

COMMITTEE REPORT

Subject:	<i>Amendments to HR Policies</i>
Committee:	<i>Governance, Policy & Personnel Committee</i>
Item Number:	<i>14</i>
Date:	<i>Monday 27 July 2026</i>
Author:	<i>Tracy Adams, Head of HR</i>
Report status:	<i>Decision</i>
Confidential / Exempt:	<i>No</i>

1. Report Summary

- 1.1 The purpose of this report is to ask the Committee to approve updated HR policies and related procedures so they can be implemented by the Council.
- 1.2 The amendments fall into three main categories: legal changes under the Employment Rights Act 2025 and related developments; clarification of the disciplinary and capability routes for the Chief Executive Officer; and a small number of practical clarification updates.
- 1.3 The detailed tracked changes are attached as appendices. Appendix A provides a plain-English summary so that Members can see why each policy or procedure has been changed without needing to read every tracked amendment in detail.
- 1.4 The report is being presented in July because some changes have already taken effect and some are expected in October 2026, before the next Committee meeting in November. The October 2026 changes mainly relate to the strengthened duty to prevent sexual harassment and the need to take all reasonable preventative steps where staff may be harassed by third parties in the course of their work.

2. Recommendations

It is recommended that the Committee:

- 2.1 Approves the updated HR policies and procedures attached as appendices to this report.
- 2.2 Agree to amend the probation period for new staff from 6 months to 4 months.
- 2.3 Notes that the changes will be shared with Trade Unions at the six-monthly meeting on 22 July 2026 and that any comments received will be provided as a verbal update to the Committee.

- 2.4 Notes that, if approved, the updated policies will be communicated to staff and implemented across the Council.

3. Background

- 3.1 The Council's HR policies are reviewed periodically to ensure they remain legally compliant, clear, and appropriate. A number of employment law changes have been introduced or are expected as part of the Employment Rights Act 2025, with implementation taking place in stages during 2026 and 2027.
- 3.2 The legal changes reflected in the policies include day-one rights to certain family leave, the introduction of Bereaved Partner's Paternity Leave, changes linked to ordinary unfair dismissal protection, whistleblowing protection where sexual harassment may amount to a protected disclosure, and the October 2026 preventative duties relating to sexual harassment and third-party harassment of staff.
- 3.3 Separate procedures are also proposed for disciplinary and capability concerns involving the Chief Executive Officer. This is needed because the Chief Executive Officer is the Head of Paid Service, so any formal process must reflect the seniority and statutory nature of the role, the involvement of elected members, and the need for independence and fairness.

4. Proposal

- 4.1 It is proposed that the Committee approves the updated policies and procedures listed in Appendix A. The individual policy documents are attached separately and show the detailed amendments.
- 4.2 Approval will allow the Council to implement the updated policies, communicate the changes to staff and provide clearer guidance to managers on the correct process to follow.

5. Options Considered

- 5.1 Option 1 – Preferred Option – approve the updated policies and procedures. This is recommended because it allows the Council to respond to legal changes in a timely way and gives staff and managers clearer guidance.
- 5.2 Option 2 – Alternative Option – defer approval until the wider policy review has been completed. This is not recommended. A later piece of work is planned to separate policy from procedure but doing that at the same time as these legal updates would make the changes more complex to understand and communicate.
- 5.3 Option 3 – do nothing. This is not recommended because the Council's HR policies would not reflect current or forthcoming legal requirements and this may increase the risk of inconsistent practice or legal challenge.

6. Financial Position

- 6.1 There are no direct financial costs arising from the proposed policy updates, and no additional budget approval is requested.
- 6.2 Implementation will be managed within existing HR resources.
- 6.3 There may be indirect staffing and management time implications where the updated policies require managers to take additional preventative or recording steps, particularly in relation to harassment risk management and family leave administration.

7. Legal and Governance Considerations

- 7.1 The legal basis for the changes is the Council's duty as an employer to comply with employment law and to maintain fair, lawful and effective HR policies and procedures.
- 7.2 Some Employment Rights Act 2025 changes are already reflected in the policies, while others are expected to take effect in stages. The Council will need to keep the policies under review as commencement dates, regulations and guidance are confirmed.
- 7.3 The Governance, Policy & Personnel Committee has responsibility for considering and approving HR policy matters within its remit.
- 7.4 The main legal and governance risk is that the Council relies on policies that are out of date or unclear. This is mitigated by approving the amendments now, attaching the tracked changes, and reviewing the policies again if further legal guidance requires amendment.

8. Consultation and Engagement

- 8.1 The changes are due to be shared with Trade Unions at the six-monthly meeting on 22 July 2026.
- 8.2 Any comments received from Trade Unions before the Committee meeting will be provided as a verbal update.
- 8.3 No wider consultation has been carried out at this stage because the changes are primarily legal and procedural updates rather than a wider review of the Council's employment policy framework.
- 8.4 If approved, the updated policies will be communicated to staff. The wider work to separate policy content from procedural guidance will be brought forward separately at a later date.

9. Strategic and Policy Alignment

- 9.1 The proposal supports good governance by ensuring that the Council's HR policies are legally compliant, clear and capable of being applied consistently.
- 9.2 The updates also support fair treatment, clear expectations, appropriate staff protection, and consistent management practice.

10. Implementation and Next Steps

- 10.1 Subject to the Committee's decision, the next steps will be as follows:
 - a. Trade Union comments, if any, will be reported verbally to Committee.
 - b. Subject to approval, the updated policies and procedures will be published and implemented.
 - c. Staff will be informed of the changes and managers will be advised where the updates affect day-to-day management responsibilities.
- 10.2 The anticipated timetable is:

Milestone	Date
Trade Union meeting	22 July 2026
Committee consideration	27 July 2026
Implementation and staff communication	Following approval

10.3 Responsibility for implementation will sit with the Head of HR.

11. Additional Relevant Information

11.1 This report is limited to legal, governance and practical clarification updates. It does not seek to restructure the HR policy framework or separate policy content from procedural guidance.

11.2 A staged approach is recommended because the current changes are already significant. Combining them with a full policy/procedure restructure would make the changes harder for staff, managers and Councillors to understand.

11. Implications

Implication Area	Impact	Comments / Mitigation
Financial	Low	No direct financial cost. Implementation will be managed within existing HR resources.
Legal	Medium	The changes are required to support compliance with current and forthcoming employment law requirements.
Risk	Medium	The risk of not approving the changes is that policies become out of date or unclear. This is mitigated by approving the updates now and keeping the policies under review as further guidance is issued.
Personnel	Medium	The policies affect employees and managers. Staff communication will be required following approval.
Environmental Impact	None	No environmental impact has been identified.
Equalities Impact Statement	Medium	The updates support fair treatment, dignity at work, family leave rights, and clarity on harassment and discrimination-related processes.
Community / Public Impact	Low	The policies mainly affect employees. There may be indirect benefits for service users through clearer standards of conduct and workplace behaviour.
Procurement / Contractual	None	No procurement or contractual implications have been identified.
Property / Asset	Low	The Trans Inclusion Policy includes clarification on toilet provision across Council premises.
Data Protection	Low	The policies refer to the handling of employee information. Existing data protection arrangements will continue to apply.

12. Appendices / Background Papers

12.1 Appendix A – Summary of policy and procedure changes

12.2 Appendices B to P – Updated HR policies and procedures showing tracked changes

Appendix A – Summary of policy and procedure changes

This appendix summarises why each policy or procedure has been updated. The full tracked change versions are attached separately as appendices, with deleted text shown in red and new text shown in blue.

Policy or procedure	Type of change	Reason for change	Main practical effect
1. Adoption Leave Policy	Legal compliance / family leave update	Updated to reflect current statutory adoption leave and pay rules, including day-one entitlement to adoption leave, pension considerations and redundancy protection after adoption leave.	Employees and managers have clearer guidance on eligibility, pay, return to work, pension impact and redundancy protection.
2. Bereaved Partner's Paternity Leave Policy	April 2026 legal change	New policy to reflect the statutory right to bereaved partner's paternity leave where the child's mother, primary adopter or intended parent dies within the first year.	Provides a clear and sensitive process for supporting eligible employees in very difficult circumstances.
3. Capability Policy	Senior officer governance clarification	Updated to clarify that capability or performance concerns involving the Chief Executive Officer are dealt with under a separate procedure.	Ensures ordinary employee capability cases and Chief Executive Officer capability cases follow the correct route.
4. Chief Executive Capability Procedure	Senior officer governance clarification	New procedure for managing capability or performance concerns relating to the Chief Executive Officer, recognising the statutory and senior nature of the role.	Provides a fair, evidence-based process involving the appropriate Committee and, where required, independent input.
5. Dignity at Work Policy	October 2026 anticipated legal change	Updated to reflect the expected October 2026 changes requiring employers to take all reasonable steps to prevent sexual harassment and to take reasonable preventative steps where staff may be harassed by third parties, such as members of the public, contractors, suppliers, volunteers or visitors, in the course of their work.	Managers and staff have clearer expectations about preventing and responding to bullying, harassment, sexual harassment and harassment of staff by third parties. This includes training, reporting, recording, risk assessment and practical preventative action.
6. Disciplinary Policy	Senior officer governance clarification / October 2026	Updated to make clear that disciplinary issues involving the Chief Executive Officer follow a	Reduces confusion about who deals with disciplinary matters and how serious conduct

	related update	separate process, and to ensure conduct issues such as harassment, sexual harassment and victimisation are clearly within the disciplinary framework.	issues and appeals should be handled.
7. Chief Executive Disciplinary Procedure and Head of Service Appeal Procedure	Senior officer governance clarification	New procedure to set out how serious conduct concerns involving the Chief Executive Officer should be managed, and how disciplinary appeals for Heads of Service should be heard.	Provides a clearer, fairer and more independent process for senior role disciplinary matters.
8. Grievance Policy	October 2026 related clarification	Updated to clarify how grievances link with whistleblowing, dignity at work and harassment concerns, including sexual harassment disclosures. This helps explain that some concerns may be personal grievances, some may be protected disclosures, and some may need to be considered under more than one policy.	Helps staff and managers identify the right process when a concern overlaps with more than one policy.
9. Parental Leave Policy	April 2026 legal change	Updated to reflect unpaid parental leave becoming a day-one right and to simplify how requests and records are managed.	Employees can understand their entitlement more easily and managers have clearer steps for recording and approving leave.
10. Paternity Leave Policy	April 2026 legal change	Updated to reflect day-one entitlement to statutory paternity leave. Statutory paternity pay remains separate and still depends on the statutory service and earnings requirements.	Clarifies the difference between the right to take leave and the right to receive statutory paternity pay.
11. Probation Policy	Anticipated unfair dismissal change	Updated because ordinary unfair dismissal protection is expected to change, reducing the qualifying period from two years to six months. The probation period is therefore being shortened to four months so suitability can be assessed earlier.	Managers will need to review performance and suitability sooner, with formal review points at around 8 weeks and 14–15 weeks.
12. Shared Parental	Legal	Updated to remove	Employees receive more

Leave Policy	compliance / family leave clarification	outdated figures and clarify how paternity leave can interact with shared parental leave.	accurate and current guidance on eligibility and how different family leave rights fit together.
13. Special Leave Policy	General clarification / housekeeping	Updated to signpost employees to separate family leave policies, clarify jury service arrangements, remove study leave references covered elsewhere, and clarify religious leave options.	Staff and managers have clearer guidance on what special leave covers and where to find related policies.
14. Trans Inclusion Policy	Practical clarification	Updated to clarify toilet provision and confirm that Council buildings include lockable gender-neutral facilities. This is intended to provide clear, respectful and practical guidance.	Staff have clearer information about toilet facilities and know to contact HR if they have questions, concerns or specific requirements.
15. Whistleblowing Policy	October 2026 related legal clarification	Updated to reflect that sexual harassment disclosures may qualify as protected disclosures where the legal test is met, and to clarify confidentiality, public interest and external disclosure wording.	Employees and workers have clearer guidance on when whistleblowing protection may apply and how concerns should be raised.



Adoption Policy

Policy No.	Version	Date Published / Reviewed	Review Due	Review Team	Changes made:
	1	March 2026	March 2027	HR	New policy complying with statutory legislation

1. Introduction

- 1.1. Salisbury City Council recognise that becoming a parent is a time of great change. This policy sets out the arrangements for adoption leave and pay for employees who are:
 - 1.1.1. Adopting a child through a UK [or overseas] adoption agency.
 - 1.1.2. Fostering a child with a view to possible adoption.
 - 1.1.3. Having a child through a surrogate mother.
- 1.2. This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.
- 1.3. Employees are entitled to time off for adoption appointments. Primary adopter is entitled to paid time off for up to 5 adoption appointments. The partner (secondary adopter) is entitled to unpaid time off for up to 2 adoption appointments.
- 1.4. In some cases you and your partner may be eligible to opt into the shared parental leave (SPL) scheme which gives you more flexibility to share the leave and pay available in the first year after the child is placed with you. However, one of you must take at least two weeks' adoption leave first. See section on 'switching to shared parental leave' in this policy. Details of SPL are set out in our Shared Parental Leave Policy.

