two weeks from receipt of the appeal letter). The director will consider the case and determine whether the original outcome was fair and reasonable based on the grounds of the appeal.

9.5 The appeals process will take place during the individual's notice period. Individuals should engage in the redeployment process whilst their appeal is pending.

9.6 The appeal decision will be confirmed in writing to the employee within 7 calendar days from the appeal hearing. The outcome is final and therefore there is no further right of appeal.

9.7 Further details of the appeal can be found in the Managing People Change procedure documents available on the intranet and in the place of work.

10.0 Support and the right to representation

10.1 The Councils acknowledge that organisational change can be unsettling. Employees are encouraged to access the Employee Assistance Programme detailed on the intranet. Trade unions also provide advice and support to their members.

10.2 Employees have a right to be accompanied at all formal meetings or appeal by a trade union representative or an Adur & Worthing workplace colleague. Accompanying someone is voluntary and an employee's colleagues are under no obligation to do so. If they agree to do so, they will be allowed reasonable time off from duties without loss of pay to act as a companion.

10.4 It is the responsibility of each employee to arrange their own trade union representative or an Adur & Worthing workplace colleague, pass on all details (such as paperwork, meeting information) and to inform the manager at least 3 days in advance of the meeting who will be accompanying them.

10.5 There is no right to legal representation at any stage of this procedure. Legal representatives, including lawyers employed by the Councils, whether or not acting in any official capacity have no right to accompany an individual.

10.6 The trade union representative or Adur & Worthing workplace colleague may make representations and ask questions during any formal meetings. They do not, however, have the right to answer questions on the employee's behalf, address a hearing if the employee does not wish it or prevent any other party from explaining their case.

10.7 If the employee is unable to attend the meeting for whatever reason (i.e. ill health), the employee (or in exceptional circumstances, the trade union representative/Adur & Worthing workplace colleague) must inform his or her line manager immediately and the meeting will be rearranged within 5 working days of the original meeting date where reasonably practicable. The meeting will only be rearranged once.

10.8 If an individual's trade union representative or Adur & Worthing workplace colleague is unable

to attend the meeting date or time, the individual should first see if another representative/Adur & Worthing workplace colleague can attend to support in their place. If this is not possible, the employee must inform his or her line manager immediately and the meeting will be rearranged within 5 working days of the original meeting date where reasonably practicable. The meeting will only be rearranged once.

10.9 The employee must make every effort to attend formal meetings; failure to attend without good reason may be treated as misconduct as assessed by the investigating manager. If the employee fails to attend without good reason, or is unable to attend the rescheduled meeting, it may go ahead in his or her absence on the available evidence.

10.10 Managers have a right to be accompanied at all formal meetings or appeals by a Human Resources representative. The role of the Human Resources representative is to advise the manager on policy/procedure. The manager is the decision maker.

11.0 Work Base Relocation

11.1 If the organisation changes an employee's location of work as part of a restructure and their travel expenses increase, they are eligible to claim for the additional costs of travel (the price difference between travelling to an old place of work and travelling to new place of work) for a period of 1 year.

11.2 The price difference must be based on the cost of 2nd class train ticket or mileage based on the most direct route on google maps - whatever is the most direct/economical.

11.3 The cost of travel can only be claimed when the individual is at work (i.e. not on bank holidays, not when on annual leave or when off sick). The only exception is when a season ticket is more economical than claiming for travel on a day-by-day basis. A claim a can be made using the work base relocation scheme form available on the intranet and must be submitted monthly. The manager has the responsibility to check and sign off the mileage form.

11.4 The process of claiming the work base relocation allowance must be done on a monthly basis as per the car mileage policy.

11.5 Tax and national insurance payments will be deducted at normal rates.

11.6 There are some circumstances where changes need to be made to the amount an individual claims may change. The table below outlines these circumstances:

Change	Result
There are changes to applicable mileage rate or fares	These will apply from date of change
The employee moves and is living further away from place of work	The individual is eligible to continue to claim as before (the cost of travelling from old home to new place of work minus the cost of travelling from old home to old place of work).
The employee moves and is living closer to their place of work	If the employee still has increased travel expenses due to work base relocation, they can continue to claim for the remainder of the year. Individuals should recalculate the amount they are eligible to claim and speak to finance if needed. The individual has the duty to inform and provide their manager with evidence of their move. If an individual continues to claim a higher rate of work base relocation despite moving closer to their place of work, disciplinary action may be taken.

The employee has another permanent change to their workplace during the one year period and the new location is closer to their home.	The individual can continue to claim any excess travel costs for the remainder of the one year period for the new distance.
The employee has another permanent change to their workplace during the one year period and the new location is further from their home.	The individual will be eligible to claim their additional travel expenses for a new one year period. Please note, individuals will not be able to claim for any remaining period of eligibility for the first permanent change of work location.
The employee applies for and accepts a role within Adur and Worthing Councils based at another location.	The individual will not be eligible to claim any travel expenses under this scheme.
The employee applies for and accepts a role within Adur and Worthing Councils based at the same location.	The individual will not be eligible to claim any travel expenses under this scheme.

12.0 Monitoring and Review

12.1 This policy will be monitored and reviewed on a regular basis by the Human Resources team with a thorough review taking place in three years if required.

13.0 Legislative framework

13.1 This policy has been written in reference to the following documents:
- ACAS booklet on handling large-scale redundancies
- ACAS booklet on redundancy handling
- Redundancy Payments (Continuity of Employment in Local Government etc.) (Modification) Order 1999
- Equality Act 2010
- Employment Rights Act 1996
- Transfer of Undertakings (Protection of Employment) Regulations 2006
- Trade Union Labour Relations (Consolidation) Act 1992
- Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006

Date agreed by Joint Staff Committee: 29 November 2017
Date policy formally adopted: 1 January 2018
Date for review: 3 years from formal adoption of policy (1 January 2021)

Equality Impact Assessment – Managing People Change Policy

Name of project/policy/strategy (hereafter referred to as "initiative"):

Managing People Change Policy

Provide a brief summary (bullet points) of the aims of the initiative and main activities:

The policy covers how change will be managed in cases of in-house reorganisations, redundancy and work base relocation in a fair and consistent way.

In the event of an employee being redeployed to a lower graded post as a result of organisational change, pay protection applies for a period of two years (1st year at 100, 2nd year at 50% of previous salary).

Where applications for voluntary severance are being considered, the business case for each application will be evaluated to identify the best options for the Councils taking account of the costs and all other relevant factors.

Aims of this policy are:
- Change is managed in a fair and equitable manner with the least disruption to the organisation and individual staff affected.
- Staff members affected by change are supported effectively through the process.
- Talent in the workforce is retained in periods of change.
- Employment legislation governing the management of change is complied with and litigation avoided.

Project Manager: Amy Newnham   Date: November 2017

Stage 1: 'Screening'
This stage establishes whether a proposed initiative will have an impact on equality groups, (age, disability, gender, race, religion/belief, sexual orientation), or whether it is "equality neutral" (i.e. have no effect either positive or negative). So for example in the case of gender impact, consider whether men and women are affected differently.

Q.1. Who will benefit from this initiative? Is there likely to be a positive impact on specific equality groups (whether or not they are intended beneficiaries), and if so, how? Or is it clear at this stage that it will be equality "neutral"? i.e. will have no particular effect on any group.

Any and all staff that are affected by change. The policy provides for consultation with affected staff and their representatives to ensure that staff members are aware of the reasons for change and the process for managing it. The policy provides a framework for the consistent and fair treatment of staff including selection for redundancy and where this cannot be avoided, the calculation of redundancy benefits in accordance with a clear and transparent formula.

Equality considerations:

Age – The Council does not have a policy of 'last in first out' which could have an adverse impact on younger people.

Disability – equality implications due to disability have been considered and none have been found.

Gender Reassignment – equality implications due to gender reassignment have been considered and none have been found.

Marriage and civil partnership - equality implications due to marriage and civil partnership have been considered and none have been found.

Pregnancy & Maternity – There are provisions in the policy for how those on maternity leave should be supported during a restructure. It is not felt that this group will be adversely impacted compared to other members of staff.

Race/ethnicity - equality implications due to race/ethnicity have been considered and none have been found.

Religion & belief - equality implications due to religion/belief have been considered and none have been found.

Sexual orientation – equality implications due to sexual orientation have been considered and none have been found.

Sex – equality implications due to sex have been considered and none have been found.


Q.2. Is there likely to be an adverse impact on one or more equality group as a result of this initiative? If so, who may be affected and why? <u>Or</u> is it clear at this stage that it will be equality "neutral"?

Consultation has taken place with Unison and no significant concerns have been raised about equality issues due to protected characteristics.

Q.3. Is the impact of the initiative - whether positive or negative - significant enough to warrant a more detailed assessment (Stage 2 - see guidance)? If not, will there be monitoring and review to assess the impact over a period of time? Briefly (bullet points) give reasons for your answer and any steps you are taking to address particular issues, including any consultation with staff or external groups/agencies.

Due to the response in Q2, it is felt that a more detailed assessment is not required at this time. Where impacts have been found, sufficient mitigation is in place (i.e. the Employee Assistance Programme and management training) which it is hoped will ensure no group is adversely impacted. The policy will be reviewed in 3 years' time

and at this point, the equality impact assessment will also be reviewed to ensure that the impact on those covered by the Equality Act remains "neutral".
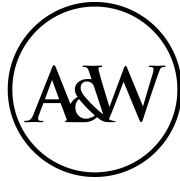
Joint Staff Committee
29 March 2023
Agenda Item 9

ADUR & WORTHING
C O U N C I L S

Key Decision: No

Ward(s) Affected:

Blended Working Policy

Report by the Director for Digital, Sustainability and Resources

Executive Summary

1. **Purpose**
    1.1   The report seeks the changes to the Adur & Worthing Councils Blended Working Policy to be noted.
    1.2   The aim of the policy is to enable staff to voluntarily work a proportion of their working hours from home, where their role is deemed by their manager as suitable.

2. **Recommendations**
    2.1   The Joint Staff Committee is recommended to note the changes to the Blended Working Policy with an implementation date of immediate effect.
    2.2   The changes have been agreed by the Head of Human Resources, in consultation with the Chief Financial Officer and the Head of Legal Services, as these changes are deemed as minor and non-consequential amendments to the Policy, under the delegated authority given to them by the Joint Staff Committee.

3. **Context**

    3.1   The Blended Working Policy has been updated to ensure that it is in line with the Adur and Worthing Councils' Information Security Policy.

4. **Issues for consideration**

   4.1 Whilst the essence of the Blended Working Policy is to enable staff to voluntarily work from home for a proportion of their working hours, they are expected to maintain the same standards of security of information, system security and security of equipment regardless of their location of work. This includes the Councils' policies on the Data Protection Act, GDPR and the Freedom of Information Act.

   4.2 All the changes to the policy are in section 10 and are also summarised on Appendix

5. **Engagement and Communication**

   5.1 Unison have been consulted with and have agreed the changes.

6. **Financial Implications**

   6.1 There are no financial implications arising from the update of this policy.

7. **Legal Implications**

   7.1 There are no legal implications due to the changes being made to this policy.

   7.2 This policy is not contractual and does not form part of the terms and conditions of employment.

   7.2 Section 112 Local Government Act 1972 gives the Council the power to appoint staff on such terms and conditions as it considers appropriate.