2. Who does this policy apply to?

- 2.1. This policy applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns.

3. Entitlement to adoption leave

- 3.1. Adoption leave is available from day one of employment. Statutory Adoption Pay is subject to separate eligibility criteria, including length of service and earnings requirements.
- 3.2. In adoption cases or fostering for adoption cases, you are entitled to adoption leave if you meet all the following conditions:
 - 3.2.1. You are adopting a child through a UK adoption agency, or you are a local authority foster parent who has been approved as a prospective adopter.
 - 3.2.2. The adoption agency or local authority has given you written notice that it has matched you with a child for adoption, or that it will be placing a child with you under a fostering for adoption arrangement, and tells you the date the child is expected to be placed into your care (Expected Placement Date).

- 3.2.3. You have notified the agency that you agree to the child being placed with you on the Expected Placement Date.
 - 3.3. In a surrogacy case, you are entitled to adoption leave if all the following conditions are met:
 - 3.3.1. A surrogate mother gives birth to a child who is biologically your child, the child of your spouse or partner, or the child of both of you.
 - 3.3.2. You expect to be given parental responsibility for the child under a parental order from the court. The child must live with you and you must apply for the parental order within six months of the child's birth.
 - 3.4. Only one parent can take adoption leave. If your spouse or partner takes adoption leave with their employer you will not be entitled to adoption leave but you may be entitled to paternity leave (see our Paternity Leave Policy) and/or shared parental leave (see our Shared Parental Leave Policy).
 - 3.5. The maximum adoption leave entitlement is 52 weeks, consisting of 26 weeks' Ordinary Adoption Leave (OAL) and 26 weeks' Additional Adoption Leave (AAL)
4. **Notification requirements: adoption cases**
- 4.1. Not more than seven days after the agency or local authority notifies you in writing that it has matched you with a child (or where that is not reasonably practicable, as soon as reasonably practicable), you must give us notice in writing of the Expected Placement Date, and your intended start date for adoption leave (Intended Start Date).
 - 4.2. We will then write to you within 28 days to inform you of the date you would be due to return to work (your Expected Return Date) assuming you take your full entitlement to adoption leave.
 - 4.3. Once you receive the matching certificate issued by the adoption agency, you must provide us with a copy.
5. **Notification requirements: surrogacy cases**
- 5.1. In a surrogacy case, you must tell us in writing of your intention to take adoption leave and give the expected week of childbirth (EWC). You must give this information by the end of the 15th week before the EWC, or if that is not reasonably practicable, as soon as is reasonably practicable.
 - 5.2. We will write to you within 28 days of receiving your notification, to confirm your Expected Return Date assuming you take your full entitlement to adoption leave.

5.3. When the child is born you must tell us the date of birth.

6. Overseas adoptions

6.1. If you are adopting a child from overseas, the requirements set out in this policy are varied as follows:

6.1.1. You must have received notification that the adoption has been approved by the relevant UK authority (Official Notification).

6.1.1.1. You must give us notice in writing of:

6.1.1.2. your intention to take adoption leave;

6.1.1.3. the date you received Official Notification; and

6.1.1.4. the date the child is expected to arrive in Great Britain.

6.1.2. This notice should be given as early as possible but in any case within 28 days of receiving Official Notification (or, if you have less than 26 weeks' employment with us at the date of Official Notification, within 30 weeks of starting employment).

6.1.3. You must also give us at least 28 days' notice in writing of your Intended Start Date. This can be the date the child arrives in Great Britain or a predetermined date no more than 28 days after the child's arrival in Great Britain.

6.1.4. You must also notify us of the actual date the child arrives in Great Britain within 28 days of that date.

6.1.5. We may also ask for a copy of the Official Notification and evidence of the date the child arrived in Great Britain.

7. Starting adoption leave

7.1. In adoption or fostering for adoption cases, OAL may start on a predetermined date no more than 14 days before the Expected Placement Date, or on the date of placement itself, but no later.

7.2. If you want to change your Intended Start Date please tell us in writing. You should give us as much notice as you can, but wherever possible you must tell us at least 28 days before the original Intended Start Date (or the new Intended Start Date if you are bringing the date forward). We will then write to you within 28 days to tell you your new Expected Return Date.

8. Starting surrogacy adoption leave

- 8.1. OAL will start on the day the child is born, unless you are at work, in which case it will start on the following day. You cannot change the start date.
- 8.2. Shortly before your adoption leave starts we will discuss with you the arrangements for covering your work and the opportunities for you to remain in contact, should you wish to do so, during your leave. Unless you request otherwise, you will remain on circulation lists for internal news, job vacancies, training and work-related social events.

9. Adoption Pay

- 9.1. Statutory adoption pay (SAP) is payable for up to 39 weeks. It stops being payable if you return to work sooner or if the placement is disrupted. You are entitled to SAP if:
 - 9.1.1. you have been continuously employed for at least 26 weeks ending with the week the agency notified you that you had been matched with the child
 - 9.1.2. the week you received Official Notification in an overseas adoption case
 - 9.1.3. the 15th week before the EWC in a surrogacy case (Qualifying Week) and are still employed by us during that week;
 - 9.1.4. your average weekly earnings during the eight weeks ending with the Qualifying Week (Relevant Period) are not less than the lower earnings limit set by the government; and
 - 9.1.5. you have given us the relevant notifications.
- 9.2. SAP is calculated as follows:
- 9.3. First six weeks: SAP is paid at the Earnings-related Rate of 90% of your average earnings over the Relevant Period.
- 9.4. Remaining 33 weeks: SAP is paid at the Prescribed Rate which is set by the government for the relevant tax year, or the Earnings-related Rate if this is lower.
- 9.5. SAP accrues with each complete week of absence and payments are made on the next normal payroll date. Income tax, National Insurance and pension contributions are deducted as appropriate.
- 9.6. If you leave employment for any reason after the start of the Qualifying Week (for example, if you resign or are made redundant) you are still eligible for SAP.

- 9.7. If SAP has not already started when you leave employment: It will start 14 days before the Expected Placement Date; or the day after employment ends, whichever is later.
- 9.8. In an overseas adoption case, you have the option of choosing a new start date, at least 28 days after you gave notice of your intention to take adoption leave and no more than 28 days after the child enters Great Britain.
- 9.9. In a surrogacy case, SAP will start on the day the child is born.
- 9.10. If you become eligible for a back-dated pay rise which includes a sum in respect of the Relevant Period, you will be treated for SAP purposes as if the pay rise had been paid in the Relevant Period.
- 9.11. This means that your SAP will be recalculated and increased retrospectively, or that you may qualify for SAP if you did not previously qualify.
- 9.12. We shall pay you a lump sum to make up the difference between any SAP already paid and the amount payable by virtue of the pay rise.
- 9.13. Any future SAP payments at the Earnings-Related Rate (if any) will also be increased as necessary.

10. Terms and conditions during adoption leave

- 10.1. All the terms and conditions of your employment remain in force during OAL and AAL, except for the terms relating to pay. In particular:

- 10.1.1. benefits in kind

- 10.2. Annual leave entitlement under your contract shall continue to accrue and pension benefits shall continue in line with Pension provider scheme rules.

11. Annual leave

- 11.1. Annual leave will accrue at the rate provided under your contract.
- 11.2. Our holiday year runs from 1 April to 31 March.
- 11.3. In many cases a period of adoption leave will last beyond the end of the holiday year. Any holiday entitlement for the year that is not taken OR cannot reasonably be taken before starting your adoption leave can be carried over to the next holiday year and must be taken within three months of returning to work unless your line manager agrees otherwise.
- 11.4. You should discuss your holiday plans with your line manager in good time before starting your adoption leave.

11.5. All holiday dates are subject to approval by your line manager.

12. Pension

12.1. During OAL and any further period of paid adoption leave we shall continue to make any employer contributions that we usually make into the pension scheme, based on what your earnings would have been if you had not been on adoption leave provided that you continue to make contributions based on the adoption pay you are receiving.

12.2. If you wish to increase your contributions to make up any shortfall from those based on your normal salary then please contact the payroll team.

~~12.3. During unpaid AAL we shall not make any payments into your pension. Please refer to the Pension website for more information on how this impacts your pension. You do not have to make any contributions but you may do so if you wish, or you may make up for missed contributions at a later date.~~

12.4. Pension contributions during paid and unpaid adoption leave will be dealt with in accordance with the relevant pension scheme rules.. During any period of unpaid adoption leave, you may have the option to buy back lost pension through an Additional Pension Contribution election. Employees should contact Payroll or the pension scheme administrator for information about the impact of unpaid adoption leave, relevant timescales and any options to make up missed contributions.

13. Redundancies during or after adoption leave

13.1. If your role is affected by a redundancy situation occurring during your adoption leave, we shall write to inform you of any proposals and shall invite you to a meeting before any final decision is reached as to your continued employment.

~~13.2. If your role is affected by a redundancy situation and you are on adoption leave or have returned to work from adoption leave and are within an additional protected period of 18 months from the date the child is placed with you for adoption or the date the child enters Great Britain if adopting from overseas, offered any suitable alternative vacancy in priority to other employees. , you shall be given first refusal on any suitable alternative vacancies that are appropriate to your skills without competitive selection. A role is considered suitable if it is appropriate to your skills and experience and its terms and conditions are not substantially less favourable.~~

13.3. If your role is affected by a redundancy situation while you are on adoption leave, or during the protected period following adoption leave, you will be

offered any suitable alternative vacancy that exists before it is offered to other employees. A suitable alternative vacancy is one that is appropriate to your skills and experience and has terms and conditions that are not substantially less favourable.

13.4. The protected period begins when adoption leave starts and continues for 18 months from the date the child is placed with you for adoption, or the date the child enters Great Britain in an overseas adoption case.

13.5. This protection gives priority access to suitable alternative vacancies. It does not prevent a redundancy process from taking place where there is no suitable alternative vacancy.

13.6. Similar protection applies to employees who have notified us of their pregnancy or are on, or have recently returned from, a period of maternity leave or shared parental leave.

13.7. Where collective consultations obligations apply (i.e. 20 or more proposed redundancies within 90 days) the Council will comply with all statutory collective consultation requirements.

14. Disrupted adoption

14.1. In an adoption or fostering for adoption case, adoption leave is disrupted if it has started but:

- 14.1.1. you are notified that the placement will not take place;
- 14.1.2. the child is returned to the adoption agency after placement; or
- 14.1.3. the child dies after placement.

14.2. In a surrogacy case, adoption leave is disrupted where

- 14.2.1. you do not apply for a parental order within the relevant time, or
- 14.2.2. the court does not grant a parental order and the time limit for appeal or
- 14.2.3. further application has expired, or
- 14.2.4. where the child dies.

14.3. In the event of disruption, your entitlement to adoption leave and pay (if applicable) will continue for a further eight weeks from the end of the week in which disruption occurred, unless your entitlement to leave or pay would have ended earlier in the normal course of events.

15. Keeping in touch

- 15.1. We may make reasonable contact with you from time to time during your adoption leave.
- 15.2. You may ask or be asked to work (including attending training) on up to ten "keeping-in-touch" days (KIT Days) during your adoption leave without bringing your adoption leave to an end. This is not compulsory and must be discussed and agreed with your line manager.
- 15.3. Any work you undertake on a KIT day, however short in duration, will count as one of your 10 KIT days.
- 15.4. You will be paid at your normal basic rate of pay for time spent working on a KIT Day and this will be inclusive of any adoption pay entitlement.

16. Returning to work

- 16.1. You will normally be entitled to return to the same job on the same terms and conditions as if you had not been absent. Where you have taken more than 26 weeks of adoption leave and it is not reasonably practicable for the Council to facilitate you to return to the same job, you will be offered a suitable and appropriate alternative role.
- 16.2. We will expect you back at work on your Expected Return Date unless you tell us otherwise. It will help us if, during your adoption leave, you are able to confirm that you will be returning to work as expected.
- 16.3. If you wish to return, earlier than your Expected Return Date you must give 8 weeks' notice.
- 16.4. You are not obliged to confirm, in advance, that you intend to return, but doing so assists the Council with planning.
- 16.5. Shortly before you are due to return to work, we may invite you to have a discussion (whether in person or by telephone) about the arrangements for your return. This may cover:
 - 16.5.1. updating you on any changes that have occurred during your absence;
 - 16.5.2. any training needs you might have; and
 - 16.5.3. any changes to working arrangements (for example, if you have made a request to work part time)

17. Changing your return date

17.1. If you wish to return to work earlier than the Expected Return Date, you must give us at least eight weeks' notice. The 8 week notice period is counted backwards from the date you intend to return.

17.2. It is helpful if you give this notice in writing. If you do not give enough notice, we may postpone your return date until eight weeks after you gave notice, or to the Expected Return Date if sooner.

17.3. If you wish to return later than the Expected Return Date, you should either:

~~17.3.1. request unpaid parental leave in accordance with our Parental Leave Policy, giving us as much notice as possible but not less than 21 days; or~~

17.3.2. You may request unpaid parental leave in accordance with our Parental Leave Policy. Parental leave is available as a day-one right, subject to the statutory notice and eligibility requirements

17.3.3. request paid annual leave in accordance with your contract, which will be at our discretion.

17.4. If you are unable to return to work due to sickness or injury, this will be treated as sickness absence and our Sickness Absence Policy will apply.

17.5. You may give notice of an early or later return at any point during your adoption leave.

17.6. In any other case, late return will be treated as unauthorised absence.

17.7. You are normally entitled to return to work in the same position as you held before commencing leave. Your terms of employment shall be the same as they would have been if you had not been absent.

17.8. However, if you have taken any period of AAL or have combined your adoption leave with more than four weeks' parental leave, and it is not reasonably practicable for us to allow you to return to the same position, we may give you another suitable and appropriate job on terms and conditions that are not less favourable.

18. Deciding not to return

18.1. If you do not intend to return to work, or are unsure, it is helpful if you discuss this with us as early as possible. If you decide not to return you should give notice of resignation in accordance with your contract. The amount of adoption leave left to run when you give notice must be at least equal to your contractual notice period, otherwise we may require you to return to work for the remainder of the notice period.

18.2. Once you have given notice that you will not be returning to work, you cannot change your mind without our agreement.

18.3. This does not affect your right to receive SAP.

19. Switching to shared parental leave

19.1. In some cases you and your spouse or partner may be eligible to opt into the SPL scheme which gives you more flexibility to share the leave and pay available in the first year. Your partner should check with their employer if they are eligible.

19.2. You would need to give us at least eight weeks' written notice to end your adoption leave and opt into SPL. You can give this notice before or after the child is placed with you, but you must take at least two weeks' adoption leave. You would then be able to share any remaining leave with your partner. For further information about how SPL works, including SPLIT days, see our Shared Parental Leave Policy.

19.3. Once you have submitted a valid curtailment notice to end your adoption leave, this decision is binding and cannot usually be revoked, except in the specific circumstances permitted by law (e.g., your partner is found to be ineligible for SPL).

20. Flexible working

~~20.1. We will deal with any requests by employees to change their working patterns (such as working part time) after adoption leave on a case by case basis.~~

20.2. We will consider any request to change your working arrangements after adoption leave in accordance with our Flexible Working Policy and statutory requirements. While there is no automatic right to work flexibly, requests will be considered reasonably, fairly and without discrimination.

~~20.3. There is no absolute right to insist on working part time, but you do have a statutory right to request flexible working.~~

20.4. It is helpful if requests are made as early as possible.

~~20.5. The procedure for making and dealing with such requests is set out in our Flexible Working Policy.~~



Bereaved Partner's Paternity Leave

Owner	Date Published/ Reviewed	Review Due	Changes
HR	01/04/2026		New policy take to Committee 27 July 2026

1. Introduction

- 1.1. This policy is intended to reflect the statutory provisions for employees who are entitled to take statutory bereaved partner's paternity leave (BPPL). BPPL may be available where the child's mother or parent who gave birth, main adopter, or main intended parent in a surrogacy arrangement dies within the first year of the child's birth, adoption placement, or arrival in Great Britain for overseas adoption.
- 1.2. This policy applies to all Salisbury City Council employees.
- 1.3. If there is any conflict between this policy and the statutory provisions, the latter will prevail.
- 1.4. You will not be treated unfavourably, dismissed, selected for redundancy or subjected to any detriment because you have requested, taken, or are seeking to take Bereaved Partner's Paternity Leave. Any concerns about treatment linked to BPPL should be raised with HR.

2. Leave entitlement

- 2.1. BPPL is a day one right and can be taken regardless of the employee's length of service.
- 2.2. Bereaved Partner's Paternity Leave can start from the day after the mother, parent who gave birth, primary adopter or main intended parent dies. It must be taken as one continuous block and, in most cases, must end no later than 52 weeks after the child's birth, adoption placement, or arrival in Great Britain for overseas adoption.
- 2.3. If the bereavement happens within the final 14 days of the 52-week period, the employee may still take up to 14 days of BPPL, even if this extends beyond the 52-week limit
- 2.4. Eligibility for BPPL means you must be one of the following:
 - 2.4.1. the child's father
 - 2.4.2. or the spouse/civil partner/partner of the parent who gave birth or primary adopter
 - 2.4.2.1. including same-sex partners
 - 2.4.2.2. including separated partners who still have responsibility for raising the child
 - 2.4.3. the spouse, civil partner or partner of the child's main intended parent in a surrogacy arrangement.

3. Notification

- 3.1. To start BPPL in the first eight weeks after the bereavement, you, or someone on your behalf as necessary, need only give notice to us to do so before you are due to start work on the first day of leave.

- 3.2. Notice can be given verbally or in writing. You must tell us:
 - 3.2.1. the bereavement date;
 - 3.2.2. the child's date of birth/adoption placement; and
 - 3.2.3. the leave start date.
- 3.3. If you have already started work, then officially your leave period will start on the following day.
- 3.4. In addition, and no more than eight weeks after the bereavement and at least one week before the return date, you must tell us in writing how long you intend to be absent and the date you intend to return to work.
- 3.5. If you intend to return to work more than eight weeks after the bereavement, you must also include, in this written notification, the child's date of birth/adoption placement and a declaration that you meet the necessary relationship condition to the child or to the mother/primary adopter and that you are taking the leave to care for the child.

4. Keep in touch days

- 4.1. During BPPL you may undertake up to 10 keeping in touch (KIT) days, agreed with your manager, without ending the BPPL period.
- 4.2. KIT days are optional and must be agreed in advance by both you and the Council. You are not required to work during BPPL and the Council is not required to offer KIT days.
- 4.3. You will be paid for the hours you work on a KIT day. However, each day on which you carry out any work will count as one whole KIT day, regardless of the number of hours worked

5. Annual leave during BPPL

- 5.1. Annual leave, including bank holiday entitlement where applicable, will continue to accrue during BPPL. Annual leave cannot be taken at the same time as BPPL, but you can agree with your manager to take annual leave before or after BPPL.

6. Cancelling or changing the leave

- 6.1. If you want to cancel starting such leave or change the start date to another date also falling within the first eight weeks after the bereavement, you can do so by giving notice no later than the day before it was due to start or the day before the new date (if earlier).
- 6.2. If you want to change the start date to a date falling more than eight weeks after the bereavement, the notice must be in writing and given before it was due to start and at least a week before the new date.

7. Starting BPPL more than eight weeks after the bereavement

- 7.1. To do so, you need to give us at least a week's written notice which contains all the information above, namely:
- 7.1.1. the bereavement date;
 - 7.1.2. the child's date of birth/adoption placement;
 - 7.1.3. the leave start date;
 - 7.1.4. how long you intend to be absent;
 - 7.1.5. the date you intend to return to work; and
 - 7.1.6. a declaration that you meet the necessary relationship condition to the child or to the mother/primary adopter (including having the main responsibility for the child's upbringing) and that you are taking the leave to care for the child.
- 7.2. You can cancel starting such leave, or change the start date, with at least a week's written notice before it was due to start or before the new date (if earlier).

8. Changing the return to work date

- 8.1. You can change your return to work date by giving us one week's, or eight weeks' where it was more than eight weeks after the bereavement, written notice before that date or before the new date (if earlier).
- 8.2. Your return date cannot be later than 52 weeks after the date of birth/adoption placement.
- 8.3. Your right to return will be protected in line with the statutory rules. In most cases you will be entitled to return to the same job. Where the law allows return to a suitable alternative role, that role must be appropriate and on terms and conditions that are no less favourable.

9. Pay and other leave

- 9.1. Bereaved Partner's Paternity Leave is unpaid. There is no statutory entitlement to pay during BPPL, although you may be entitled to statutory or contractual pay under another family leave policy depending on your circumstances.
- 9.2. In some circumstances, another type of family leave, such as shared parental leave, adoption leave, paternity leave or parental bereavement leave, may be available and may provide a different entitlement to pay or leave.

10. Pension during Bereaved Partner's Paternity Leave

- 10.1. If you are a member of the Local Government Pension Scheme, Bereaved Partner's Paternity Leave is treated as relevant child-related leave.

During BPPL, your pension will usually continue to build up using Assumed Pensionable Pay, so your pension is not normally affected by any reduction in pay during this leave.

- 10.2. You should contact HR or Payroll if you need further information about how BPPL may affect your pension contributions or any additional pension arrangements.
- 10.3. Discuss the available options with you sensitively and confidentially.

SALISBURY
CITY COUNCIL



Capability Procedure

Policy No.	Owner	Date Published or reviewed	Review Due	Review Team	Changes made:
HR06	KAB	Oct 12	Oct15	KAB/emt	Reviewed.no changes
HR06	KAB	Oct15	Oct 17	KAB/emt	
HR06	TA	12 2019	12 2020	TA	No legislative changes
HR06	TA	25/10/23	25/10/24	Worknes t	No legislative changes
HR06	HHRT	02/01/26	02/01/27	HHR	Worknest confirmed no legislative changes

Distribution

Internal: All SCC Staff

External (if requested): Website/Councillors/Partners

1. Introduction

Employees of the Council sometimes experience problems for which extra assistance and support may be needed. The Capability Procedure seeks to establish means by which solutions to these problems may be found.

Normal support, guidance and review through the regular performance management via 1:1 meetings and appraisals should be provided before the formal procedures outlined are applied.

If your manager believes that you are not capable of performing your duties to a satisfactory standard, it would be inappropriate to apply the Disciplinary Procedure and to issue disciplinary warnings unless gross incompetence is suspected. This Capability Procedure has been drawn up to help to identify the reasons for poor performance, and to help you to achieve the appropriate level of performance required for your post within a reasonable time scale.

The stages outlined do not form part of the Disciplinary Procedure, nor are they regarded as a preliminary to possible disciplinary action, but there may be occasions where consideration of a matter through these procedures and guidelines may result in the matter being considered under the Disciplinary Procedure.

2. Capability Procedure – Its Scope

- 2.1. ~~The procedure applies to all employees. Casual workers and employees in their probationary period are excluded.~~
- 2.2. This procedure applies to employees of Salisbury City Council except where specific statutory, contractual or nationally agreed procedures apply. Where capability or performance concerns relate to the Chief Executive please see the Chief Executive capability procedure.
- 2.3. The SCC Disciplinary Procedure is available for handling misconduct or gross incompetence. Further information is in the Disciplinary and Appeals Procedure.
- 2.4. Sometimes it may not be immediately clear whether some issues of poor performance fall into the scope of the Capability, Disciplinary or other procedure. Your manager will seek advice from HR and decide which is the more appropriate.
- 2.5. Your manager will tell you which procedure is being followed and why. If, at any stage, your manager has good reason to believe that an alternative procedure is more appropriate, then the process will be halted and the issue addressed under another procedure.

3. Guiding Principles

The procedure will follow the guidelines of the ACAS Code which requires that:

- The circumstances are properly investigated
- Employees know what the problem is and have an opportunity to give their explanation
- Employees have an opportunity to improve except in the most serious of case, before they risk dismissal
- Employees have right to be accompanied at meetings where action may be taken against them
- Employees have the right to appeal

- 3.1. The procedure will be applied in a non-discriminatory way, irrespective of age, disability, gender, marital status, race religion and sexual orientation.
- 3.2. This procedure has been drawn up following consultation with the Trade Unions and is supported by both management and those Trade Unions.
- 3.3. Any capability issue relating to ill health either physical or mental should continue to be dealt with under the existing Ill-Health Procedure. In the case of persistent absence it should be dealt with under the Managing Absence guidelines or, if appropriate, the Disciplinary Procedure.
- 3.4. Some employees, such as those with learning difficulties, may need help in understanding this procedure and in exceptional circumstances can be accompanied by a trade union representative or a colleague at the informal stage. Other employees may need assistance or help with hearing, reading or writing, and they or their representative should make the necessary arrangements.
- 3.5. At all formal stages of the Capability Procedure, you have the right of representation. Details of this right are given in Appendix 1
- 3.6. Capability issues will be treated as confidentially as possible, so that only those who need to know will be involved.
- 3.7. No formal action will be taken in respect of a trade union representative until the City Clerk or his or her representative has discussed the situation with the appropriate trade union official.

4. Disability Issues

- 4.1. At all stages, consideration will be given as to whether the unsatisfactory performance is related to a disability, and if so, whether there are any reasonable adjustments that could be made to the requirements of the employee's job or other aspects of the working arrangements.