Background Papers
   ● Summary of changes to the policy as Appendix 1
   ● Amended Adur & Worthing Councils' Blended Working Policy available at Appendix 2
   ● Previous Adur & Worthing Councils' Blended Working Policy available at Appendix 3
   ● Adur & Worthing Councils' Information Security Policy available at Appendix 4
   ● Blended Working Policy Equality Impact Assessment (EIA) available at Appendix 5

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Sustainability & Risk Assessment

1.   Economic
The proposed policy will enable the Councils to provide services in a more flexible and efficient way.

2.   Social

2.1   Social Value
Matter considered and no issues identified

2.2   Equality Issues
The Equality Impact Assessment for this policy and associated statistics are attached as Appendix 2

2.3   Community Safety Issues (Section 17)
Matter considered and no issues identified.

2.4   Human Rights Issues
The proposal for staff to work from home is on a voluntary basis, so if there are staff members that don't want to work from home for any reason then they can work at their contractual base.

3. Environmental
Staff working from home for a proportion of their working hours may decrease the number of journeys they are making to and from work, which in turn could reduce the amount of CO_2 emissions.

4. Governance
DSE Workstation assessments are covered in the policy and the stance is that if a staff member's working environment does not meet the DSE workstation standards they may be unable to work safely from home and then will need to work in the office.

Current		Proposed		Information Security Policy references...
10.1 ICT policies apply to all employees, wherever they may be working. Employees are expected to maintain the same standards of security of information, system security and security of equipment regardless of their location of work. This includes the Councils' policies on the Data Protection Act , GDPR and the Freedom of Information Act.		10.1 ICT policies apply to all employees, wherever they may be working. Employees are expected to maintain the same standards of security of information, system security and security of equipment regardless of their location of work. This includes the Councils' policies on the Data Protection Act , GDPR and the Freedom of Information Act. All employees must make themselves familiar with and abide by the terms of the Information Security Policy (LINK).		NA
10.2 Employees who transport equipment (e.g. laptops, mobile phones) should not, as far as practicable, leave this unattended in vehicles.		*Remove as duplicated in Information Security Policy*		Points 8. Security of Equipment and 10. Security and Storage of Information
10.3 The employee must not allow members of their household or third parties to access or use any Councils equipment.		*Remove as duplicated in Information Security Policy*		Point 16. and under Annex A - Remote Working 1.1
10.4 Employees who work from home are responsible for keeping all documents and information associated with the Councils secure and confidential at all times. This includes destroying confidential documents appropriately.		*Remove as duplicated in Information Security Policy*		8. Security of Equipment and 13. Retention and Disposal of Information
10.5 Employee's should not print documents off at home.		*Remove as duplicated in Information Security Policy*		12. Information Sharing and Distribution, though I have made a suggesting it includes the word "home"
10.6 An employee should take the appropriate steps when dealing with confidential matters from home. Where possible, they should ensure they are working in a confidential work space and if taking a confidential call they should wear a headset to mitigate any risk of confidential information being overheard.		10.2 All employees should take the appropriate steps when dealing with confidential matters in all locations, including non office sites. Where possible, they should ensure they are working in a confidential work space where documents, including those on screen, cannot be viewed by others, and if taking a confidential call they should wear a headset to mitigate any risk of confidential information being overheard.		

Blended Working Policy

1.0 Overview

1.1 This policy applies to all employees of Adur and Worthing Councils, it also applies to temporary workers, agency staff and contractors. It sets out the standards for working arrangements to benefit the Councils, their employees and customers. (Referred to hereafter as employees)

1.2 This policy has been developed from a position of trust acknowledging that all staff members work hard and our ways of working should support us in achieving the best outcomes for the residents of Adur and Worthing.

1.3 This policy should be interpreted in accordance with the Equalities Act 2010 and shall be applied fairly and consistently to all employees in roles identified as suitable for blended or home working.

1.4 The Councils promote a blended working approach and agree to an employee voluntarily working a proportion of their working hours from home, where their role is deemed by their manager as suitable. In some instances, where the role permits, the Councils may agree to an employee working 100% of their working hours at home.

1.5 Every job is different and therefore the Councils are unable to agree that all roles will have this level of flexibility.

1.6 This policy will be reviewed on an ongoing basis and it is anticipated to be reviewed after 12 months, notwithstanding exceptional circumstances. The Councils reserve the right to amend or remove this policy and return everyone to the office, following normal consultation processes.

2.0 Guiding Principles

2.1 The following guiding principles are how we want to work with our teams across the Councils:

● Our ways of working will ensure we provide the high quality service to our communities, e.g. in terms of service standards and accessibility (in line with Good Services)

● Our focus is on delivering the best outcomes

● The work environment needs to be conducive to carry out the role

● Our workforce is flexible in terms of work location and hours subject to service needs, agreed in Team Charters

● The office is the formal work location, unless otherwise agreed.

● To enable working from flexible locations, teams and individuals will proactively engage and communicate

● Staff may be required to change their work location to meet the requirements of their role, this may be at short notice in the case of an emergency or for business continuity reasons.

● All work environments need to be safe (including DSE, data security, personal security, infection control)

3.0 Definition of Blended Working

3.1 This is where an employee will work a proportion of their time in the office and a proportion of their time at home. Their work base location will remain as the office.

3.2 This will be a blended working approach, where the employee may agree with their line manager on a weekly basis. The days of the week and work pattern may vary and depend on the needs of the business.

3.3 The employee should attend the office at the request of the manager for meetings, team activity, general work days, training and to assist with coaching of other team members.

3.4 The role will be assessed by the manager and the job description/person spec updated to reflect the ability to work from home on an occasional basis.

4.0 Definition of Homeworkers

4.1 Where it is agreed that an employee may work home for 100% of their working week, their work base location will be 'home' and this will be reflected in their statement of terms and conditions of employment.

4.2 The employee may be required, at reasonable notice to the office at the request of the manager for meetings, team activity, general work days, training and to assist with coaching of other team members.

4.3 The role will be assessed by the manager and the job description/person spec updated to reflect the ability to work from home on a full time basis.

5.0 Roles and responsibilities

5.1 **Managers** will use the following to decide the level of blended working possible for the roles within their teams:

The role:

● The role and team has successfully worked from home during lockdown

● The quality of the teams work has not been affected by working remotely

● Level of service has been maintained through remote working during lockdown

● The team can be managed by outcomes

● The team is able to work together remotely and does not require day to day supervision

● The role does not have duties requiring it to attend an office i.e. staffing reception, scanning, fixing equipment etc.

<u>The person:</u>

● they have a suitable home working environment that meets the DSE workstation assessment requirements

● their organisational and time-management skills

● their ability to work without constant direct supervision

● their ability to cope with conflicting priorities work/homelife balance

5.2 Manager Responsibility to

● Work with the their employees and identify the roles that are able to work from home

● Manage their teams to ensure they meet their productivity targets and objectives

● Understand where their team is on a daily basis

● Have regular 1:1s with individuals (at least every six weeks) to discuss performance and wellbeing

● Hold regular team meetings and gather their team together in person when required

● Ensure the employee has the appropriate equipment to enable them to do their job effectively

● Ensure the job description is updated to reflect the blended working approach

● Regardless of work location, give the team regular feedback and put in place ways of communicating with them (e.g. bulletins, team briefs, team meetings).

● Monitor the hours their team work to ensure they comply with working time regulations.

● Ensure all their team have completed a DSE workstation assessment.

● Ensure IT kit is returned to the IT team when a member of staff leaves their team or the organisation ensuring that document ownership is correctly reallocated.

● Determine and review working patterns and practices in the team with fairness.

● Ensure work styles and practices are used to enhance business performance.

5.3 Employee Responsibility to

● Ensure their space when working from home is free from distractions where possible

● Ensure they have an appropriate place to work with the correct equipment and compliant with DSE workstation assessment requirements

● Attend the office as required by their manager and for any activity required to fulfil their job role (i.e. for training, meetings where they are requested to attend in person, to get support if there are any performance concerns raised, or to participate in team activities)

● Keep in touch with their line manager and their colleagues as they would in the office

● Meet any objectives and targets set

● Take care of their health, making sure they have completed an annual DSE workstation assessment if they are working from home

● Be contactable via phone or email, when working regardless of their place of work.

● Ensure their contact details are up-to-date on the staff directory and in their email signature, including mobile phone numbers where applicable.

● Keep calendars up-to-date with location and meeting details.

● Attend meetings, training and provide office cover where needed.

● Abide by data protection and GDPR, freedom of information and IT policies and take all steps possible to ensure confidentiality regardless of where they work.

6.0 Base Location

6.1 Blended Working

6.1.1 The work base location for blended working will be the employee's contractual work base.

6.1.2 Should the employee be required to attend the office at any time due to issues with equipment or technology the employee must be available to do so at reasonable notice.

6.1.3 Travelling time to and from the work base office to home location and vice versa, is not classed as working hours.

6.1.4 The employee will be able to claim travel expenses from where they are working on that day, please refer to the Staff Expenses & Reimbursements Policy.

6.2 Home Working

6.2.1 The work base location for a 'home worker' will be the employees' home address and this will be reflected in their contract.

6.2.2 The employee may be requested to attend meetings but reasonable notice must be provided.

6.2.3 Travelling time to and from their 'home base' to the office is classed as working hours and may be expensed, please refer to the Staff Expenses & Reimbursements Policy.

7.0 Hours of Work

7.1 The employee will work their contractual hours of employment. However, where the role permits the employee will not be subject to any fixed hours, and is free to perform their duties at work times to suit as long as they meet their required outcomes and deadlines and are available as per the job description.

7.2 The employee must keep their manager informed of their working pattern for the week and ensure that they are meeting their job description and fulfilling their statement of terms and conditions of employment.

7.3 The employee must comply with the Working Time Regulation Act 1998.

8.0 Equipment

8.1 All employees that work from home, for any part of their working hours, are expected to provide an appropriate office environment, with a suitable desk and chair in line with the DSE Workstation Assessment.

8.2 It is the Councils' policy to provide and maintain all equipment and materials necessary for you to work from home in line with the following equipment guideline below.

Item	Blended Worker	Homeworker
Laptop	Y	Y
Laptop Stand	DSE Assessment	DSE Assessment
Screen	Y	Y
2nd Screen	Role dependent	Role dependent
Keyboard	Y	Y
Wrist Rest	DSE Assessment	DSE Assessment
Mouse	Y	Y
Foot rest	DSE Assessment	DSE Assessment
Desk	Y - dependent on % of time worked	Y
Office Chair	Y - dependent on % of time worked	Y
Printer	N	Y - dependent on business need
Shredder Lockable Cabinet Laptop Rucksack/Bag Trolley Bag	N N Y Role Dependent	Y - dependent on business need Y- dependent on business need Y Role Dependent

8.3 The Manager will discuss equipment with employees on an individual basis based on their job role, the number of days working from home and the completed DSE Assessment.

8.4 It is the employee's duty to ensure that proper care is taken of such equipment and materials as they remain the property of the Councils.

8.5 Should the employee not have the right equipment or environment, the manager may request that the employee returns to their main base in line with their contracted hours.

8.6 On termination of employment for any reason, the employee will be required to return all equipment that has been provided to their work base.

8.7 The employee will sign an inventory of items that will be maintained on their file.

9.0 DSE Workstation Assessments

9.1 Line managers have a responsibility to ensure that a health and safety risk assessment is undertaken for each employee in relation to the work-style, practices and location of their work.

9.2 Where employees are visiting clients/sites etc., the line manager and individual must ensure that an appropriate lone working risk assessment is undertaken and appropriate measures implemented in line with the Councils' Lone Working Policy.