5. Incapability Through ill-health or injury

- 5.1. If the reasons for your incapability relate to ill-health or injury, your line manager will discuss his/her concerns with you and refer you to the Council's Occupational Health Adviser as soon as possible and proceed according to the provisions of the Sickness Policy and Procedure.
- 5.2. You will be fully consulted throughout. A friend or family member may attend medical consultations with you if you wish.

6. Grievances

- 6.1. If you raise a grievance or accusation of bullying against your manager after he/she has raised concerns about your performance under this procedure it will be referred to HR or a member of Senior Management who will decide, according to the specifics of the case, whether:
 - the capability process should be suspended until the grievance/bullying procedure has been completed or
 - the issues are distinct, therefore, both procedures can run concurrently or
 - the grievance/bullying procedure should be suspended until the capability process is complete.

7. Performance Related Capability Issues – Informal Stage

Performance of all employees is reviewed through the normal arrangements of regular 1:1 meetings and appraisals. At these meetings the employee will be given objectives and areas for improvements together with a review period.

If the setting of these objectives together with any support needed such as training, does not result in the required improvements, then the following procedure will be used.

Your manager will meet with you and explain the reasons for concern. This meeting might be at a scheduled 1:1 meeting, or your manager arranges a meeting to talk specifically about your performance. You will be given adequate notice that the meeting will be reviewing your performance. You will discuss the areas of concern and be asked for ways in which you feel they could be improved. Consideration will be given to further support such as training or supervision.

An action plan will be drawn up and will contain clear, achievable and measurable objectives to be achieved in the specific areas of concern. A review period will be agreed.

You will be given written confirmation of the meeting and the action plan.

Information on reviews, including notes of interviews and any other records made throughout the informal procedure should be retained until either the informal procedure leads to a satisfactory improvement in performance or further action is taken under the formal procedure.

At the end of the agreed review period, your manager will carry out a review of the whole period and decide whether or not to move to the next (formal) stage of this procedure.

The purpose of the formal review is to establish the facts fully and accurately. Information gathered through informal procedure reviews will be needed together with information since the last informal review on continuing capability problems.

After establishing the facts, your manager will decide on the action required. If your performance is still considered unsatisfactory, then the decision will be to move to the formal procedure. This next meeting will be classed as the first formal meeting of the procedure (see below) and you will be accorded the right to be accompanied at this meeting.

Management has the right to review performance standards and to investigate the cause of poor performance. This may include the need to interview relevant member(s) of staff. Such reviews need to happen before the formal procedure is implemented and every effort should be made to deal with the capability concerns within the informal procedure.

If progress has been satisfactory, the formal stage of the procedure will not be invoked. S/he will simply meet with you again and inform you that your performance is now satisfactory.

Your manager will continue to monitor your performance to ensure that it remains satisfactory.

8. Performance Related Capability Issues – Formal Stages

- 8.1. Further action under the formal procedure is likely to be needed where the informal procedure fails to resolve the capability problem. If the decision is to move to the formal procedure then the next meeting will be a Stage 1 meeting

Stage 1

Your manager will give you five days notice of a meeting with you. You have the right to be accompanied at this meeting. An HR representative will also be in attendance at this meeting.

At this meeting your manager will:

- Explain why they are still not satisfied with your performance, but will outline the standards required and indicate where your performance does not meet them
- Establish the likely causes of poor performance including any reasons why any measures taken so far have not led to the required improvement.
- Ask you to respond and give you the opportunity to explain the poor performance and to ask any relevant questions
- Consider your response.
- Discuss measures such as additional training or supervision which may improve the performance

If your manager does not accept that there are exceptional circumstances, you will be issued with a **formal warning** regarding your performance, which will remain on file for six months. The warning will set out:

- The details of the meeting including the date and who was present
- A summary of the performance problem and your explanation
- The required improvement with objectives and targets for improvement. Ideally these should be agreed with you, but if this is not possible then your manager may impose them.
- A timescale for improvement and a review date. This will normally be one to three months depending on the circumstances. This may be amended in exceptional circumstances (e.g. sickness absence during the review period) in which case your manager will inform you in writing.
- The possible outcomes or consequence of not reaching the targets
- What support and guidance will be available
- The right to appeal against the warning

If your manager does accept your explanation or if there are genuinely extenuating circumstances, then no warning will be given, but your manager will give you another timescale for improvement with a review date and continue to monitor your performance through regular meetings.

Your manager will meet with you, at time intervals to be agreed, during the review period to discuss progress against objectives and targets.

Stage 2 may be invoked at any time during the six month period following the issue of the formal warning if your performance is unsatisfactory or deteriorates further during this period.

You will be given written confirmation of the outcome of the meeting.

Stage 2

At the end of the review period your manager will meet with you again. You will be given five days notice of the formal meeting. You have the right to be accompanied by a workplace colleague or your Trade Union representative at the meeting.

There are four possible outcomes at this meeting:

- Satisfactory performance achieved and maintained, however performance will continue to be monitored informally
- Extension of review period. This may be amended in exceptional circumstances only (e.g. sickness absence during the review period) in which case your manager will inform you in writing.
- Satisfactory performance not achieved and/or maintained. If this is the case then this meeting will form Stage 2 of the procedure.
- If your performance has deteriorated at the end of the first review period you may be dismissed at this stage. You may only be dismissed by a senior manager with the authority to do so. If this is the likely outcome this senior manager will be the Lead manager in this meeting and your line manager will be asked to put their case forward.

If satisfactory performance has not been achieved, then your manager will:

- Explain why they are still not satisfied with your performance, but will outline the standards required and indicate where your performance does not meet them
- Ask you to respond and give you the opportunity to explain the poor performance and to ask any relevant questions
- Consider your response.
- Discuss measures such as additional training or supervision which may improve the performance

If your manager does not accept that there is a sufficient explanation for the unsatisfactory performance nor that there are exceptional circumstances which directly influenced your performance, then you will be issued with a **final warning** (or dismissal if performance has deteriorated) which will remain on file for 12 months.

You will be reminded of your objectives and targets for improvements and given a final timescale for improvement with a review date.

Your manager will also remind you of the possible outcomes which are:

- Satisfactory performance achieved and maintained, however performance will continue to be monitored informally
- Extension of review period (only in exceptional circumstances)
- Redeployment (see appendix 2 for further information). Redeployment is likely to be recommended only in very few cases, where it is considered that although an employee is unlikely to be able to maintain satisfactory performance in their current post but that there may be other posts within the council for which their skills may be suitable. It should be noted that in the majority of cases this will result in a demotion.
- Dismissal

You will be given written confirmation of the outcome of this meeting.

If your manager does accept your explanation, then no warning will be given, but your manager will give you another timescale for improvement and continue to monitor your performance through regular meetings.

If your performance is less than satisfactory during the 12 months following the issue of the final warning, then Stage 3 may be invoked immediately.

9. Formal Stage – Stage 3 Dismissal / Redeployment

At the end of the final review period, your manager will hold another meeting with you. The possible outcomes are listed above. You have the right to be accompanied at this meeting by a current workplace colleague or trade union representative. The Lead Manager at this meeting must be one who has the authority to dismiss if necessary.

If your manager considers that your performance has not reached a satisfactory level then they will:

- Explain why they are still not satisfied with your performance, but will outline the standards required and indicate where your performance does not meet them
- Ask you to respond and give you the opportunity to explain the poor performance and to ask any relevant questions
- Consider your response.

If your manager does not accept your explanation, then you will be dismissed with notice or in exceptional cases may be redeployed (see appendix 2). Redeployment will normally be sought during your notice period.

You will be given written confirmation of the outcome of this meeting and the process of appeal.

10. Appeal

- 10.1. You have the right to appeal against redeployment or dismissal.
- 10.2. Your appeal should be in writing and addressed to the manager who made the decision within 10 days of receiving the notification letter.
- 10.3. You must include full and specific details of the grounds for appeal. The appeal letter should also contain the name of your Trade Union representative or workplace colleague who will accompany you at the Appeal Hearing, if applicable.
- 10.4. The appeal should arrive within ten working days of the date of the letter giving the decision.
- 10.5. Arrangements for appeal hearings are given in Appendix 3.
- 10.6. There is no further internal right of appeal against the Appeal Officer's decision.

Right of Representation

1. If you are required to attend a formal meeting (i.e. from Stage 1), or an Appeal Hearing, you have the right to be accompanied by a single companion who is a trade union representative or official or a current workplace colleague.
2. The chosen companion is permitted to address the meeting or appeal hearing to put and sum up your case, respond on your behalf to any views expressed at the meeting, and to confer with you during the meeting or Appeal Hearing. The companion does not have the right to answer questions on your behalf, or address the hearing if you do not wish it, or prevent you from explaining your case.
3. If you or your chosen companion is not available at the time proposed for the meeting or appeal hearing, then it may be postponed and a new date set by mutual agreement, subject to a maximum of **five** working days after the original date of the meeting or appeal hearing. If a date cannot be agreed within this time scale then the Council will unilaterally set a date. If you do not attend, the hearing will take place in your absence.
4. If you need a signer or translator during the course of a meeting or appeal hearing this person will attend in addition to the representative.
5. It is your responsibility to arrange representation, and to let the person conducting the meeting know who will be accompanying you – this must be at least one working day before the meeting.

Redeployment Procedure

1. General Principles

- 1.1 The same process will be followed for redeployment to alternative work if this is proposed by a manager or has been recommended by medical or other specialist advice.
- 1.2 The opportunities for redeployment depend on whether there is a suitable vacancy. The Council will not create a post to achieve redeployment.
- 1.3 A suitable vacancy is defined as a post which provides similar earnings (up to two grades lower than your current post), have similar weekly working hours, have similar or acceptable duties, be within the employee's capability and not involve unreasonable additional inconvenience to you. Normally a suitable vacancy will be one where you meet the minimum requirements of the person specification or could undertake reasonable training to satisfy these criteria. It is expected, however, that flexibility will be exercised by the employee and appointing manager.
- 1.4 It should be noted, however, that if redeployment is recommended for poor performance, it may be necessary to redeploy you to a post which is more than two grades lower than your current post to ensure that the job is within your capability.
- 1.5 You may not be redeployed to a post at a higher grade than the one in which you are currently employed. You will be required to apply in the normal way for such posts.
- 1.6 You must immediately take up any suitable vacancy once it is offered.

2. Procedure

- 2.1 You will be provided with details of all vacancies within the Council until the date of your dismissal and be invited to express written interest in any suitable position. In order to ensure that this process is efficient and effective you will be required to complete a standard internal application form for submission with any expressions of interest.
- 2.2 Your current line manager and a HR representative will work with you to assess possible redeployment opportunities. This will include assessing current and forthcoming vacancies including temporary positions within the council. All reasonable steps will be taken to redeploy you into a post of your choice but this will not always be possible and the council reserves the right to place you into a post which is considered suitable.
- 2.3 If a suitable vacancy is identified then you will be placed into this post for a trial period following an introductory meeting with the new line manager.

- 2.4 The trial period will be a minimum of four weeks. The length of the trial period will be agreed before you are placed into the post. This period may be extended by mutual agreement to allow further time to make an assessment of the success of the redeployment. The trial period will usually take place during your notice period.
- 2.5 During the trial period the appointing line manager will meet with you on a regular basis to review the placement. The HR Manager may also be in attendance if required.
- 2.6 During the trial period you will be employed on the terms and conditions applicable to the new post including salary, unless the redeployment is for medical reasons (see paragraph 6.1)
- 2.7 If, at the end of the trial period, the appointing manager and you are satisfied that the post and/or you are suitable, then your appointment to that post will be confirmed in writing and a new contract or amendment to your current contract will be issued.
- 2.8 If more than one employee in a redeployment situation is suitable for a vacancy then an objective selection process will be arranged. This may include interview and/or assessment.
- 2.9 If, at the end of the trial period, or earlier, the appointing manager feels that you are not suitable he/she will meet with you to explain the reasons and confirm this in writing. If you are not satisfied with this decision you may raise an appeal under the council's appeals procedure.
- 2.10 If this occurs you will then meet again with your previous line manager and HR rep and together look for other redeployment opportunities unless your notice period has expired in which case your employment will be terminated. If your notice period has not expired and there is no other suitable vacancy then your employment will be terminated at the end of your previously notified notice period.
- 2.11 If, at the end of the trial period, or earlier, you feel, without good reason that the post is not suitable you will be deemed to have terminated your contract with immediate effect.
- 2.12 Any post offered and accepted will count as continuous service for any service related terms and conditions. All pension rights accrued under the Local Government Pension Scheme will also continue to apply.
- 2.13 If you have not been given the opportunity for a trial period in a post for which you believe you are suitable you may register a grievance under the council's grievance procedure.
- 2.14 You will remain the subject of the Capability Procedure once redeployment has occurred and the process may be re-activated at any time if the redeployment is not successful.

3 Responsibilities

- 3.1 Your original line manager has overall responsibility for your redeployment including the full payment of your salary up to and including the successful completion or your trial period.
- 3.2 Your new line manager will assume day to day managerial responsibility for you commencing at the beginning of the trial period.
- 3.3 The potential new line manager is obliged to accept you for a trial period and to support and assist you during this period.
- 3.4 A nominated HR representative is responsible for advising you and the managers during this process. You may also wish to seek advice from your trade union.
- 3.5 You are responsible for taking advantage of the support available during the redeployment process and for working positively with HR and the line managers to achieve a successful outcome.

4 Timescales

- 4.1 As a general rule, six weeks is an appropriate period to seek redeployment. If your notice period is longer than six weeks this period will be used instead. Formal notice of dismissal will normally be given to you at the beginning of this period. This will be retracted if successful redeployment occurs.

5 Training for Redeployment

- 5.1 Your manager, and the HR Manager and you will need to assess what skills are needed to help achieve alternative employment. These may include compiling CV and interview techniques. Your manager will consult you and the HR Manager to see what training and development opportunities can be provided.

6 Salary and Pension Protection

- 6.1 The Council's policy on salary protection will apply in health cases only. It will not, however apply if you are offered and accept a permanent reduction in hours on the same grade. Your salary will be pro-rata.
- 6.2 Where redeployment arises from poor performance salary protection will not apply.
- 6.3 If you are a member of the Local Government pension scheme you should obtain information from the pensions section about protection of your pension.

The Appeal Process

1. Where an employee feels that the decision to redeploy or to dismiss is wrong or unjust, they have the right to appeal. Appeals may be raised on any number of grounds, for example: new evidence, undue severity or inconsistency of penalty.
2. In these circumstances the employee should write to the Lead Manager who made the decision, within 10 working days of receiving the written notification of the outcome.
3. In the letter the employee should state the grounds for their appeal, how they wish to be contacted to allow organisation of the Appeal Hearing, and the name and contact details of the Trade Union representative or colleague who will accompany them.
4. All appeals will be heard by an Appeals Panel within 20 working days of the receipt of the appeal being received. The employee will be given notice in writing at least five working days in advance of the date, time and place of the hearing.
5. The Appeals Panel will consist of an Appeal Officer who is, wherever possible a manager who has not had prior involvement with the case, and who is, wherever possible, of a more senior level than the officers on the original panel, advised by the HR Manager. At the Appeal Hearing both parties (i.e. the individual who is appealing against the action taken against them and the Lead Manager who is presenting the management's case) have the opportunity to state their case and to ask questions of each other.
6. The employee may be accompanied to the Appeal Hearing by a work colleague, a Trade Union representative, or an official employed by a Trade Union.
7. There will be no witnesses at an Appeal Hearing.
8. If you or your manager wishes to introduce new information which has come to light since the decision in question was taken, then this must be exchanged at least two working days before the appeal hearing.
9. If you (rather than your representative) are unable for good reason to attend the hearing, it will be postponed and re arranged within five working days.
10. If the reason is long term sickness absence and no date can be mutually agreed, however, the hearing can go ahead, once you or your representative have been advised and the representative has been given a reasonable opportunity to present the case.
11. Your access and communication needs and any other practical issues will be taken into account in the arrangements for and the conduct of the hearing.

Conduct of the Appeal Hearing

The Appeal Officer will manage the hearing fairly and along the following lines:

- You will state your reasons for appeal.
- the Appeal Officer and your manager may question you
- your manager states his/her reasons for reaching the decision
- the Appeal Officer and you may question your manager
- you may sum up, if you wish, without introducing new evidence
- your manager may sum up, if they wish, without introducing new evidence
- You, your representative and your manager withdraw while the Appeal Officer makes a decision, advised by the HR representative.
- The Appeal Officer may recall either party to clarify any points. If this is necessary both sides will return even if only one is concerned with the point giving rise to concern.
- When the decision has been made the Appeal Officer will recall both parties and announce the decision.

With a proper adjournment to reflect and consider all issues, the Appeal Officer hearing an appeal against the action taken, including dismissal may make the following range of decisions

- dismiss the appeal and confirm the original decision, or
- allow the appeal; and clear the decision from the record, or
- allow the appeal overturn the original decision made by the line manager and impose a different sanction under the capability procedure

Employees will be informed of the results immediately after the Hearing and it will then be confirmed in writing as soon as possible within five working days. In some cases the Appeal Officer may decide to give a reserved judgment in which case the Hearing will be adjourned and the decision communicated writing as soon as possible within five working days.

If you are reinstated on appeal after dismissal, your service will be continuous and any loss of pay between dismissal and reinstatement will be paid to you. The pay will be full pay in accordance with your contract of employment and any regular additional payments averaged over the 12 weeks immediately before your dismissal.

If the decision to dismiss is confirmed on appeal, the date of termination of employment will remain as originally stated in the letter of dismissal.

The Appeal Officer will confirm their decision on the appeal in writing to you.

There is no further right of internal appeal against the decision of the Appeals Panel.

Chief Executive Capability procedure

1.0 Purpose

1.1 This procedure explains how Salisbury City Council will manage concerns about the Chief Executive's capability or performance. It is intended to support improvement wherever possible, while recognising that the Chief Executive is the Head of Paid Service and is subject to specific national and legal requirements.

1.2 The procedure should be read the Council's standing orders and scheme of delegation, the Chief Executive's contract of employment, the Chief Executive's job description, the Council's resolutions and any relevant statutory requirements.

2.0 Scope

2.1 This procedure applies only to the Chief Executive. It covers concerns about performance, competence, capability linked to health, or other capability-related concerns.

2.2 Where the concern is minor, early, or capable of being resolved through support, objective-setting, coaching, Occupational Health input, reasonable adjustments, or clearer reporting against agreed actions, the Council will normally use the informal and support-focused stages of this procedure first.

2.3 Where the concern may lead to formal action being recorded on the Chief Executive's file, action short of dismissal, or dismissal for capability, the matter must be considered by the Governance, Policy & Personnel Committee, acting as the Council's Investigating and Disciplinary Committee for this procedure. Full Council is reserved for any final dismissal decision and appeal stage.

3.0 Key principles

- The aim is to support the Chief Executive to achieve and maintain the required standard wherever possible.
- Concerns should be raised early, clearly and fairly.
- The Chief Executive should be told what the concern is, what improvement is needed, what support is available, and what may happen if improvement is not achieved.
- Performance expectations should be assessed against the Chief Executive's job description and the actions, priorities and resolutions agreed by the Governance, Policy & Personnel Committee and Full Council.
- The process should be evidence-based and should focus on facts rather than unsupported opinions.
- The process should be handled confidentially and without unnecessary publicity.

- The Chief Executive should have a reasonable opportunity to respond and to improve, except where the issue is so serious that immediate formal consideration is required.
- Reasonable adjustments must be considered where disability may be relevant.
- Occupational Health advice should be used where health may be affecting performance, attendance, or participation in the process.
- External professional advice may be sought where appropriate, including employment law advice, HR advice, Occupational Health advice, or advice from relevant local government bodies.

4.0 Roles and responsibilities

4.1 The Chief Executive is employed by the Council as a whole. Responsibility for addressing the Chief Executive's performance sits with elected members acting through the arrangements agreed by the Council, usually the Governance, Policy & Personnel Committee.

4.2 The Governance, Policy & Personnel Committee acts as the Council's Investigating and Disciplinary Committee for this procedure. It may oversee support, consider formal capability concerns, decide whether the threshold for independent investigation is met, appoint an Independent Investigator where required, consider the Independent Investigator's report, and decide on action short of dismissal. Where dismissal may be appropriate, it may recommend dismissal to Full Council but should not itself make the final dismissal decision.

4.3 Full Council is the final decision-making and appeal stage. It will consider any recommendation to dismiss and will provide the Chief Executive with the opportunity to make representations before a final decision is made. Members who have had prior involvement should not take part where this is necessary to preserve fairness and where this is reasonably practicable.

4.4 Members who have been directly involved as complainants, witnesses, decision-makers at an earlier stage, or who have made public comments about the matter may need to take no part in later stages to protect the fairness and integrity of the process.

4.5 HR may support the process by advising on procedure, consistency, records, reasonable adjustments, Occupational Health referrals, and correspondence. However, HR does not replace the role of elected members in managing the Chief Executive's performance.

5.0 Stage 1: Normal performance oversight and ongoing support

5.1 The Chief Executive's performance should be monitored through normal governance and performance oversight arrangements. The capability route is based on whether the Chief Executive is meeting the requirements of the job description and delivering the

actions, priorities and resolutions agreed by the Council's Committees. This is separate from any appraisal process, which is developmental in purpose.

5.2 An appraisal process may still be used as a developmental route where appropriate, consistent on clarifying expectations and identifying development needs. However, it should not be treated as the formal capability route.

5.3 Regular review meetings should be used to discuss progress against agreed Committee and Council actions, identify barriers, agree support, and address concerns early. These meetings should be two-way. The Chief Executive should be able to explain any barriers to performance and identify support that may help.

5.4 Support may include coaching, mentoring, training, clearer objectives, additional information, changes to working arrangements, external facilitation, mediation, Occupational Health advice, or reasonable adjustments.

6.0 Stage 2: Informal capability support

6.1 If concerns continue, the Governance, Policy & Personnel Committee should meet with the Chief Executive to discuss the concerns informally, unless the Committee has delegated this support-focused discussion to nominated members acting on its behalf.

6.2 The purpose is to understand the issue and agree a practical improvement plan before formal action is considered. The improvement plan should be framed around the job description and the delivery of agreed Committee or Council actions.

6.3 The Chief Executive should be told in advance what will be discussed. The meeting should cover the concerns, the expected standard, the evidence available, any explanation from the Chief Executive, any health or disability issues, any support already provided, and any further support that may help.

6.4 An informal improvement plan should normally be agreed. This should include the areas requiring improvement, the standard expected, actions to be taken, support to be provided, review dates, and how progress will be measured.

6.5 The review period should be reasonable and proportionate. The length of the review period will depend on the nature of the concern, the seriousness of the issue, the time needed to show improvement, and whether health or disability issues are relevant.

7.0 Stage 3: Health, Occupational Health and reasonable adjustments

7.1 If health may be affecting the Chief Executive's performance, attendance, decision-making, working relationships, or ability to take part in the process, the Council should seek Occupational Health advice at an early stage. The Council may also seek medical information from a GP or specialist where appropriate and with the Chief Executive's consent.

7.2 Occupational Health advice may be sought on whether there is an underlying medical condition, whether the condition may amount to a disability, whether adjustments are recommended, whether the Chief Executive is fit to carry out the full role, whether a phased return or temporary adjustment may help, and whether the Chief Executive is fit to participate in meetings or hearings.

7.3 The Council must consider reasonable adjustments before moving to formal action where disability may be relevant. Adjustments may include changes to duties, working arrangements, meeting arrangements, timescales, support, equipment, communication methods, or temporary changes to workload.

7.4 If the issue relates to long-term ill-health, frequent intermittent absence, or permanent ill-health, the Council should also follow its sickness absence and ill-health procedures as far as they are suitable for the Chief Executive role.

8.0 Stage 4: Formal review

8.1 If performance remains below the required standard after informal support and review, the Governance, Policy & Personnel Committee should hold a formal review meeting. The purpose is to decide whether further support is appropriate or whether the matter should move into the formal capability route. The review should focus on evidence of performance against the job description and agreed Committee or Council actions.

8.2 The Chief Executive should receive written notice of the meeting, the concerns to be discussed, the information being considered, and the possible outcomes. The Chief Executive should have a reasonable opportunity to provide a written response and attend the meeting.

8.3 The possible outcomes of this meeting are: no further action; continuation of informal support; a revised improvement plan linked to the job description and agreed Committee or Council actions; referral for further medical or professional advice; use of mediation or external facilitation; referral to another appropriate procedure; or a decision that the Governance, Policy & Personnel Committee should proceed formally as the Investigating and Disciplinary Committee where formal action may be required.

9.0 Stage 5: Formal consideration by Governance, Policy & Personnel Committee

9.1 If the concern may justify formal action, action recorded on the Chief Executive's personal file, action short of dismissal, or dismissal for capability, the Governance, Policy & Personnel Committee must consider the matter as the Council's Investigating and Disciplinary Committee. This formal capability route should be based on evidence that the Chief Executive has not met the requirements of the job description or has not delivered agreed Committee or Council actions to the required standard.

9.2 The Governance, Policy & Personnel Committee should consider whether the threshold for further investigation is met. This means considering whether, if the concern were proved, it could lead to dismissal or other formal action recorded on the Chief Executive's personal file, and whether there is enough evidence to require further investigation.