9.3 The employee must complete an annual DSE workstation assessment for the home and the office. The employee is responsible for ensuring their workstation is in line with the provided guidelines and that they produce their equipment for annual PAT testing in line with the Councils' processes.

9.4 If the employee's home working environment does not meet the required DSE Workstation assessment standards they may be unable to work safely from home, and they will need to work in the office.

9.5 Employees have a responsibility for implementing any actions identified in order to reduce/mitigate risks to make their work environment safe. The line manager should take reasonable steps to ensure the employee has implemented any actions identified.

9.6 Line managers have a responsibility to ensure that their team members carry out a DSE Workstation assessment, on their home working setup and/or their office base.

9.7 Line managers should review health and safety on a regular basis and it should be discussed frequently during one to one meetings. Where there are concerns, appropriate advice should be sought. This may include employees being assessed by a trained workstation assessor to outline specific equipment needed (e.g. special computer mouse, or a specific type of chair).

9.8 For any accidents that occur in the workplace (which includes the home or any temporary workplace if the accident is work related), the employee should report this to their manager who will complete an accident book report as soon as reasonably practicable and in any case by the end of the current working day. In these circumstances, the line manager should inform the Safety and Resilience team immediately and (if this was not done at the time of the injury) complete an Incident Report Form based on the information given.

10.0 Security and Confidentiality

10.1 ICT policies apply to all employees, wherever they may be working. Employees are expected to maintain the same standards of security of information, system security and security of equipment regardless of their location of work. This includes the Councils' policies on the Data Protection Act, GDPR and the Freedom of Information Act. All employees must make themselves familiar with and abide by the terms of the Information Security Policy.

10.2 All employees should take the appropriate steps when dealing with confidential matters in all locations, including non office sites. Where possible, they should ensure they are working in a confidential work space where documents, including those on screen, cannot be viewed by others, and if taking a confidential call they should wear a headset to mitigate any risk of confidential information being overheard.

11.0 Working Environment

11.1 It's important that staff are able to concentrate on their work and maintain their productivity levels, and distractions kept to a minimum, ie. such as ensuring suitable arrangements for children and dependents is in place.

11.2 Should you require to take leave to look after your dependents more information is available in Section 7: Special Paid Leave within the Leave Policy.

12.0 Stationery and Sundries

12.1 The employee will be expected to order their stationery and sundries from their work location as per the normal procedures. The employee is permitted to take this stationery home for use for work purposes.

13.0 Home domestic bills

13.1 The employee will be expected to pay the costs of all their personal domestic bills. Costs towards household bills, such as gas, water and electricity will not be reimbursed.

14.0 Telephone and Internet Access

14.1 The employee will be expected to pay the costs of all personal telephone and internet connections into their home.

14.2 The employee should not use their personal mobile or phone line for business phone calls.

15.0 Insurance and liability

15.1 The employee is responsible for checking that all home and content insurance policies provide adequate cover for the fact they are working from home.

15.2 Employees are covered by the Councils' insurance policy for employer's liability and personal accident in the same way whether they are office based employees or not.

15.3 Equipment supplied to flexible/mobile workers is covered by the Councils' insurance arrangements, providing it is used for work purposes only, and in line with the manufacturer's instructions.

15.4 It is the responsibility of those who work from home to contact their own insurance company, landlord and/or mortgage provider to advise that they will be working from home.

15.5 The Councils will not reimburse any increase in insurance premium.

16.0 Work Deliverables

16.1 The employee will be measured on outcomes and will be monitored by their line manager. Should an employee complete their allocated workload prior to the end of the daily contracted hours, they must request more work.

17.0 Probation Period

17.1 Any employee who is starting a new role with the Councils may be required to attend the office for training purposes for an intensive period of time before shifting to blended working. This will be agreed with the employee prior to commencement in the role and may vary on a role to role basis.

18.0 Staying in touch

18.1 It is important for the employee to stay in contact with their team and manager on a regular basis.

18.2 The Councils will encourage all employees whether in blended working or home working to attend the office with their colleagues regularly for meetings, training or general work purposes.

18.3 Employees working in a blended work pattern, should at the request of their manager attend the workplace at short notice in the case of an emergency or for business continuity reasons. This will be role dependent.

19.0 Performance

19.1 The manager will have regular 1:1 meetings with their team members to ensure performance is to the required standard and is meeting the manager's expectations. 1:1s are encouraged to happen in person whenever possible.

19.2 Should the employees' performance be affected in any way, the manager will commence the normal performance management process as detailed in the Performance Support Policy.

19.3 The manager has the right to request that the employee attends the office on a more regular basis during any period of performance management, to enable support and coaching. This may be up to 5 days a week or in line with the employee contractual working pattern.

20.0 Training and Development

20.1 Should an employee require support in their role, they must raise this with their line manager. This could happen as part of the regular 1:1 conversations that a member of staff has with their line manager

21.0 Disciplinary or Grievance

21.1 The Councils' normal disciplinary and grievance procedure will apply. Should you be required to attend a meeting in relation to either of these procedures you will be expected to attend the meeting at a Councils' premises.

22.0 Visits to the employees' home

22.1 Should the Councils have concerns relating to Health and Safety matters they may request an appointment to conduct an assessment at the employees home. Such appointments will be arranged at a mutually convenient time.

23.0 Dispute Resolution

23.1 Should there be a dispute between the employee and the manager, they should ideally try and resolve it between them informally. If this is not possible then this should be escalated in the first instance to the Head of Service for resolution.

23.2 Should the situation not be resolved within the as per 23.1, then HR should be contacted and then the normal grievance procedure must be followed.

24.0 Failure to comply with this policy

24.1 Failure to comply with any of this policy may result in the employee returning to the office full time and/or appropriate performance management/disciplinary processes being applied.

25.0 Policy Implementation & Monitoring

25.1 Responsibility for the implementation, monitoring and development of this policy lies with the Head of Human Resources and CLT.

25.2 Day to day operation of the policy is the responsibility of managers' who will ensure that this policy is adhered to.

Date policy agreed with Unison: 4th August 2021

Date agreed by Joint Staff Committee: 29th September 2021

Date policy formally adopted: 1st November 2021

Date for review: 1 year from formal adoption of policy 31st October 2022

Policy reviewed and non consequential changes agreed: 16th November, 2022

Blended Working Policy

1.0 Overview

1.1 This policy applies to all employees of Adur and Worthing Councils, it also applies to temporary workers, agency staff and contractors. It sets out the standards for working arrangements to benefit the Councils, their employees and customers. (Referred to hereafter as employees)

1.2 This policy has been developed from a position of trust acknowledging that all staff members work hard and our ways of working should support us in achieving the best outcomes for the residents of Adur and Worthing.

1.3 This policy should be interpreted in accordance with the Equalities Act 2010 and shall be applied fairly and consistently to all employees in roles identified as suitable for blended or home working.

1.4 The Councils promote a blended working approach and agree to an employee voluntarily working a proportion of their working hours from home, where their role is deemed by their manager as suitable. In some instances, where the role permits, the Councils may agree to an employee working 100% of their working hours at home.

1.5 Every job is different and therefore the Councils are unable to agree that all roles will have this level of flexibility.

1.6 This policy will be reviewed on an ongoing basis and it is anticipated to be reviewed after 12 months, notwithstanding exceptional circumstances. The Councils reserve the right to amend or remove this policy and return everyone to the office, following normal consultation processes.

2.0   Guiding Principles

2.1   The following guiding principles are how we want to work with our teams across the Councils:

- Our ways of working will ensure we provide the high quality service to our communities, e.g. in terms of service standards and accessibility (in line with Good Services)
- Our focus is on delivering the best outcomes
- The work environment needs to be conducive to carry out the role
- Our workforce is flexible in terms of work location and hours subject to service needs, agreed in Team Charters
- The office is the formal work location, unless otherwise agreed.
- To enable working from flexible locations, teams and individuals will proactively engage and communicate
- Staff may be required to change their work location to meet the requirements of their role, this may be at short notice in the case of an emergency or for business continuity reasons.
- All work environments need to be safe (including DSE, data security, personal security, infection control)

3.0   Definition of Blended Working

3.1   This is where an employee will work a proportion of their time in the office and a proportion of their time at home. Their work base location will remain as the office.

3.2   This will be a blended working approach, where the employee may agree with their line manager on a weekly basis. The days of the week and work pattern may vary and depend on the needs of the business.

3.3   The employee should attend the office at the request of the manager for meetings, team activity, general work days, training and to assist with coaching of other team members.

3.4   The role will be assessed by the manager and the job description/person spec updated to reflect the ability to work from home on an occasional basis.

4.0 Definition of Homeworkers

4.1 Where it is agreed that an employee may work home for 100% of their working week, their work base location will be 'home' and this will be reflected in their statement of terms and conditions of employment.

4.2 The employee may be required, at reasonable notice to the office at the request of the manager for meetings, team activity, general work days, training and to assist with coaching of other team members.

4.3 The role will be assessed by the manager and the job description/person spec updated to reflect the ability to work from home on a full time basis.

5.0 Roles and responsibilities

5.1 **Managers** will use the following to decide the level of blended working possible for the roles within their teams:

The role:
- The role and team has successfully worked from home during lockdown
- The quality of the teams work has not been affected by working remotely
- Level of service has been maintained through remote working during lockdown
- The team can be managed by outcomes
- The team is able to work together remotely and does not require day to day supervision
- The role does not have duties requiring it to attend an office ie. staffing reception, scanning, fixing equipment etc

The person:
- they have a suitable home working environment that meets the DSE workstation assessment requirements
- their organisational and time-management skills
- their ability to work without constant direct supervision
- their ability to cope with conflicting priorities work/homelife balance

5.2 **Manager Responsibility to**

- Work with the their employees and identify the roles that are able to work from home
- Manage their teams to ensure they meet their productivity targets and objectives

- Understand where their team is on a daily basis
- Have regular 1:1s with individuals (at least every six weeks) to discuss performance and wellbeing
- Hold regular team meetings and gather their team together in person when required
- Ensure the employee has the appropriate equipment to enable them to do their job effectively
- Ensure the job description is updated to reflect the blended working approach

- Regardless of work location, give the team regular feedback and put in place ways of communicating with them (e.g. bulletins, team briefs, team meetings).
- Monitor the hours their team work to ensure they comply with working time regulations.
- Ensure all their team have completed a DSE workstation assessment.
- Ensure IT kit is returned to the IT team when a member of staff leaves their team or the organisation ensuring that document ownership is correctly reallocated.
- Determine and review working patterns and practices in the team with fairness.
- Ensure work styles and practices are used to enhance business performance.

5.3 **Employee Responsibility to**

- Ensure their space when working from home is free from distractions where possible
- Ensure they have an appropriate place to work with the correct equipment and compliant with DSE workstation assessment requirements
- Attend the office as required by their manager and for any activity required to fulfil their job role (i.e. for training, meetings where they are requested to attend in person, to get support if there are any performance concerns raised, or to participate in team activities)
- Keep in touch with their line manager and their colleagues as they would in the office
- Meet any objectives and targets set
- Take care of their health, making sure they have completed an annual DSE workstation assessment if they are working from home
- Be contactable via phone or email, when working regardless of their place of work.
- Ensure their contact details are up-to-date on the staff directory and in their email signature, including mobile phone numbers where applicable.
- Keep calendars up-to-date with location and meeting details.
- Attend meetings, training and provide office cover where needed.
- Abide by data protection and GDPR, freedom of information and IT policies and take all steps possible to ensure confidentiality regardless of where they work.

6.0   Base Location

6.1   Blended Working
6.1.1   The work base location for blended working will be the employee's contractual work base.

6.1.2   Should the employee be required to attend the office at any time due to issues with equipment or technology the employee must be available to do so at reasonable notice.

6.1.3   Travelling time to and from the work base office to home location and vice versa, is not classed as working hours.

6.1.4   The employee will be able to claim travel expenses from where they are working on that day, please refer to the Staff Expenses & Reimbursements Policy.

6.2   Home Working

6.2.1   The work base location for a 'home worker' will be the employees' home address and this will be reflected in their contract.

6.2.2   The employee may be requested to attend meetings but reasonable notice must be provided.

6.2.3   Travelling time to and from their 'home base' to the office is classed as working hours and may be expensed, please refer to the Staff Expenses & Reimbursements Policy.

7.0   Hours of Work

7.1   The employee will work their contractual hours of employment. However, where the role permits the employee will not be subject to any fixed hours, and is free to perform their duties at work times to suit as long as they meet their required outcomes and deadlines and are available as per the job description.

7.2   The employee must keep their manager informed of their working pattern for the week and ensure that they are meeting their job description and fulfilling their statement of terms and conditions of employment.

7.3   The employee must comply with the Working Time Regulation Act 1998.

8.0   Equipment

8.1   All employees that work from home, for any part of their working hours, are expected to provide an appropriate office environment, with a suitable desk and chair in line with the DSE Workstation Assessment.

8.2   It is the Councils' policy to provide and maintain all equipment and materials necessary for you to work from home in line with the following equipment guideline below.

Item	Blended Worker	Homeworker
Laptop	Y	Y
Laptop Stand	DSE Assessment	DSE Assessment
Screen	Y	Y
2nd Screen	Role dependent	Role dependent
Keyboard	Y	Y
Wrist Rest	DSE Assessment	DSE Assessment
Mouse	Y	Y
Foot rest	DSE Assessment	DSE Assessment
Desk	Y - dependent on % of time worked	Y
Office Chair	Y - dependent on % of time worked	Y
Printer	N	Y - dependent on business need
Shredder	N	Y - dependent on business need
Lockable Cabinet	N	Y- dependent on business need
Laptop Rucksack/Bag	Y	Y
Trolley Bag	Role Dependent	Role Dependent

8.3   The Manager will discuss equipment with employees on an individual basis based on their job role, the number of days working from home and the completed DSE Assessment.

8.4   It is the employee's duty to ensure that proper care is taken of such equipment and materials as they remain the property of the Councils.

8.5   Should the employee not have the right equipment or environment, the manager may request that the employee returns to their main base in line with their contracted hours.

8.6   On termination of employment for any reason, the employee will be required to return all equipment that has been provided to their work base.

8.7   The employee will sign an inventory of items that will be maintained on their file.

9.0   DSE Workstation Assessments

9.1   Line managers have a responsibility to ensure that a health and safety risk assessment is undertaken for each employee in relation to the work-style, practices and location of their work.

9.2   Where employees are visiting clients/sites etc, the line manager and individual must ensure that an appropriate lone working risk assessment is undertaken and appropriate measures implemented in line with the Councils' Lone Working Policy.

9.3   The employee must complete an annual DSE workstation assessment for the home and the office.   The employee is responsible for ensuring their workstation is in line with the provided guidelines and that they produce their equipment for annual PAT testing in line with the Councils' processes.

9.4   If the employee's home working environment does not meet the required DSE Workstation assessment standards they may be unable to work safely from home, and they will need to work in the office.

9.5   Employees have a responsibility for implementing any actions identified in order to reduce/mitigate risks to make their work environment safe. The line manager should take reasonable steps to ensure the employee has implemented any actions identified.

9.6   Line managers have a responsibility to ensure that their team members carry out a DSE Workstation assessment, on their home working setup and/or their office base.

9.7   Line managers should review health and safety on a regular basis and it should be discussed frequently during one to one meetings.   Where there are concerns, appropriate advice should be sought. This may include employees being assessed by a trained workstation assessor to outline specific equipment needed (e.g. special computer mouse, or a specific type of chair).

9.8   For any accidents that occur in the workplace (which includes the home or any temporary workplace if the accident is work related), the employee should report this to their manager who will complete an accident book report as soon as reasonably practicable and in any case by the end of the current working day. In these circumstances, the line manager should inform the Safety and Resilience team immediately and (if this was not done at the time of the injury) complete an Incident Report Form based on the information given.

10.0 Security and Confidentiality

10.1   ICT policies apply to all employees, wherever they may be working. Employees are expected to maintain the same standards of security of information, system security and security of equipment regardless of their location of work. This includes the Councils' policies on the [Data Protection Act](#) , GDPR and the Freedom of Information Act.

10.2   Employees who transport equipment (e.g. laptops, mobile phones) should not, as far as practicable, leave this unattended in vehicles.

10.3   The employee must not allow members of their household or third parties to access or use any Councils equipment.

10.4   Employees who work from home are responsible for keeping all documents and information associated with the Councils secure and confidential at all times. This includes destroying confidential documents appropriately.

10.5   Employee's should not print documents off at home.

10.6   An employee should take the appropriate steps when dealing with confidential matters from home.   Where possible, they should ensure they are working in a confidential work space and if taking a confidential call they should wear a headset to mitigate any risk of confidential information being overheard.

11.0 Working Environment

11.1   It's important that staff are able to concentrate on their work and maintain their productivity levels, and distractions kept to a minimum, ie. such as ensuring suitable arrangements for children and dependents is in place.

11.2   Should you require to take leave to look after your dependents more information is available in Section 7: Special Paid Leave within the Leave Policy.

12.0 Stationery and Sundries

12.1   The employee will be expected to order their stationery and sundries from their work location as per the normal procedures. The employee is permitted to take this stationery home for use for work purposes.

13.0 Home domestic bills

13.1   The employee will be expected to pay the costs of all their personal domestic bills. Costs towards household bills, such as gas, water and electricity will not be reimbursed.

14.0 Telephone and Internet Access

14.1   The employee will be expected to pay the costs of all personal telephone and internet connections into their home.

14.2   The employee should not use their personal mobile or phone line for business phone calls.

15.0 Insurance and liability

15.1   The employee is responsible for checking that all home and content insurance policies provide adequate cover for the fact they are working from home.

15.2   Employees are covered by the Councils' insurance policy for employer's liability and personal accident in the same way whether they are office based employees or not.

15.3   Equipment supplied to flexible/mobile workers is covered by the Councils' insurance arrangements, providing it is used for work purposes only, and in line with the manufacturer's instructions.

15.4   It is the responsibility of those who work from home to contact their own insurance company, landlord and/or mortgage provider to advise that they will be working from home.

15.5   The Councils will not reimburse any increase in insurance premium.

16.0 Work Deliverables

16.1   The employee will be measured on outcomes and will be monitored by their line manager.   Should an employee complete their allocated workload prior to the end of the daily contracted hours, they must request more work.

17.0 Probation Period

17.1   Any employee who is starting a new role with the Councils may be required to attend the office for training purposes for an intensive period of time before shifting to blended working. This will be agreed with the employee prior to commencement in the role and may vary on a role to role basis.

18.0 Staying in touch

18.1   It is important for the employee to stay in contact with their team and manager on a regular basis.

18.2　The Councils will encourage all employees whether in blended working or home working to attend the office with their colleagues regularly for meetings, training or general work purposes.

18.3　Employees working in a blended work pattern, should at the request of their manager attend the workplace at short notice in the case of an emergency or for business continuity reasons. This will be role dependent.

19.0　Performance

19.1　The manager will have regular 1:1 meetings with their team members to ensure performance is to the required standard and is meeting the managers expectations. 1:1s are encouraged to happen in person whenever possible.

19.2　Should the employees' performance be affected in any way, the manager will commence the normal performance management process as detailed in the Performance Support Policy.

19.3　The manager has the right to request that the employee attends the office on a more regular basis during any period of performance management, to enable support and coaching. This may be up to 5 days a week or in line with the employee contractual working pattern.

20.0　Training and Development

20.1　Should an employee require support in their role, they must raise this with their line manager. This could happen as part of the regular 1:1 conversations that a member of staff has with their line manager

21.0　Disciplinary or Grievance

21.1　The Councils' normal disciplinary and grievance procedure will apply. Should you be required to attend a meeting in relation to either of these procedures you will be expected to attend the meeting at a Councils' premises.

22.0　Visits to the employees' home

22.1　Should the Councils have concerns relating to Health and Safety matters they may request an appointment to conduct an assessment at the employees home. Such appointments will be arranged at a mutually convenient time.

23.0　Dispute Resolution

23.1　Should there be a dispute between the employee and the manager, they should ideally try and resolve it between them informally. If this is not possible then this should be escalated in the first instance to the Head of Service for resolution.

23.2   Should the situation not be resolved within the as per 23.1, then HR should be contacted and then the normal grievance procedure must be followed.

24.0   Failure to comply with this policy

24.1   Failure to comply with any of this policy may result in the employee returning to the office full time and/or appropriate performance management/disciplinary processes being applied.

25.0   Policy Implementation & Monitoring

25.1   Responsibility for the implementation, monitoring and development of this policy lies with the Head of Human Resources and CLT.

25.2   Day to day operation of the policy is the responsibility of managers' who will ensure that this policy is adhered to.

Date policy agreed with Unison: 4th August 2021
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ADUR & WORTHING COUNCILS INFORMATION SECURITY POLICY

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1. Introduction

- All information held by the Councils, in all formats, represents an extremely valuable asset and, therefore, must be used and stored in a secure manner.
- The Policy applies to all Members and employees of the Councils, both permanent and temporary. It also applies to contractors, business partners and visitors, not employed by the Councils but engaged to work with or who have access to Councils information, (e.g., computer maintenance contractors) and in respect of any externally hosted computer systems.
- The Policy applies to all locations from which the Councils systems are accessed (including home use, the Councils Remote Working Policy is included in Annex A). Where there are links to enable non-Council organisations to have access to the Councils information, officers must confirm the security policies they operate meet the Councils security requirements. A copy of any relevant third party security policy should be obtained and retained with the contract or agreement.
- Suitable third-party processing agreements must be in place before any third party is allowed access to personal information for which the Councils are responsible.

2. Policy Compliance

- Heads of Service should ensure all staff are aware of and understand the content of this policy.
- If any user is found to have breached this policy, they could be subject to Adur & Worthing Councils Disciplinary Policy, which is available on the intranet. Serious breaches of this policy could be regarded as gross misconduct.