9.3 The Chief Executive must be told what the concerns are, given the evidence being considered, and given a fair opportunity to respond before a decision is made to appoint an Independent Investigator.

10.0 Independent investigation

10.1 Where there is a requirement for an Independent Investigator, the appointment should be made. The Independent Investigator should investigate the issue, gather evidence, speak to relevant people, and prepare a report with findings and recommendations.

10.2 The terms of reference should be clear. They should set out the issues to be investigated, the evidence available, the people who may need to be contacted, timescales, confidentiality arrangements, and how the report will be provided.

10.3 The Chief Executive should receive the Independent Investigator's report at the same time as the Governance, Policy & Personnel Committee.

11.0 Decision by Governance, Policy & Personnel Committee

11.1 After receiving the Independent Investigator's report, the Governance, Policy & Personnel Committee should give the Chief Executive the opportunity to state their case before a decision is made. The Committee may decide to take no further action, recommend informal resolution or further support, ask for further investigation, take action short of dismissal, or recommend dismissal to Full Council.

11.2 If action short of dismissal is taken, the decision should be confirmed in writing with the reasons, any continuing expectations, any support to be provided, any review arrangements, and the right of appeal to Full Council. Members who were directly involved in the earlier decision should not take part in the appeal where this is necessary to preserve fairness and where this is reasonably practicable.

12 Where dismissal may be proposed

12.1 If the Governance, Policy & Personnel Committee recommends dismissal for capability, the Council must follow the appropriate process before notice of dismissal is issued. This includes consideration by an Independent Panel.

13 Suspension

13.1 Suspension will not usually be appropriate in capability cases and should not be used as a routine step. Before considering suspension, the Council should consider alternatives such as adjusted duties, temporary working arrangements, working from home, additional support, or agreed arrangements to protect the Council and the Chief Executive while matters are reviewed.

13.2 Suspension should only be considered where there is a serious risk to the Council's functions, resources, confidential information, reputation, health and safety, or the fairness of the investigation, and should be reviewed regularly.

14 Right to be accompanied

14.1 The Chief Executive may be accompanied at formal meetings by a trade union representative, workplace colleague, or another appropriate companion agreed by the Council.

15 Confidentiality and communications

15.1 Capability concerns involving the Chief Executive are highly sensitive and should be handled confidentially. Information should only be shared with those who need it to carry out their role in the process. Members and officers involved in the process must avoid public comment or discussion that could prejudice the fairness of the procedure.

16.1 Any internal or external communication should be agreed carefully, taking into account confidentiality, data protection, employment law, the Council's reputation, and the Chief Executive's reputation.

17 Appeals

17.1 If action short of dismissal is taken by the Governance, Policy & Personnel Committee, the Chief Executive may appeal to Full Council. The appeal should review the decision, the process followed, the evidence considered, and any new relevant information. Members with prior involvement should not take part where this is necessary to preserve fairness and where this is reasonably practicable.

17.2 If dismissal is proposed, the Full Council meeting considering the recommendation will also provide the Chief Executive with the opportunity to make representations before a final decision is made, in line with the JNC procedure.

18 Records

18.1 Accurate records should be kept at each stage. These may include meeting notes, improvement plans, review notes, Occupational Health advice, correspondence, evidence considered, decisions made, and reasons for decisions. Records should be kept securely and in line with data protection requirements.

Summary of routes

Type of concern	Usual route
Early or minor performance concern	Review meeting, support plan, coaching, mentoring, training, clearer reporting, or revised actions linked to the job description and Committee or Council resolutions.
Performance concern linked to health	Occupational Health advice, sickness procedure where appropriate, reasonable adjustments, review plan.
Performance concern linked to disability	Reasonable adjustments, Occupational Health advice where appropriate, supported review period.
Continuing performance concern after support	Formal review by Governance, Policy & Personnel Committee of performance against the job description and agreed Committee or Council actions, with consideration of whether to proceed formally as the Investigating and Disciplinary Committee.
Concern that may lead to formal action or dismissal	Consideration by Governance, Policy & Personnel Committee acting as the Investigating and Disciplinary Committee and appointment of an Independent Investigator where required.
Proposal to dismiss for capability	Independent Panel, decision by Governance, Policy & Personnel Committee
Appeal against dismissal for capability	Full Council (not including any members who have participated in previous stages).



Dignity at Work Policy

Bullying & Harassment Procedure

Policy No.	Owner	Date Reviewed	Review Due	Review Team	Changes made:
HR09	KAB	11/12	08/14	HR/EMT	None
HR09	KAB	08/14	08/17	Hr/EMT	
HR09	TA	02/08/2019	02/08/2020	TA/AC	Sections 2-8 reworded to provide further clarity
HR09	TA	25/10/23	25/10/24	Worknest	No legislative changes Definitions clarified around bullying and harassment and sexual harassment
HR09	TA	10/2024	10/2025	Worknest	Amended to include new duty to prevent sexual harassment (Worker Protection (Amendment of Equality Act 2010) Act 2023 Agreed at Personnel Committee 25 November 2024
HR09	HHR	02/01/2026	02/01/27	HHR	Worknest confirmed no legislative changes
		01/04/2026			Included reference to sexual harassment being a protected disclosure under changes of ERA 2025 April 2026 only changes Clarification that managers are expected to recognise harassment or potential whistleblowing disclosures Clarification on expected timescale

Distribution

Internal: All SCC Staff

External (if requested): Website/Councillors/Partners

Green text – changes due October 2026

Dignity at Work Policy

1. Aim

- 1.1. To provide all employees with a working environment that ensures all are treated fairly and with respect, regardless of their background or ability. The Council is committed to valuing all people as individuals and recognising their personal abilities and strengths in order to gain from the diversity of its employees.

2. Purpose

- 2.1. The Council recognises that not only is it in the interests of individuals, but it makes good business sense to ensure all employees are treated with dignity and respect in order that they may feel comfortable and confident in their working environment.
- 2.2. The procedure has also been written within the context of the Council being a parish council and small organisation.
- 2.3. It has been created in consultation with the Trade Unions and is supported by both management and those Trade Unions.
- 2.4. This policy is designed to ensure that SCC has a workplace culture that is free from hostility
- 2.5. We expect all staff (whether permanent or casual) to adhere to the following:
- 2.6. Treat colleagues, and service users, with dignity and respect
- 2.7. Be aware of the effect that own behaviour, and activities can impact on others
- 2.8. Dress appropriately for the workplace
- 2.9. Set a positive example to all colleagues
- 2.10. Consider language, attitudes and culture of colleagues, service users
- 2.11. Think before making personal comments to or about others and
- 2.12. Promote dignity and respect in the workplace
- 2.13. Banter can increase Health & Safety risks by reducing focus and attention, which may lead to accidents. Additionally, banter that causes stress could prevent the Council from fulfilling its duty of care to protect staff wellbeing and manage workplace stress effectively
- 2.14. Harassment or victimisation on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race religion or belief, sex or sexual orientation is unacceptable.

3. Commitment from Senior Management

- 3.1. Our employees are the heart of the Council. Without the staff members carrying out essential roles, there would not be a Salisbury City Council. Each and every person who wears the city's logo must feel respected and give respect. This policy is designed to ensure that everyone understands the types of behaviour expected of all. Importantly it also sets out those forms of behaviour, which is unacceptable. It is the hope

of this Council that everyone understands what is expected of them and that they have a right to challenge any type of behaviour.

4. Scope

4.1. This policy covers all employees at all levels within the council. It also applies in circumstances where employees may feel that they have cause for complaint against elected council members although certain adjustments may have to be made to comply with the Members' Code of Conduct if a formal complaint is made against a Councillor. Councillors have a duty to treat all employees with respect and dignity at all times (see SCC Member's Code of Conduct)

4.2 This policy applies to complaints or concerns about bullying, harassment, sexual harassment or victimisation involving employees, workers, contractors, suppliers, volunteers, service users, visitors, members of the public or other third parties where the matter arises in connection with work or Council activities. Where an employee raises a concern about the behaviour of an elected Councillor, the Council will consider what support, safeguarding or workplace measures are needed for the employee. However, formal complaints about Councillor conduct will normally be dealt with under the Councillors' Code of Conduct and/or the Council's complaints arrangements, rather than under this employee policy. Employees should report third-party harassment so that the Council can consider what action is needed to protect staff and prevent recurrence.

4.2. All employees have a duty to treat all third party operatives and suppliers with dignity and respect at all times.

~~4.3. If an employee is subject to bullying or harassment by a third party not employed by the Council, they can still raise a complaint about the situation as the Council has a duty of care to protect its employees, where possible, from this type of behaviour. Where a complaint is raised, the relevant Manager or the senior officer managing the contract on behalf of the Council, will discuss the matter with those responsible for managing that third party in order to determine what action is appropriate.~~

4.4. This policy has been reviewed to reflect the Employment Rights Act 2025 changes due from October 2026, including the requirement for the Council to take all reasonable steps to prevent sexual harassment and to take reasonable preventative action in relation to harassment by third parties.

5. Employees

5.1. SCC requires its employees to behave appropriately and professionally at all times during the working day, and this may extend to events outside of working hours which are classed as work-related such as social events or posts on social media where your contacts include

colleagues. Employees should not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time. A breach of this policy by will be treated as a disciplinary matter

5.2. Disciplinary action may also be taken where a person is victimised (treated badly) as a result of things such as:

- 5.2.1. Making a claim or complaint of discrimination (under the Equality Act)
- 5.2.2. Helping someone else to make a claim by giving evidence or information.
- 5.2.3. Making an allegation that you or someone else has breached the Act
- 5.2.4. Doing anything else in connection with the Act

6. Managers

- 6.1. SCC will be responsible for ensuring all members of staff, including senior staff and managers, understand the rules, expectations and control measures relating to the prevention of bullying, harassment, sexual harassment and victimisation at work, during work-related social events, and in contact with third parties.
- 6.2. Managers must promote a professional and positive workplace culture, proactively identify areas of risk, and take all reasonable steps open to them to prevent harassment, sexual harassment and bullying before concerns escalate.
- 6.3. Where an incident is witnessed, or a complaint is made under this policy, the Council will take prompt action to deal with this matter.
- 6.4. All incidents will be deemed serious and dealt within in a sensitive and confidential manner.
- 6.5. Undertake their yearly sexual harassment and inclusion training to be able to recognise the early signs of harassment or potential whistleblowing disclosures and take prompt documented action.
- 6.6. Ensure there is an up-to-date, communicated and implemented risk assessment covering sexual harassment and third-party harassment risks, including appropriate control measures, review dates and evidence of action taken.

7. Harassment

- 7.1. Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for them. A single incident can amount to harassment.
- 7.2. Disclosures of sexual harassment may constitute a protected disclosure under the Whistleblowing Policy and attract legal protection from detriment. Employees may choose to raise concerns through either this policy or the Whistleblowing Policy where the legal test for a protected disclosure is met. Concerns about the Council's failure to take appropriate steps to prevent sexual harassment, including harassment by third parties, may also be raised under the Whistleblowing Policy where the concern meets the legal test for a protected disclosure.

7.3. Unlawful harassment may involve conduct:

7.4. Harassment is unacceptable even if it does not fall within any of these categories.

7.4.1. related to a protected characteristic of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation;

7.4.2. of a sexual nature (sexual harassment); or

7.4.3. of treating someone less favourably because they have submitted, or refused to submit to, sexual harassment or harassment related to sex or gender reassignment e.g. where a manager gives a junior employee a poor performance review because they rejected the manager's sexual advances.

7.5. Harassment may include (this is a non-exhaustive list), for example:

7.5.1. racist, sexist, homophobic or ageist jokes, or derogatory or stereotypical remarks about a particular ethnic or religious group, religion or belief, or gender;

7.5.2. disclosing or threatening to disclose someone's sexual orientation or gender identity against their wishes;

7.5.3. offensive e-mails, text messages or social media content; or

7.5.4. mocking, mimicking or belittling a person's disability.

7.6. Sexual harassment does not need to be sexually motivated; it only needs to be sexual in nature and may include (this is a non-exhaustive list), for example:

7.6.1. unwanted physical conduct or "horseplay", including touching, pinching, pushing and grabbing;

7.6.2. continued suggestions for sexual activity after it has been made clear that such suggestions are unwelcome;

7.6.3. sending or displaying material that is pornographic or that some people may find offensive (including emails, text messages, video clips and images sent by mobile phone or posted on the internet);

7.6.4. unwelcome sexual advances or suggestive behaviour (which the harasser may perceive as harmless);

7.6.5. intrusive questions about a person's private or sex life or a person discussing their own sex life; or

7.6.6. sending sexually explicit e-mails or text messages or sexual posts/contact on social media.

7.7. A person may be harassed even if they were not the intended "target".

7.8. For example, a person may be harassed by racist jokes about a different ethnic group if the jokes create an offensive environment; or sexually harassed by pornographic images displayed on a colleague's computer in the workplace.