- This policy should be read in conjunction with the Councils' [Data Protection Policy](#)

3. Legal Aspects

- Some aspects of information security are governed by legislation, the most notable UK Acts and European legislation are listed below:
- The Data Protection Act (2018)
- UK General Data Protection Regulation (UK GDPR)
- Copyright, Designs and Patents Act (1988)
- Human Rights Act (1998)
- Freedom of Information Act (2000)
- Computer Misuse Act (1990)
- Human Rights Act 1998
- Freedom of Information Act 2000
- Environmental Information Regulations 2004
- Protection of Freedoms Act 2012
- Regulation of Investigatory Powers Act 2000
- Privacy and Electronic Communications Regulations 2003
- Counter Terrorism and Security Act 2015
- Common law duty of confidentiality

4. Responsibilities

4.1. Manager responsibilities:

- Be aware of information or any equipment which is removed from the Councils offices for the purpose of site visits or home working.
- Ensure staff are aware of and are signed up to the Adur & Worthing Councils Information Security Policy.
- Enforce the Adur & Worthing Councils Information Security Policy when necessary.
- Ensure staff have the appropriate training and knowledge in the use of the equipment.
- Determine which individuals are given authority to access specific information systems. The level of access to specific systems should be on a job function need, irrespective of status.
- Ensure staff are unable to gain unauthorised access to the Councils IT systems or data.
- Determine the security level of any data held or accessed by staff. Review the security level of the data annually and ensure compliance with the current regulations.
- Implement procedures to minimise the Councils exposure to fraud, theft or disruption of its systems such as segregation of duties, dual control, peer review or staff rotation in critical susceptible areas.
- Ensure current documentation is maintained for all critical job functions to maintain business continuity in the event of relevant staff being unavailable.
- Ensure staff access to relevant systems is kept up to date. This should be based on changes in roles or responsibilities, as well as staff leaving or joining.
- Ensure that any third-party organisations or contractors providing services for the Councils have understood and agreed to the following:
  - o   Adur & Worthing Councils Information Security Policy
  - o   Non-Disclosure Agreement
- Ensure information held is accurate, up to date, and retained, in line with the Councils retention and disposal policy.
- Ensure relevant staff are aware of and comply with any restrictions specific to their role or service area. This would include, for example, Memoranda of Understanding with Government Departments, Data Sharing Agreements to which the Councils are signatories and the PSN Acceptable Usage Policy.

4.2. Staff responsibilities:

- Be aware of and comply with the content of the Information Security Policy.
- Ensure any mandatory IT Security and GDPR training is completed as required.
- Ensure that no breaches of information security result from their actions.
- Report any breach of data or suspected breach of data to their reporting manager.
- Report any breach of personal data or suspected breach of personal data to their reporting manager and the Senior Information Governance Officer, without delay.
- Ensure information that they have access to remains secure. The level of security of data and information will be determined by a manager.
- Ensure they are aware of and comply with any restrictions specific to their role or service area. This would include, for example, Memoranda of Understanding with Government Departments, or other Data Sharing Agreements to which the Councils are a signatories.

5. Information Security – Data Protection By Design

- The UK General Data Protection Regulation (UK GDPR) requires that organisations put in place appropriate technical and organisational principles and safeguard individual rights. This is known as 'data protection by design and by default'. This means that we have to integrate data protection into our processing activities and business practices, from the design stage right through the lifecycle. The Councils will, therefore, ensure that privacy and data protection, through its Data Protection Policy, is a key consideration in everything they do. As part of this the Councils will:
    - o Consider data protection issues as part of the design and implementation of systems, services, products and business practices, using the Data Protection Impact Assessment (DPIA) process to help identify and minimise the data protection risks of a project, before the project commences and at regular intervals throughout the project .
    - o Make data protection an essential component of the core functionality of our processing systems and services and utilise the existing resources available on the intranet for Data Protection Impact Assessments.
    - o Anticipate risks and privacy-invasive events before they occur and take steps to prevent harm to individuals.
    - o Only process the personal data that we need for our purpose(s) and that we only use the data for those purposes.
    - o Provide training to GDPR Leads to ensure that their Roles and Responsibilities for their respective services are fulfilled.
    - o Core privacy considerations should be incorporated into existing project management and risk management methodologies and policies to ensure:
    - o Potential problems are identified at an early stage.
    - o Increased awareness of privacy and data protection.
    - o Legal obligations are met and data breaches are minimised.
    - o Actions are less likely to be privacy intrusive and have a negative impact on individuals.

6. Personal Data Breaches and Information Security Incidents

- The Councils have a duty to ensure that all personal information is processed in compliance with the principles set out in the UK General Data Protection Regulation (UK GDPR). It is ultimately the responsibility of each Director to ensure that their service areas comply with that duty and that suitable procedures are in place for staff to follow when dealing with personal information.
- In the event of staff becoming aware of data breach or an information security incident, they are to follow the Councils Personal Data Breach Notification Procedure. Staff must report any breaches or security incidents (suspected or otherwise), by using the Data Breach Reporting Form which will be actioned and risk assessed by the Council's Data Protection Officer.

7. Access Control

- Staff, Members and contractors should only access systems for which they are authorised. Under the Computer Misuse Act (1990) it is a criminal offence to attempt to gain access to computer information and systems for which they have no authorisation. All contracts of employment and conditions of contract for contractors should have a non-disclosure clause, which means that in the event of accidental unauthorised access to information (whether electronic or manual), the member of staff or contractor is prevented from disclosing information which they had no right to obtain.
- Access to applications and systems are established based on identity and appropriate group membership. Any access for users or groups will need to be requested through Ask Digital.
- All application access requests will need to be approved, at a minimum, by the reporting manager or team that administers the application or system.
- Any changes to the access level needed by a team or a team member will need to be authorised by the reporting manager or team that administers the application or system and the Information Security team.
- Any access to 3rd party applications or systems by the Councils staff should be established by federated identity to the Adur & Worthing Identity Platform.
- Any 3rd party access to applications or systems will need to be established by the following methods in the order of preference:
    - ○ Federated identity to the 3rd Parties identity platform
    - ○ Creating a distinct group with the 3rd party members that need access to the application or system. There will be a time limit on this, which will be determined by the administrators.
    - ○ Authenticating against the Adur & Worthing Councils RADIUS platform.
    - ○ Locally stored user credentials. In such cases, the locally stored credentials will be temporary and only be valid for a maximum of 24 hours. A service request will need to be raised and authorised by the administrators for every new request.
- The Identity platform will need to comply with Adur & Worthing password guidance which can be found in Annex B.
- Any identification devices, access cards, keys, passes or any item that establishes identity or credentials used to gain access to systems should be assigned on a need basis. The system or application administrators/owners should maintain the list of users that have access to these items, and their direct reporting manager. Any change to the status of the user should be communicated to the application administrator/owner within 5 working days so that the use of the security items can be re-evaluated.
- In the event that an employee leaves the Councils, all access should be revoked by their last working day. The employee's user id in the identity platform should be disabled immediately and deleted within 4 weeks of parting.

8. Security of Equipment

- Portable computers must have appropriate access protection, for example passwords and encryption, and must not be left unattended in public places.
- Computer equipment is vulnerable to theft, loss or unauthorised access. Always secure laptops and handheld equipment when leaving an office unattended and lock equipment away when you are leaving the office.
- Laptops or other portable equipment must never be left unattended in cars or taken into vulnerable areas.
- Users of portable computing equipment are responsible for the security of the hardware and the information it holds at all times on or off Council property. The equipment should only be used by the individual to which it is issued, be maintained and batteries recharged regularly.
- Staff working from home must ensure appropriate security is in place to protect Councils equipment or information. This will include physical security measures to prevent unauthorised entry to the home and ensuring Councils equipment and information is kept out of sight. The Councils Remote Working Guidance is included in Annex A.
- Councils issued equipment must not be used by non-Councils staff.
- All of the policy statements regarding the use of software and games apply equally to users of portable equipment belonging to the Councils.
- Users will ensure that all sensitive data is either encrypted or password protected.
- Staff and Members who use portable computers belonging to the Councils must use them solely for business purposes otherwise there may be a personal tax or national insurance liability.

9. PCI-DSS Compliance

- The Councils are currently PCI-DSS (Payment Card Industry Data Security Standard) compliant. This is a set of requirements that ensures that all organisations that handle, process, store or transmit credit or debit card information, meet a minimum security standard.
- All changes, improvements, upgrades or projects should ensure that PCI-DSS security standards are taken into consideration and must ensure that the minimum requirements are met.
- The PCI-DSS compliance must undergo annual audit by an external auditor.
- Any member of staff, who has access to any part of the Councils Cash Receipting systems, whereby they are taking payments either in person or over the phone, should only enter card numbers into the relevant payment screens **only**. Under no circumstances should cardholder data such as card numbers be written down, entered or stored in any device or software that has not been approved by the Councils for this purpose.

10. Security and Storage of Information

- All information, whether electronic or manual, must be stored in a secure manner, appropriate to its sensitivity. It is for each service area to determine the sensitivity of the information held and the relevant storage appropriate to that information. Suitable storage and security will include:
- Paper files stored in lockable cupboards or drawers.
- Laptops and removable storage such as USB hard drives, stored in lockable cupboards or drawers.
- Electronic files password protected or encrypted.
- Restricted access to IT systems.
- Computer screens to be 'locked' whenever staff leave their desk
- Removable media to be kept in lockable cupboards or drawers
- Paper files removed from the office (for site visits or when working from home) to be kept secure at all times and not left in plain sight in unattended vehicles or premises
- Laptops must never be left in unattended vehicles
- At no time should sensitive, confidential or personal information be stored on a portable unit's hard drive or a removable hard drive such as a flash drive or a usb stick. Access to this type of information must always be through the Councils network.
- Staff should be aware of the position of their computer screens and take all necessary steps to prevent members of the public or visitors from being able to view the content of computers or hard copy information.

11. Clear Desk Guidance

- Employees are expected to clear working documents, open files, and other paperwork from their desks, working surfaces and shelves at the end of each working day and to place them securely into locked desk drawers and cupboards as appropriate.
- Although security measures are in place to ensure only authorised access to office areas, employees should ensure that documents, particularly of a confidential nature are not left lying around.

12. Information Sharing and Distribution

- Any sharing or distribution of sensitive or confidential information must be done using the most secure method available. In Electronic format that would mean using one of the following methods:
    - Cloud Storage: Users may only use official cloud storage solutions to share information with other colleagues or 3rd party vendors. Access to the information must be restricted to user or group identity.
    - Email: Email directed to particular recipient(s) or groups over Transport Layer Security. Any documents attached to the email should be password protected and the password should be sent separately to the recipient(s).

- ○ SFTP: Secure FTP for larger file transfers. Any use of secure FTP services should ensure there is adequate security set up on the account. The credentials should not be the default credential and the password should comply with the Adur & Worthing Councils Password Policy . The users must ensure that the SFTP service is hosted or approved by Adur & Worthing Councils.
  Unknown or unverified SFTP services hosted on the internet should not be used, as there is no way to ensure that only the intended parties would have access to the data.
  - ○ Physical storage devices: Users may use physical storage devices such as usb disks, or hard drives to share information. This should be considered as the last option, and only used if none of the other options are feasible. Users should ensure that the device is encrypted. The decryption key should be sent to the recipient separately over an encrypted email.
- In the event that information must be shared by post, the information must be sent using a service that can be tracked and that verifies receipt of the items.
- Any information that needs to be printed, should only be printed on Councils owned printers and using the official print solution. Personal or 3rd party equipment should not be used in any circumstances.
- Any information that is printed should be collected immediately and not left unattended.
- Any printer malfunctions that result in the items not being printed, should be cleared off the print queue by the user.
- When disclosing personal or sensitive information to customers, particularly over the phone or in person, the customer's identity must be verified. Service areas dealing with customers on a daily basis should have suitable security questions which must always be used. If in doubt ask for a suitable ID or offer to post the information (to the contact details you have on file).
- In all circumstances, the user must ensure that they are legally allowed to share the information being requested and only share the minimum amount of information necessary.

13.   Retention and Disposal of Information

- Information must only be retained for as long as it is needed for business purposes, or in accordance with any statutory retention period.
- Please contact the Senior Information Governance Officer for further advice on retention and see the Retention and Disposal Schedules on the Council's intranet.
- When disposing of information please ensure the most appropriate method is used. Paper files containing personal or sensitive information must be disposed of in the shredder waste bins. Electronic information must be permanently destroyed.
- When purchasing new computer systems or software, please consider requirements for the retention and disposal of information and ensure these are included at the scoping stage.

14. IT Security

- All IT infrastructure including switches, routers, firewalls, patch panels, servers, storage or any other IT equipment that cannot be considered as end user devices or mobile equipment such as Wireless Access Points, must be secured in cabinets which can be locked.
- All equipment must be rack mounted to the racks. If equipment cannot be rack mounted they should be housed in rackable shelves which can be locked.
- All cabinets should only be accessed by authorised personnel who administer the equipment in the cabinets as well as on site security.
- Possession of the cabinet keys should be tracked either electronically or by a secure register.
- Cabinets should be locked when not being accessed by authorised individuals.
- All equipment should not use default passwords. Any built in credentials should be amended to comply with the Councils password policy.
- IT security should maintain a risk register, with all the security exceptions in place. The items, their justifications and mitigations should be periodically reviewed, and signed off by the ICT & Digital Services Manager.
- Any interfaces on servers, switches, routers, firewalls or any equipment which is not in use should be administratively disabled.
- All IT infrastructure should be built based on standard configuration.
- All groups of IT infrastructure should have standard versions and security controls.
- Any deviation from standards should be noted in the Risk Register, with justification and mitigation of vulnerabilities.
- Networks should be segregated to ensure separation of critical production environments from the enterprise and from the management network used for system administration. Separation between environments can be established as having some form of control that regulates access between environments. This control can be in the form of user authentication, device authentication or network access. Furthermore, within the production environment, access between systems or applications should be regulated.
    - The Enterprise environment is the default environment where every Councils user connects on to. This environment allows access to services such as the productivity suite, general file shares, applications that are open to all users as well as the internet.
    - The Production environment is where services are hosted. These can be services that are consumed by all the Councils employees, specific groups of employees or publicly hosted services accessed over the internet or any other method. Within the production environment, there should be separation to ensure that there is adequate separation between systems. The separation would ensure that only authorised traffic between systems is allowed and any unexpected or unintended communication between systems is blocked.
    - The management environment is where system administrators can manage and administer all the IT infrastructure. This environment would host the network management systems and jumpstations. Administrators would by default be in the Enterprise environment, and would establish a secure connection to the management environment, from where they can administer all of the IT infrastructure.
    - Access to management systems and subsequent access to IT infrastructure will be assigned to users based on identity. Identity will provide the basis for access as well

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as the level of access. The use of shared credentials will be limited to read only access. Write privileges can only be assigned to individuals based on their roles.
  ○ Where possible, local accounts should be disabled or have reduced privileges. Exceptions can be made for root credentials, as due their nature, they cannot be removed or made to have reduced privileges. In such cases, the passwords need to be made sufficiently complex (as per password policy), and made available only to managers.
- Any changes to the configuration of infrastructure should be authorised and tracked. The authorisation and tracking of the changes will be through the Councils change management platform.
- Where possible, encrypted protocols are to be used for management and administration
- All infrastructure will have a method to backup and restore configuration.
- IT support teams will maintain a version history of the backups. The minimum level of version history is 30. This would mean that support staff should be able to roll back to up to the 30th previous version of the configuration or setup.
- All configuration backups, where possible, should be encrypted.
- All configuration backups should only be accessible by authorised personnel. Access should be based on user or group identity.
- All infrastructure should have detailed or debug level logging enabled. Logs should be stored in a remote repository such as syslog or a Security Information and Event Management (SIEM) system.
- All management teams should maintain at least 3 months worth of logs.

15.   Internet Usage

- The guidelines for internet usage is applicable to each employee of Adur & Worthing Councils, who require computer and Internet access for their work. Utilising the Internet is allowed and supported as long as the purpose of such usage is to meet the goals of the Councils. Each employee must comply with the rules listed in the policies. Breaching the policies could lead to legal measures taken against the employee. One of these measures is the dismissal from employment. Each of the staff members must realise their responsibility in case of damaging the Councils as a result of such violations. Each employee has to read the policy and comply with it. Any clarifications should be raised with a manager.
- Accepted and supported computer and Internet usage:
  ○ Internet usage is supported as long as it helps in increasing productivity and it is conducted responsibly. This includes the use of Cloud based productivity tools.
  ○ All the data shared, posted and received via the Councils equipment belongs to the Councils. It should be managed appropriately and according to the legal policies of the Councils.
  ○ The equipment available for employees at the working place belongs to the Councils, and its management has all the rights to monitor the Internet activity of all workers. The data transmitted, created and received via the Councils' equipment can be monitored as well.

- ○ Any website and downloaded content can be monitored by the Councils. They can be banned and blocked by the Councils if considered harmful to productivity and business as a whole.
- Unacceptable ways of using the Internet at the working place:
  - ○ Any communication, including email, SMS and social media post via the Councils' Internet service or on Council equipment that includes any offensive and/or harmful content. Such content includes language and/or imagery that could be considered as harassment or vulgarity.
  - ○ Accessing or distributing harassing, violent, discriminating, hateful or pornographic messages and imagery by the means of Councils equipment.
  - ○ Utilising the Internet and IT equipment at the working place in order to commit any kind of illegal activity, including piracy of music, movies, and other content.
  - ○ Appropriating someone's login information and using it without permission.
  - ○ Illegally downloading, managing or uploading copyrighted content via the Councils IT equipment.
  - ○ Distributing secret Councils information outside the Councils.
  - ○ Posting derogatory information regarding the Councils, its leaders or other employees.
  - ○ Installing inappropriate software that could be harmful to the equipment and network at the working place.
  - ○ Distributing spam emails and posts via the Councils equipment and the Internet.
  - ○ Posting information based on your personal beliefs and presenting it as those shared by the whole Councils.
  - ○ Each employee should consult with their manager or supervisor in the event of not knowing or being unsure about which actions and information are considered unacceptable.
- All the requirements listed above apply to every user of the Councils equipment and network. Any violation of the set rules can result in legal actions taken by the Adur & Worthing Councils against the person violating the policy. Action may be taken under the Councils' Disciplinary Policy.

16. Third Party Access

- No external agency will be given access to any of the Councils networks unless that body has been formally authorised to have access.
- Guidance can be found on the intranet: [Data Sharing Agreements and Data Processing Agreements](#). No external agency will be given access to any of the Councils networks unless that body has been formally authorised to have access.
- External agencies may be required to sign security and confidentiality agreements with the Councils.
- All external agencies processing personal information on the Councils behalf (including via a hosted IT system) will be required to sign a third party processing agreement.
- The Councils will control all external agencies access to its systems by enabling/disabling connections for each approved access requirement.
- The Councils will put in place adequate policies and procedures to ensure the protection of all information being sent to external systems. In doing so, it will make no assumptions as to the

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quality of security used by any third party but will request confirmation of levels of security maintained by those third parties. Where levels of security are found to be inadequate, alternative ways of sending data will be used.

- All third parties and any outsourced operations will be liable to the same level of confidentiality as Councils Staff.

17. Data Back-up

- Data should be held on cloud storage or a network directory where possible, to ensure routine backup processes capture the data. Information must not be held on a PC hard drive without the approval of the IT Operations Manager.
- Data should be protected by clearly defined and controlled back-up procedures which will generate data for archiving and contingency recovery purposes.
- All systems administrators should produce written backup instructions for each system under their management. The backup copies should be clearly labelled and held in a secure area. Procedures should be in place to recover to a usable point after restart of this back-up. A cyclical system, whereby several generations of backup are kept, is recommended.
- Archived and recovery data should be accorded the same security as live data and should be held separately preferably at an off-site location. Archived data is information which is no longer in current use, but may be required in the future, for example, for legal reasons or audit purposes. The Councils' Retention Schedule must be followed in determining whether data should be archived.
- Recovery data should be sufficient to provide an adequate level of service and recovery time in the event of an emergency and should be regularly tested.
- To ensure that, in an emergency, the back-up data is sufficient and accurate, it should be regularly tested. This can be done by automatically comparing it with the live data immediately after the back-up is taken and by using the back-up data in regular tests of the contingency plan.
- Recovery data should be used only with the formal permission of the data owner or as defined in the documented contingency plan for the system.
- If live data is corrupted, any relevant software, hardware and communications facilities should be checked before using the back-up data. This aims to ensure that back-up data is not corrupted in addition to the live data. An engineer (software or hardware) should check the relevant equipment or software using his/her own test data.

18. Software

- All users should ensure that only authorised software is in use on their end user devices.
- Where the Councils recognise the need for specific specialised PC products, such products should be authorised by Digital.
- Software packages must comply with and not compromise the Councils security standards.
- Software packages must integrate with the Councils identity platform.
- The Councils seeks to minimise the risks of computer viruses through education, good practice/procedures and anti-virus software positioned in the most vulnerable areas. Users should report any viruses detected/suspected on their machines immediately to Digital.

- Users must be aware of the risk of viruses from email and the internet. If in doubt about any data received please contact Digital for anti-virus advice.

19.   Documentation

- All systems should be adequately documented and be kept up to date so that it matches the state of the system at all times.
- System documentation, including manuals, should be physically secured (for example, under lock and key) when not in use. An additional copy should be stored in a separate location which will remain secure, even if the computer system and all other copies are destroyed.
- Distribution of system documentation should be formally authorised by the system administrator. System documentation may contain sensitive information, for example, descriptions of applications processes, authorisation processes.
- Manual data covered by the Gov Connect (GCSX) must not be removed from the Councils offices in accordance with the agreement.

20. ANNEX A - Remote Working

PURPOSE

The purpose of the Remote Working Guidelines is to describe the security requirements for staff remote access connections to internal IT resources.

MS Direct Access provides secure remote access and enhanced management for Windows laptops managed by Digital.

Users are defined as members of staff, consultants or contractors accessing corporate or business systems and using AWC provided equipment.

POLICY

User Responsibilities

1   Access Rights And Privileges

1.1   Remote users are only permitted to access applications and systems they are approved to access for the purposes of fulfilling obligations to AWC.

Remote users must not permit unauthorised persons, including members of their family, to access AWC's computing or information resources from any computers under their control.

2   Information Management

2.1   Remote users must ensure that the collection, creation, use, dissemination and storage of information relating in any way to AWC's business activities is carried out in accordance with internal Policies, relevant best practice Standards or Guidelines and legislation.

As information is likely to be used offsite, special consideration must be given to maintaining appropriate levels of confidentiality and security in accordance with the classification of the information.

3   Connection Requirements

3.1   After a user has completed a remote session with AWC, they must log out.

Hardware and software installed on remote user's computers must not compromise or interfere with AWC's systems. Remote access may be terminated in the event that normal operations are compromised by a remote user.

4   Audit Trails And System Logs

4.1   AWC reserves the right to monitor and audit the use of remote access Connections. Logs containing details of user activities may be retained.

5   Equipment Use

5.1   Equipment supplied by AWC to users is to be operated and maintained in accordance with corporate Policies. The type of use the equipment is put to must not jeopardise manufacturers' warranties and the equipment should be protected against environmental threats and kept secure just as it would be at AWC's premises.

During a remote session the staff member must remain in control of the PC and in front of it so they can see what is going on.

5.4   Remote management of servers, firewalls and other networked devices is permitted providing strong access controls and additional security mechanisms are used. Management of critical devices may not be facilitated via the internet, but must be achieved through back end connections from the corporate network. Where systems are considered sensitive, a user ID and password may not be sufficiently secure and multi-factor authentication, biometrics or other forms of strong access control may be deemed applicable.