8. Victimisation

- 8.1. Victimisation includes subjecting a person to a detriment because they have done, or are suspected of doing or intending to do, any of the following protected acts:
 - 8.1.1. Bringing proceedings under the Equality Act 2010.
 - 8.1.2. Giving evidence or information in connection with proceedings under the Equality Act 2010.
 - 8.1.3. Doing any other thing for the purposes of or in connection with the Equality Act 2010.
 - 8.1.4. Alleging that a person has contravened the Equality Act 2010.
- 8.2. Victimisation may include (this is a non-exhaustive list), for example:
 - 8.2.1. Denying someone an opportunity because it is suspected that they intend to make a complaint about harassment/sexual harassment.
 - 8.2.2. Excluding someone because they have raised a grievance about harassment/sexual harassment.
 - 8.2.3. Failing to promote someone because they accompanied another staff member to a grievance meeting.
 - 8.2.4. Dismissing someone because they gave evidence on behalf of another staff member at an employment tribunal hearing.
- 8.3. Harassment/sexual harassment and victimisation are unlawful and will not be tolerated. They may lead to disciplinary action up to and including dismissal without notice if they are committed:
 - 8.3.1. In a work situation.
 - 8.3.2. During any situation related to work, such as at a social event with colleagues.
 - 8.3.3. Against a colleague or other person connected to us outside of a work situation, including on social media.
 - 8.3.4. Against anyone outside of a work situation where the incident is relevant to your suitability to carry out your role.
- 8.4. We will take into account any aggravating factors, such as abuse of power over a more junior colleague, when deciding the appropriate disciplinary action to take.
- 8.5. If any harassment/sexual harassment or victimisation of staff occurs, we will take steps to remedy any complaints and to prevent it happening again. Action may include updating relevant policies, providing further staff training and taking disciplinary action against the perpetrator.
- 8.6. Third-party harassment occurs where a person is harassed/sexually harassed by someone who does not work for, and who is not an agent of, the same employer, but with whom they have come into contact during the course of their employment.
- 8.7. Third-party harassment could include, for example, derogatory comments about a person's age, disability, pregnancy, colour, religion

or belief, sex or sexual orientation, or unwelcome sexual advances, from a client, customer or supplier visiting the employer's premises, or where a person is visiting a client, customer or supplier's premises or other location in the course of their employment.

8.8. Third-party harassment can result in legal liability and will not be tolerated. From October 2026, the Council may be liable where harassment by a third party occurs and the Council has not taken all reasonable steps to prevent it. All staff are encouraged to report any third-party harassment they experience or witness in accordance with this policy. Any harassment by a member of staff against a third party may lead to disciplinary action up to and including dismissal.

8.9. We will take active, proportionate and evidenced steps to prevent third-party harassment of staff, including identifying higher-risk roles, locations, events and activities and reviewing whether further reasonable steps are needed.

8.9.1. Action may include:

8.9.1.1. warning notices to suppliers or contractors,

8.9.1.2. providing regular and recorded training for managers and staff on recognising, reporting and responding to harassment, sexual harassment and third-party harassment;

8.9.1.3. taking steps to minimise lone working risks and, where lone working cannot be avoided, ensuring appropriate support, reporting routes and escalation arrangements are in place;

8.9.1.4. carrying out risk assessments when planning events, activities or services involving customers, service users, contractors, suppliers, volunteers, visitors or members of the public.

8.9.1.5. recording action taken in response to reported concerns, including any learning, changes to risk assessments, communication with third parties, or further preventative action.

8.10. If any third-party harassment of staff occurs, we will take steps to remedy any complaints and to prevent it happening again.

8.11. Action may include warning the harasser about their behaviour, banning them from Council premises or activities, changing working arrangements, ending or reviewing contractual arrangements, reporting any criminal acts to the police, and sharing relevant information where lawful and appropriate.

9. Bullying

9.1. Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation.

9.2. It is likely to have a negative impact on the victim's confidence, self-esteem and overall wellbeing. Bullying is not necessarily overt and can

be done using a number of different methods. It may take place with colleagues in public or in private, at work or socially.

- 9.3. Bullying can take the form of physical, verbal and non-verbal conduct. Bullying may include (this is a non-exhaustive list), by way of example: physical or psychological threats; overbearing and intimidating levels of supervision; inappropriate derogatory remarks about someone's performance;
- 9.4. Legitimate, reasonable and constructive criticism of a worker's performance or behaviour, or reasonable instructions given to workers in the course of their employment, will not amount to bullying on their own.

10. Complaining about harassment and/or bullying

10.1. Informal method

- 10.1.1. We recognise that complaints of personal harassment, and particularly of sexual harassment or those associated with issues of mental health, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure.
- 10.1.2. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper.
- 10.1.3. If you do not feel able to raise this issue with a manager, we also have an anonymous communication channel on ALINE. A link can be found on the front page of ALINE. You can tell us about what you have experienced or witnessed without supplying your name, if necessary.
- 10.1.4. If you are the victim of minor harassment, you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you could hand a written request to the harasser, and your confidential helper can assist you in this.

11. Formal method

- 11.1. Where the informal approach fails or if the harassment is more serious, you should raise the matter formally under our Grievance Procedure and it will be dealt with under that procedure, taking into account the below.

11.2. We will investigate complaints in a timely and confidential manner. Confidentiality will be maintained where possible, but nothing in this

policy, any confidentiality clause, settlement agreement or non-disclosure agreement prevents an employee or worker from making a protected disclosure, including a disclosure about sexual harassment where the legal requirements for whistleblowing protection are met.

11.3. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint, where possible. Details of the investigation and the names of the person making the complaint and the person accused must only be disclosed on a "need to know" basis. We will consider whether any steps are necessary to manage any ongoing relationship between you and the person accused during the investigation.

11.4. Formal complaints will normally be investigated within 28 days. If more time is required, the employee will be notified with reasons, where possible.

11.5. Once the investigation is complete, we will inform you of our decision.

11.6. If we consider that there is a case to answer and the harasser or bully is an employee, the matter will be dealt with under the Disciplinary Procedure as a case of possible misconduct or gross misconduct.

11.7. The outcome of our investigation may be put on hold while disciplinary action is taken.

11.8. If the harasser or bully is a third party such as a customer or other visitor, we will consider what action would be appropriate to deal with the problem. Whether or not your complaint is upheld, we will consider how best to manage any ongoing working relationship between you and the person concerned.

11.9. Those involved in any formal meetings will approach the meeting sensitively and it will be conducted in confidence. Any breach of this confidence will be deemed a disciplinary matter.

11.10. The Council is committed to ensuring employees are not discouraged from using this procedure and no employee will be victimised for having brought a complaint.

12. Malicious false allegations

12.1. Any allegations found to be both false and malicious will be taken very seriously and may result in disciplinary action up to and including dismissal.

13. Protection and support for those involved

- 13.1. Staff who make complaints, report that they have witnessed wrongdoing, or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result.
- 13.2. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

13.3. We will review this policy regularly and monitor its effectiveness. This will include monitoring the treatment and outcomes of complaints of harassment, sexual harassment, third-party harassment or victimisation to ensure that concerns are properly investigated and resolved, those who report concerns or act as witnesses are not victimised, repeat offenders are dealt with appropriately, cultural issues are identified and addressed, risk assessments remain current, and workforce training is targeted where needed.

- 13.4. Support and guidance can also be obtained from the following external services:
 - 13.4.1. The Equality Advisory and Support Service (www.equalityadvisoryservice.com).
 - 13.4.2. Protect (www.protect-advice.org.uk).
 - 13.4.3. Victim support (www.victimsupport.org.uk).
 - 13.4.4. Rights of women (England and Wales) (www.rightsofwomen.org.uk).

14. Monitoring and record retention

- 14.1. Monitoring will be the responsibility of the Head of HR who will work in conjunction with the Senior Management Team to assess the impact of the policy.
- 14.2. Records will be kept in line with the retention schedule policy.

SALISBURY
CITY COUNCIL



Disciplinary Policy

Policy No.	Version	Author	Date Published/ reviewed	Review Due	Changes made:
HR10	1	KAB	June 11		
HR10	2	KAB	March 2015	3/18	Reformatted & Acas update on being accompanied
HR10	3	KAB	April 2017	04/19	1.3 inclusion of Staff Forum 4.1.4 clarified who makes the decision 4.2.1 changed 'should be notified and should contain to 'will'' 5.3 Insertion of process to call witnesses 5.4 communication of decision changed from 5 to 2 days
HR10	4	TA	25/10/23	25/10/24	Language in 2.2.7 updated to reflect Equality Act 2010 Updated reference of meeting to hearing in formal section of policy Updated list of gross misconduct to include working from home (not approved) or false hour reporting
HR10	5	TA	16/07/2024	25/10/2024	Provided clarification on paragraph 4 between informal and formal stages of policy
HR10	6	HeadHR	November 2024	November 2025	Clarified section 4 and rest of policy as previous policy was confusing. Agreed at Personnel Committee 25 November 2024
HR10	7	HHR	02/01/26	02/01/27	Worknest confirmed no legislative changes

Distribution

Internal: All SCC Staff

External (if requested): Website/Councillors/Partners

Disciplinary Policy & Procedure:

1. Introduction:

- 1.1. This policy and procedure covers the management of disciplinary situations that arise at Salisbury City Council. It sets out the Council's expectations of employees conduct and the consequences of breaching these in line with statutory legislation, including the revised ACAS Code of Practice.
- 1.2. It is designed to help and encourage all employees to achieve and maintain acceptable standards of conduct in setting out the rules and procedures that will apply to ensure consistent and fair treatment for all staff.

This policy has been created to follow the ACAS statutory Code of Practice and to be appropriate and manageable within the limitations of being a small organisation.

- 1.3. This policy should be read in conjunction with the Capability Policy, Absence Management Policy, and the Council's Redundancy Policy if there are issues that overlap.

2. Policy Statement:

- 2.1. Salisbury City Council recognises its responsibilities to deal with formal disciplinary matters promptly, in a firm, fair and consistent manner, ensuring objectivity is applied at all times.
- 2.2. In disciplinary matters managers, staff and recognised Trade Union representatives will adhere to the following principles:
 - 2.3. Issues will be raised and dealt with promptly. Meetings, decisions, or confirmation of decisions will not be unreasonably delayed by any party.
 - 2.4. All parties will behave consistently, appropriately and professionally.
 - 2.5. An investigatory officer will carry out any necessary investigations to establish the facts of the case.
 - 2.6. The employee will be informed of the basis of the problem and provided with an opportunity to put their case in response before any decision is made.
 - 2.7. Managers will allow an employee to be accompanied by a work colleague or Trade Union representative at any formal disciplinary hearings.
 - 2.8. All employees will have the right of appeal against any formal decision made.
 - 2.9. The procedure will be applied in an equitable and non-discriminatory way irrespective of an employee's age, disability, gender reassignment, marital status or civil partnership, maternity or pregnancy, race, religion, sex or sexual orientation
- 2.10. Employees are required to observe the rules and standards of Salisbury City Council. When standards and rules appear to have been broken and before any disciplinary action is taken, management must ensure that:
 - 2.10.1. The employee could reasonably be expected to have known the rule
 - 2.10.2. The rule was consistently applied
 - 2.10.3. The circumstances of the case, where the rule was broken, have been fully investigated
 - 2.10.4. The employee had been given an opportunity to explain their actions in accordance with the Disciplinary Policy
- 2.11. Generally, the test of reasonableness in the circumstances will apply before any disciplinary action is taken. The following question should be asked: 'Would a

reasonable person be aware that disciplinary action would result from a certain act or omission?’

3. Scope:

~~3.1. The policy applies to all Salisbury City Council employees.~~

3.2. This policy applies to all employees, but where a disciplinary issue involves the Chief Executive, the Council will follow the separate Chief Executive disciplinary procedure, and the statutory protections attached to the Head of Paid Service role.

This will include all employees who transferred from Salisbury District Council in 2009 under TUPE transfer. This policy will undergo a consultation period with all employees and the Trade Union representatives to ensure it is supported by all concerned.

3.3. The policy will apply in cases of alleged misconduct whether wilful or gross. It does not apply to:

- 3.3.1. Alleged incompetence, incapability or other poor performance at work which is considered not to be attributable to a wilful disclination by the employee to carry out their duties, but which is thought to be attributable to a lack of skill or aptitude, or to health, or any other physical or mental quality.
- 3.3.2. Redundancy, where a different policy is in place.
- 3.3.3. To the non-renewal of fixed term contracts on their expiry

3.4. The policy assumes that prior to considering formal disciplinary action, where relevant, Managers will have already attempted to counsel their employees on an informal basis, discussing shortcomings and arranging any training / and or advice in order to remedy any identified problems.