6.   Digital Services Responsibilities

Access Requirements

6.1   Authentication mechanisms for remote access must appropriately protect the

information or system being accessed. Remote access to systems requires a multi-tiered approach such as logging into the device and a remote access gateway which provides limited network access or multi-factor authentication.

6.2   Users are restricted to applications and systems that are essential for them to fulfil work obligations to AWC.

6.3   Should an error occur during the authentication process or the user exceed the

number of login attempts, the default setting must be to deny access and the account locked.

7   Encryption

7.1   Remote access links are encrypted by default.

8   Connection Requirements

8.1   When access rights are no longer required, the procedure for termination must be followed. All equipment, hardware, software, etc must be returned and the connection disestablished.

8.2   Systems installed and configured for remote access must not permit any type of real-time in-bound remote access (e.g. telnet, ftp, nfs) unless authorised by the IT Operations Manager. Connections should be achieved through an approved VPN connection or remote access gateway.

8.3   Remote access connections will be installed and configured by authorised IT staff or their agents.

8.4   Where site to site VPN tunnels exist, the tunnel connection will be terminated on the VPN Gateway external logical port and restricted to specific hosts and ports required to support the application. The firewall settings must be forced from the server-side. Users must be restricted to particular systems on the basis of "need to know".

8.5   Network level remote access connections must be terminated through a firewall at both ends of the connection and the appropriate levels of security applied unless the connection is a virtual desktop that prevents processing and storage of information on privately owned or third party equipment. Business to business connections with third parties requires an approved business level firewall.

9   Auditing And Monitoring

9.1   AWC reserves the right to maintain audit logs and monitor remote access connections without notice as and when required to verify systems are working as expected and to ensure compliance with IT Policies.

10   System Support And Maintenance

10.1.   System support and maintenance for remote access connections must only be carried   out by authorised AWC staff or their designated agents who are technically proficient   and understand the implications of specific actions.

11   Training

11.1   Users accessing internal computer systems and information resources by remote
                 access must be educated in the security requirements including how to
initiate a   access session and gain access to improved systems and how to terminate
the   when the work is complete.

                 Correct use of the systems limits the potential for errors and security risks.

21. ANNEX B - Password Guidelines

Passwords are an important aspect of IT security; a poorly chosen password can compromise the security of the Council' critical data and expose the Councils to threats such as unauthorised access, malware and data loss.The below guidelines enforce minimum requirements for both AD and Google accounts to ensure the security of users accounts.

AD Accounts

Password Policy	Setting
Enforce password history	24 passwords remembered
Maximum password age	60 days
Minimum password age	1 day
Minimum password length	15 characters
Password must meet complexity requirements	Enabled
Store passwords using reversible encryption	Disabled
Account lockout policy	**Setting**
Account lockout duration	20 minutes
Account lockout threshold	3 invalid logon attempts
Reset account lockout counter after	20 minutes

Google Workspace Accounts

Password Policy	Setting
Minimum password length	At least 15
Minimum lower case characters	At least 1
Minimum upper case characters	At least 1
Minimum special case characters	At least 1
Minimum numbers	At least 1
Minimum spaces	No restriction
Google password rating	Strong
Password expiry (sso only)	Every 3 months
Require re-logon to change password	Yes
Warn before password expiry (sso only)	7 days
Password recovery	**Setting**
Enable password recovery	Yes
Force password change in cloud manager	Yes
Allow old passwords	No
No. of old passwords	13
2 step verification	**Settings**
Enabled for OU	Yes
Re-challenge user	On each log in
Mandatory enforced from	Thursday 27th October 2016
New user grace period	1 day

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22. ANNEX C - Legislation Relevant To Information Security

Human Rights Act (HRA) – Article 8
Everyone has a right to respect for his private and family life, his home and his correspondence.There shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or the protection of the rights and freedoms of others (legitimate aims).

The Article 8 right is a qualified right and permits public authority intervention when this is:
• in accordance with law,
• in the pursuit of a legitimate aim,
• necessary in a democratic society

Common law duty of confidentiality
Information provided in confidence by a third party is protected under the common law duty of confidentiality, subject to the public interest test.
For personal information to have the necessary quality of confidence it:
• Is not in the public domain or readily available from another source
• Has a degree of sensitivity
• Is communicated for a limited purpose and in circumstances where the individual is likely to assume an obligation of confidence, e.g. health practitioner/patient, banker/customer, solicitor/client, social worker/service user, etc.

Data Protection Act 2018 (DPA) & General Data Protection Regulations 2016 (UK GDPR)

The 2018 Act governs and regulates how personal information is used, replacing the 1998 Act of the same name. It incorporates the General Data Protection Regulations 2016. The Act defines six basic rules or principles, which the Council must adhere to. A breach of any of the principles is a breach of the law.

The Act requires the Council to take appropriate technical and organisational measures to protect personal data from unauthorised or unlawful processing and against the accidental loss or destruction of, or damage to, personal information.

Personal information/data is information about a living individual, who can beI identified from that information.

Special category personal data is defined in the Act as:
• racial or ethnic origin
• political opinion
• religious belief
• trade union membership

• physical/mental health
• sexual life
• commission of offences
• proceedings for offences and sentences of Court
• genetic and biometric data
 • location data including IP address

There are additional requirements placed upon the data controller for the processing of special category personal data. A data subject is the individual who the personal information is about. A data controller is the organisation/company legally accountable for the personal data that it obtains, uses, holds, etc. Adur District Council and Worthing Borough Council are the Data Controller for the personal data it processes. A data processor is an individual or organisation that processes personal information on behalf of a data controller and under the instruction of the data controller.

Privacy & Electronic Communications Regulations 2003 (PECR)
The Regulations sit alongside the Data Protection Act. They give people more privacy in relation to electronic communications. There are specific rules on:
 • marketing calls, emails, texts and faxes
• cookies (and similar technologies)
• keeping communications services secure
• customer privacy as regards traffic and location data, itemised billing, line identification, and directory listings

Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations (EIRs)

The Freedom of Information Act and Environmental Information Regulations give people the right to ask for access to recorded information held by the Council. Some business information held by the Council will be subject to exemption from disclosure under these Acts. The release of such information into the public domain by whatever means will represent a breach of information security.

Protection of Freedoms Act 2012 (POFA)

The Act enhances individuals' privacy rights in some areas. These include CCTV surveillance and processing biometric data.

Computer Misuse Act 1990

The Computer Misuse Act defines a number of criminal offences, relating to hacking, copying of software, introduction of viruses, unauthorised access or modification of computer material and other similar activities. The Act was amended by Part 5 of the Police and Justice Act 2006 to strengthen the legislation around unauthorised access and penalties for helping others to commit computer misuse.

Counter-Terrorism and Security Act 2015

The Act contains a duty on specified public sector bodies, including councils, to have due regard to the need to prevent people from being drawn into terrorism. This is known as the Prevent Duty. The requirements of the Act are embodied in the Prevent Duty guidance. Extremism is defined in the legislation as vocal or active opposition to fundamental British values, including democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs; or calls for the death of members of UK armed forces, whether in this country or overseas. Radicalisation is defined in the Act as material in support of the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups.

Regulation of Investigatory Powers Act 2000 (RIPA)

RIPA 2000, and The Telecommunications (Lawful Business Practice) Regulations 2000, provides a framework for monitoring activity, data and persons to assist in the detection and prevention of crime in relation to the Council's work. Interception of data or communications must be relevant, necessary and proportionate.

Copyright, Designs and Patent Act 1988

This legislation gives the creators of materials and information rights to control the ways in which their materials may be used. The legislation places restrictions on the copying and use of copyright material including computer software, publications and images and as such unauthorised copies of information, documentation or software may not be made.

Adur & Worthing Equality Impact Assessment (EIA) Template Trial - 2020/21

We want to trial the use of this template when it is appropriate, for example when making significant decisions that may impact disproportionately on certain protected communities. As part of our Good Service Standard we are also seeking to embed these equality impact assessment principles into everyday service planning and delivery. You may therefore only need to complete a template occasionally, but you should always be working to achieve its general principles and intended outcomes.

Our Equality Statement

Adur District and Worthing Borough Councils are committed to increasing inclusion and providing equality of opportunity in all our activities and to ensuring that discrimination does not occur. We will strive for a workforce that reflects the diversity of the local community in order that our services are provided appropriately and the Councils benefits from a wealth of experiences. The Councils will involve the wider community in our decision-making processes and use our influence to progress equality and inclusion issues in the Adur District and Worthing Borough.

To achieve our vision for inclusion and equality we will lead by example, we will listen to our communities and we will seek to work in collaboration with others. As part of this and as set out in Platforms of Our Places; Going Further plan, we will work to establish a platform that will aim to unlock the energy and unleash the power of people in the community to run and improve their own lives and the places they live. We will undertake this work with care, support and respect, recognising the reality of disadvantage and discrimination experinced by many communities.

Equality Impact Assessments (EIAs)

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then identify actions to support delivery towards our equality objectives and our statutory duties. The EIA process specifically aims to:

- Get the best outcomes for our staff and residents
- Analyse how all our work as councils might impact differently on different groups.
- Help us make good decisions and evidence how we have reached these decisions

EIAs are therefore a practical way in which we can achieve our Good Service standard, where we have pledged to improve our services and make them accessible to everyone. The EIA template we are trialling in 2020/21 is suitable for a number of settings, including policy development, organisation management and service redesign. The template is made up of a series of tables and numbered guidance notes to guide and support you through the approach. We will evaluate the use of the template towards the end of 2021.

Part 1. Equality Impact Assessment (EIA) Template

First, consider whether you need to complete an EIA. Is an EIA needed and is there another way to evidence assessment of impacts. See guidance note **(1)** on the legislative context and guidance note **(2)** on considerations when planning an EIA.

Title of EIA (3)	**Trial - Blended Working Policy**
Team/Department (4)	**All services**
Focus of EIA (5)	**The policy will apply to identified roles across the Council. The roles that it applies to will be identified by the individual HoS and Managers.** **The policy will allow the employee to work in a blended way between home and office. The employee must have an appropriate workstation and environment compliant with DSE guidance.**

2. Update on previous EIA and outcomes of previous actions

If there is no previous EIA, or EIA equivalent or this is an assessment of a new service, then simply write 'not applicable'.

What actions did you plan last time? (List them from the previous EIA)	What improved as a result? What outcomes have these actions achieved?	What further actions do you need to take? (add these to the Action plan below)
n/a		

3. Review of information, equality analysis and potential actions

In this section we consider the various protected characteristics groups from the Equality Act 2010 **(6)**

What do you know? (7) Summary of data about service-user / resident / and/or staff feedback.	What do people tell you? (8) Summary of service-user / resident / and/or staff feedback	What does this mean? (9) Impacts identified from data and feedback (actual and potential)	What can you do? (10) ● To advance equality of opportunity, ● To eliminate discrimination, and ● To foster good relations
Age[1]	Younger people may be less likely to have suitable home accommodation for office use (e.g. living with parents or in small flats) Younger people may have lower earning potential and not be able to afford suitable equipment to be a home worker. Older age group may not enjoy the isolation of	● Data Analysis completed of job roles **not able** to work from home (see attached appendix 1). ***Younger workforce not impacted by this change*** according to data ● Data Analysis completed of those people **not wanting** to work from home (see attached appendix 1) Only 6% of staff want	● Complete DSE assessments to see how many people 'cannot' work from home due to known suitable environments and review data. ● Equipment being provided for all relevant staff ● Partial equipment provided for those working at home on an 'occasional' basis ● Culture is being created to ensure that team collaboration still happens face to face. We want everyone to come into the office ● Training for managers on managing isolation, ensuring effective team meetings

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[1] **Age**: People of all ages

	working from home. May also have more challenges with technology and remote meetings.	no home working. No areas for specific concern within this data.	• Appropriate training for remote workers on remote meetings, scheduling diaries
Disability[2]	All work environments, whether home, office or other need to be safe, both for people with existing health conditions and prevent ill-health being exacerbated due to poor posture etc. Need to ensure that seating and desks are suitable for team members with musculo-skeletal issues and allow for bespoke furniture (desk and chair). Arriving at work and moving chairs around may not be feasible	• Data analysis shows that there are 12 employee with disabilities known to the council • 2 Badge holders within the council • Consideration should be given to 'set desk areas' for those with disability specifically if they are in the office the majority of their working week.	• Review prioritisation and implementation of recommendations from accessibility study (first site visit 02.06.21). • Survey underway (April 2021) to identify specific needs for each member of staff (to be completed by managers) • Roll out DSE self assessment process for office and home working, to be reviewed with line managers at 1-1s • Where required seek advice from the Councils' Health & Safety team or Occupational Health • Ensure that office layout designs are flexible to allow for additional space where required to suit • individual assessed needs - **Accessibility Assessment being commissioned**.

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[2] **Disability**: A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

	The flexibility of being able to work from home or other locations will reduce travelling needs. The home environment is more likely to be already adapted for the individual staff member's particular needs, although not necessarily in terms of their work stations if they have not worked from home previously. The minimum office space standards may not be sufficient for wheelchair users or people who are visually impaired who may need more than the standard minimum. Individual staff may have specific needs which make the new way of working problematic for them (eg: people on the Autistic Spectrum who may have additional sensitivity to noise, or		

	people with mental health conditions affecting their attitudes to consistency or cleanliness).		
Race/Ethnicity	Some ethinc groups live in large family units which may reduce the space to enable them to work from home effectively	● Only 31 employees do not wish to work from home. Currently no data to identify ethnicity impact but based on high numbers of those able to work from home. No concern in this area.	● Data analysis following DSE Assessment to see 'who cannot' work from home.
Gender reassignment[3]	Consideration should be given to ensuring cross functional team training. Teams may be separated when in the office, as may no longer be in 'teams' as worked previously.	● Data not available	● Build into training cross functional training, expecting difference

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[3] **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does <u>not</u> need to be under medical supervision to be protected

Pregnancy and maternity[4]	The introduction of greater flexible working opportunities will give women who are pregnant more flexibility to work around medical appointments and potentially be able to work around any issues (i.e. morning sickness etc). Staff on maternity or paternity leave may feel left out of the process, or less well-informed about changes and plans.	• TBC	• New and expectant mother risk assessments that are carried out should ensure they reflect the relocation and changed working arrangements from the end of July and assess whether this raises any additional issues. • Managers must ensure that they keep staff on leave as well-informed as staff at work, using an agreed method of communication and arranging 'keep in touch' days (or similar) where appropriate.
Religion or belief[5]	Flexible working will allow greater flexibility for religious observance.	• Data not available	• Identification of staff within faith groups most likely to need this service. • Identify the criteria required for suitable quiet rooms and make space available and publicise as appropriate

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[4] **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

[5] **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

Sex/Gender[6]	Higher proportion of part-time staff are female and blended working may not be feasible if living in smaller accommodation (see Lone Parent)	- Data analysis completed see appendix 1. - No concern - higher number of male full time employees impacted for not working from home. - Only 18 Female part time employee impacted for not working from home due to their roles servicing the community	- Continue to monitor in normal Management Information reporting - Reassess when DSE Assessments have been completed
Sexual orientation[7]	No impact identified	n/a	n/a
Marriage and civil partnership[8]	No impact identified	n/a	n/a

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[6] **Sex/Gender:** Both men and women are covered under the Act.

[7] **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

[8] **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

Community Cohesion[9]	No impact identified	n/a	n/a
Other relevant groups[10]	*See below*		
Carer/Parental responsibilities	Home and flexible working may be beneficial for child care, carer and family commitments: flexible hours will be helpful for school runs and other appointments difficult to arrange outside of traditional working hours. Home environment should be free from unreasonable distractions when someone is working, meaning carers may not	• No data available on the number of employees with carer or parental duties.	• Training to be provided to managers on how to manage these situations to ensure fairness is applied.

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[9] **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

[10] **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum.

	be able to fulfil their work and caring/childcare responsibilities. Permitting children to be at home whilst working when over the last 12 months has been allowed, it is now deemed unfair to change rules.		
Home Workers	- Home working may increase feelings of isolation and / or increase the difficulties of "switching off" from work thereby having a negative effect on work/life balance. - Some posts may be unsuitable for home working even if this is the staff member's preferred option. - There is likely to be a pay disparity, with lower grade roles less likely to be suitable for home working	No known incidents of this at this time	- Appropriate training Revisit/communicate expectations about no emails after hours/similar - Continue to monitor through management 1:1 and HR feedback based on sickness absence reporting

	compared to higher paid roles.		
Domestic abuse	• Employees who are in domestic abuse relationships may be at greater risk working from home.	• No identified cases of this known to the council at this time	• Home working will not be mandatory and all employees will be able to work in the office. • Publicise the e-learning available that shows how to spot possible signs of abuse in a home working environment. Amend it to train managers in how to have appropriate conversations with staff. • Signposting information on the staff intranet • HR to monitor through sickness absence reporting • Domestic Abuse policy

4. List the data, information and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Staff Survey - 70% of staff who answered survey wanted Blended working	June 2020 Jan 2021	Equalities data missing	Staff need to complete their equality data on Connect

Data Collection from Managers dated June 2021 - 70% of staff want blended working	May 2021	Ethnicity, Location, Hours of work	Add to future reports
Central HR Database report	End of May 2021	Ethnicity	Add equality data

5. Prioritised Action Plan

The Equality Duty is an ongoing duty which means policies must be kept under review. The actions identified below should be incorporated into service or business plans and monitored to ensure they achieve the outcomes identified.

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe

EIA sign-off:

For the EIA to be final an email must be sent from the relevant people agreeing it or this section must be signed.

Staff member competing Equality Impact Assessment: **Rebecca Mossman-Beckett**	**Date:** **5/6/2021**
Head of Service: **Heidi Christmas**	**Date:** **10/6/2021**
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EIA Guidance Notes

If this is your first EIA, take some time to read through the notes. If you have any questions please email:
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1. Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership). This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration. The following are the duties in the Act that we must give 'due regard' (pay conscious attention):

- **Avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **Promote equality of opportunity**. This means the need to:
  ➔ Remove or minimise disadvantages suffered by equality groups
  ➔ Take steps to meet the needs of equality groups
  ➔ Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
  ➔ Consider if there is a need to treat some people differently, including more favourable treatment where necessary
- **Foster good relations between people who share a protected characteristic and those who do not**. This means:
  ➔ Tackle prejudice
  ➔ Promote understanding

In addition the following principles, drawn from case law, explain when and how the above duty should be applied:

➔ **Knowledge:** In working for the councils and reviewing its activities staff must be aware of equalities duties and apply them appropriately to this work.

➔ **Timeliness:** The duty applies at the time of considering policy options and/or <u>before</u> a final decision is taken – not afterwards.

➔ **Real Consideration:** The duty must be an integral part of our decision-making and able therefore to influence the process.

➔ **Sufficient Information:** You must assess what information you have and what is needed to give proper consideration.

➔ **No delegation:** The councils are responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.

➔ **Review:** The equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.

➔ **Proper Record Keeping:** To show that we have fulfilled our duties we must keep records of the process and the impacts identified. Properly used, an EIA can form a key part of this requirement.

2. Do you need to undertake an EIA?

An EIA may or maynot be necessary or appropriate:

➔ Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
➔ How many people is it likely to affect?
➔ How significant are its impacts?
➔ Does it relate to an area where there are known inequalities?
➔ How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide <u>not </u>to complete an EIA it is important to document why.

When might you generally complete an EIA:

➔ When planning or developing a new service, policy or strategy
➔ When reviewing an existing service, policy or strategy
➔ When ending or substantially changing a service, policy or strategy
➔ When there is an important change in the service, policy or strategy, or in the borough or district (eg: a change in population), or at a national level (eg: a change of legislation)

The EIA does not have to be on this template, but must be documented. Wherever possible, build the EIA approach into your usual planning/review processes. When planning your EIAs remember it should be proportionate to:

➔ The size of the service or scope of the policy/strategy
➔ The resources involved
➔ The numbers of people affected
➔ The size of the likely impact
➔ The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process is required.

3. Title of EIA: This should clearly explain what service / policy / strategy / change you are assessing **4.**

Team/Department: Main team responsible for the policy, practice, service or function being assessed

5. Focus of EIA: A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA

6. Protected characteristics groups from the Equality Act 2010:

➔ **Age**: People of all ages

➔ **Disability**: A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

➔ **Gender Reassignment:** In the Act a transgender person is someone who proposes to, starts or has completed a process to change his or her gender. A person does not need to be under medical supervision to be protected.

➔ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

➔ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

➔ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

➔ **Sex/Gender:** Both men and women are covered under the Act.

➔ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

➔ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

➔ **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

➔ **Other relevant groups:** eg: Carers, people experiencing domestic and/or sexual violence, substance misusers, homeless people, looked after children, ex-armed forces personnel, people on the Autistic spectrum etc

➔ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

7. What do you know (data and Information): Make sure you have enough data and information to inform your EIA.

➔ What data, relevant to the impact on protected groups of the policy/decision/service, is available? Consider local sources of data (eg: the JSNA, Local Insight) and national sources where they are relevant.

➔ What further evidence is needed and how can you get it? (e.g. further research or engagement with the affected groups).

➔ What do you already know about needs, access and outcomes? Focus on each of the protected characteristics in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?

➔ Have there been any important demographic changes or trends locally? What might they mean for the service or function?

➔ Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?

➔ Do any equality objectives already exist? What is current performance like against them?

➔ Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?

8. What do people tell you (engagement):

You must seek to engage appropriately with those likely to be affected:

➔ What do people tell you about the services?

➔ Are there patterns or differences in what people from different groups tell you?

➔ What information or data will you need from communities?

➔ How should people be consulted? Consider:

◆ consulting when proposals are still at a formative stage;

◆ explain what is proposed and why, to allow intelligent consideration and response;

◆ allow enough time for consultation;

◆ make sure what people tell you is properly considered in the final decision.

·➔ Try to consult in ways that ensure all perspectives can be considered.

➔ Identify any gaps in who has been consulted and identify ways to address this.

9. What does this information and feedback mean?

Your EIA should seek to understand the actual and potential impacts.

➔ The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.

➔ Be realistic: don't exaggerate speculative risks and negative impacts.

➔ Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say if you can, how many or what percentage are likely to be affected, how, and to what extent.Questions to ask when assessing impacts depend on the context. Examples:

◆ Are one or more protected groups affected differently and/or disadvantaged? How, and to what extent? ◆ Is there evidence of higher/lower uptake among different groups? Which, and to what extent?

◆ If there are likely to be different impacts on different groups, is that consistent with the overall objective?

◆ If there is negative differential impact, how can you minimise that while taking into account your overall aims

◆ Do the effects amount to unlawful discrimination? If so the plan must be modified.

◆ Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

10. What can you do?

Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

➔ Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts <u>and</u> maximise any positive impacts or advance equality of opportunity.

➔ Be specific and detailed and explain how far these actions are expected to improve the negative impacts. ➔ If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.

11. Assessment of overall impacts and any further recommendations

→ Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.

→ Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.

→ Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

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