4. Policy

4.1. The Council always tries to deal with disciplinary issues fairly and promptly.

4.2. This procedure sets out the framework under which allegations of misconduct will be investigated and considered.

4.3. While the procedure set out in this policy will be appropriate in most cases, there may be situations in which it is not practicable to comply with a particular requirement of it. When this happens the Council will do its best to deal with the matter fairly and will pay particular attention to the need to give the employee every opportunity to explain their version of events.

4.4. The Council reserves the right not to follow this procedure in full for employees who are within their first two years of employment with the Council.

4.5. Please refer to separate CCTV guidance on when the Council's CCTV images can be used as part of a disciplinary process.

4.6. Definition of Misconduct

4.6.1. Behaviour which is disruptive, disrespectful to colleagues, or which falls short of what is expected by a Council employee will be treated as misconduct under the disciplinary procedure.

4.6.2. While employees will not usually be dismissed for a first offence a failure to remedy the behaviour or to adhere to required standards may ultimately lead to dismissal once appropriate warnings have been given.

4.7. Definition of Gross Misconduct

4.7.1. Gross misconduct is behaviour which is fundamentally at odds with the employee's duty to the Council and their colleagues.

- 4.7.2. In accordance with the disciplinary procedure, gross misconduct will usually result in dismissal without notice, or payment in lieu of notice, even in cases of a first offence.
- 4.7.3. It is not possible to list every example of gross misconduct which may arise, but the following provides an illustration of the sort of conduct that will normally fall into this category – some of which are then explained in more detail below:
- 4.7.3.1. Theft;
 - 4.7.3.2. Fraud, forgery or other dishonesty, including fabrication of expense claims and time sheets;
 - 4.7.3.3. Unlawful discrimination, harassment, including sexual harassment, or victimisation;
 - 4.7.3.4. Refusal to carry out reasonable instructions;
 - 4.7.3.5. Violent or intimidating behaviour;
 - 4.7.3.6. Wilful damage to property;
 - 4.7.3.7. Causing loss, damage or injury through serious negligence;
 - 4.7.3.8. Serious misuse of our property or name;
 - 4.7.3.9. Serious insubordination;
 - 4.7.3.10. Reckless behaviour posing a risk to health and safety;
 - 4.7.3.11. Any act or omission constituting serious or gross negligence/or dereliction of duty;
 - 4.7.3.12. Sleeping on duty;
 - 4.7.3.13. Bringing the organisation into serious disrepute;
 - 4.7.3.14. Unauthorised use or disclosure of confidential information or failure to ensure that confidential information in your possession is kept secure;
 - 4.7.3.15. Recording audio and/or video of any meeting, conversation or discussion with another person or people without the express prior consent of the person or people being recorded;
 - 4.7.3.16. Making untrue allegations in bad faith against a colleague;
 - 4.7.3.17. Making a disclosure of false or misleading information under our Whistleblowing Policy maliciously, for personal gain, or otherwise in bad faith;
 - 4.7.3.18. Repeatedly working from home contrary to the terms of your employment contract and without the prior written approval of management;
 - 4.7.3.19. Failing to work your contractual hours while working from home or as part of a hybrid working arrangement, or giving false or misleading information relating to your hours of work and activities while working from home;
 - 4.7.3.20. Any illegal act during working time or on Council premises; and
 - 4.7.3.21. Any act described as gross misconduct elsewhere in this handbook.

4.8. Informal Action

- 4.8.1. Most minor acts of misconduct can be dealt with informally through discussions between an employee and their line manager.
- 4.8.2. This may consist of management guidance or an informal warning.
- 4.8.3. Notes of the meeting and outcomes should be uploaded to PeopleHR. These steps are an everyday part of the management process and no formal procedure needs to be followed in respect of them. Records relating to the Chief Executive procedure should be stored securely with restricted access and should not be uploaded or shared through ordinary employee record routes unless this has been agreed as appropriate.
- 4.8.4. Where informal action of this kind fails to resolve an issue, or where the misconduct alleged is considered too serious, then the matter will be dealt with formally under this procedure.

4.9. Investigation

4.9.1. If it is alleged that you have committed misconduct, following an initial fact-finding, an appropriate investigation will be carried out aimed at gathering all of the relevant evidence.

4.9.2. Where the allegation concerns the Chief Executive, the separate Chief Executive disciplinary procedure must be followed.

4.9.3. You must refer the situation, in a timely manner to HR to appoint an investigator.

4.9.4. You may be interviewed as part of this investigation and will have the opportunity to point the investigator towards any evidence that you feel is relevant. The right to be accompanied (see below) does not apply to any investigatory interview.

4.10. Suspension

4.10.1. If an allegation of misconduct is made against you, then you may be suspended from your duties on full pay while the matter is being dealt with.

4.10.2. Where the allegation concerns the Chief Executive, any suspension decision must be made under the separate Chief Executive disciplinary procedure.

4.10.3. The Council will make every effort to ensure that any period of suspension is kept as short as possible.

4.10.4. The purpose of a suspension is either to allow an unhindered investigation to take place, or to protect the interests of the Council and its employees.

4.10.5. During any period of suspension you may be instructed not to contact other members of staff except for the purposes of preparing for any disciplinary hearing, where specific arrangements will be made with you.

4.10.6. This is not a disciplinary sanction and should not be seen as a predetermination of any disciplinary process.

4.11. Hearing

4.11.1. Once the investigation has been carried out, the investigating officer will make a decision about whether there is sufficient evidence to warrant a disciplinary hearing.

4.11.2. The report will be sent to HR to work with the relevant manager.

4.11.3. If there is sufficient evidence for a disciplinary hearing, you will be informed of this and an appropriate date for the hearing will be arranged. This will take place within normal working hours wherever possible.

4.11.4. To ensure that you have adequate time to prepare for the hearing, the Council will provide you in advance with a copy of all of the written evidence that will be considered at the hearing. In exceptional cases the Council may need to withhold the identities of certain witnesses or hold back sensitive items of evidence. This will only be done where it is considered necessary to protect individuals or the essential interests of the Council and every effort will be made to ensure that you are given as much information as possible so that a fair hearing can be conducted.

4.11.5. A member of the HR team will be present at any formal hearings.

4.11.6. You will be given sufficient notice of any hearing to allow you to prepare for it. While this will vary from case to case, the Council will generally try to give at least two days' notice of any hearing and in complicated cases a longer period of notice may be given.

4.11.7. The purpose of the hearing will be to consider the evidence gathered during the investigation and to consider any representations made by you or on your behalf. The hearing will be conducted by an appropriate manager who, wherever possible, has not previously been involved in the case and who was not responsible for carrying out the investigation.

4.12. The Right to be Accompanied

- 4.12.1. Employees are entitled to be accompanied at any disciplinary hearing by a fellow employee or trade union official of their choice.
- 4.12.2. The Council will provide any chosen companion with appropriate paid time off to allow them to attend the hearing.
- 4.12.3. It is, however, up to the employee in question to arrange for a companion to attend the hearing.
- 4.12.4. If your chosen companion cannot attend on the day scheduled for the hearing then the Council will agree a new date.
- 4.12.5. This will usually be within 5 working days of the date originally scheduled.
- 4.12.6. If your companion is not available within that timescale then you may need to find someone else to take their place.
- 4.12.7. The companion's role is to advise you during the hearing and make representations on your behalf; it is not to answer questions for you.
- 4.12.8. However, both you and your companion are required to cooperate in ensuring a fair and efficient hearing.
- 4.12.9. The companion cannot answer questions on your behalf.

4.13. Evidence

- 4.13.1. The hearing will consider any evidence you choose to present.
- 4.13.2. Should witnesses be prepared to appear on your behalf they will be permitted to do so provided that their evidence is relevant to the issues that need to be decided.
- 4.13.3. The Council will not compel or require any employee to appear as a witness on your behalf and in most circumstances evidence arising from the investigation will be presented in written form.
- 4.13.4. You will be entitled to challenge any of the evidence presented but will not be entitled to cross-examine witnesses.

4.14. Disciplinary Action

- 4.14.1. After considering all of the evidence, including any submissions made by you or on your behalf, the manager conducting the hearing will decide on the outcome.
- 4.14.2. If misconduct is found to have taken place then the usual outcome will be a **written warning** which will be placed on your personnel file.
- 4.14.3. A warning will stay active for a period of 1 year, after which it will not be taken into account in any future disciplinary action.
- 4.14.4. If however a further instance of misconduct is found to have occurred (in accordance with this procedure) during the currency of a warning – or if any misconduct is considered to be serious enough to warrant it – then, subject to the formal process above being followed, you will be issued with a **final written warning**.
- 4.14.5. A **final written warning** will usually remain active for one year, but a longer period may be specified if the manager conducting the hearing feels that the circumstances warrant it.
- 4.14.6. An employee who is found to have committed further misconduct during a period covered by a final written warning will, following a hearing conducted in accordance with this procedure, generally be dismissed.

4.15. Dismissal

- 4.15.1. An employee will not normally be dismissed under this procedure for a single instance of misconduct unless a final written warning is already in place. However, where gross misconduct is found to have occurred then dismissal without notice or payment in lieu will be the usual outcome.
- 4.15.2. Gross misconduct is misconduct that is so serious that it fundamentally undermines the relationship between employer and employee.
- 4.15.3. If you are accused of gross misconduct this will be made clear when you are invited to a disciplinary hearing.

- 4.15.4. A wide range of behaviours can amount to gross misconduct but the most common involve dishonesty, violent or aggressive behaviour, discriminatory behaviour or harassment, the wilful destruction of Council property or a deliberate refusal to obey a reasonable instruction.

4.16. Appeal

- 4.17. An employee may appeal against the outcome of a disciplinary hearing by doing so in writing stating your full grounds of appeal within **one week** of being notified of the outcome.
- 4.18. The person to whom an appeal should be directed will be detailed in the disciplinary outcome letter.
- ~~4.19. An appeal hearing will be convened and conducted by an appropriate member of the senior management team.~~
- 4.20. Appeals will normally be heard by an appropriate member of the senior management team who has not previously been involved. Where this is not practicable, including appeals by Heads of Service or where the Chief Executive made the original decision, the Council may appoint an appropriate member panel or another suitably delegated appeal route.
- 4.21. The appeal will consider any grounds the employee chooses to put forward and they will have the same right to be accompanied as at a disciplinary hearing. The result of the appeal hearing will be final.

4.22. Employee Absence

- 4.22.1. It is important that disciplinary issues are dealt with promptly.
- 4.22.2. The Council may therefore need to proceed with a disciplinary hearing even if the employee is absent due to ill health or simply does not attend.
- 4.22.3. Before hearing the matter in an employee's absence, the Council will attempt to arrange the hearing in such a way that the employee will be able to attend or to submit written representations to the hearing and/or to arrange for an appropriate representative to attend the hearing on their behalf.

Procedure for Chief Executive disciplinary process or appeals for Head of Service

1. Chief Executive disciplinary procedure

1.1 The Chief Executive is the Head of Paid Service. Because of this statutory role, disciplinary action involving the Chief Executive is not dealt with in the same way as disciplinary action involving other employees. The Council must use a fair, independent and politically neutral process, and must take particular care not to compromise any investigation or outcome.

2.0 When this procedure applies

2.1 This procedure applies where there is an allegation or serious concern about the Chief Executive's conduct that could lead to formal disciplinary action, a warning recorded on the personal file, or dismissal for misconduct.

2.2 This procedure does not apply to capability, absence management, redundancy, or the expiry of a fixed-term contract. Those matters should be dealt with under the Council's relevant separate policy or procedure, with advice taken where needed because of the Chief Executive's statutory role and contractual terms.

2.3 Not every concern about the Chief Executive will need to enter this procedure. Complaints about service delivery should normally be dealt with under the Council's complaints process. Grievances raised by employees about the Chief Executive may first need to be considered under the relevant grievance process. However, if a matter raises a serious personal conduct issue, it may need to be referred into this procedure.

3.0 Initial filtering

3.1 When a concern is raised, the Head of HR or the RFO should undertake an initial filtering stage, provided they are sufficiently independent of the matter. If neither is sufficiently independent, the Mayor may carry out this initial filtering role, or may arrange for an external HR or legal adviser to do so. The filtering role is limited to identifying the correct route; it is not a decision on whether the allegation is proved.

3.2 If the Mayor carries out the initial filtering role, the Mayor should not then sit as a member of the Governance, Policy & Personnel Committee when it considers the matter, should not take part in any later appeal, and should avoid any role that could compromise the independence of the process.

4.0 Referral to the Governance, Policy & Personnel Committee

The filtering stage should be documented carefully. If the matter is serious enough to require formal consideration, it should be referred to the Governance, Policy & Personnel Committee, acting as the Council's Investigating and Disciplinary Committee for this procedure.

4.1 Informal resolution

Formal disciplinary action should not be the first response if the matter can reasonably and safely be resolved informally. Informal resolution may include clarification of expectations, mediation, facilitated discussion, mentoring, or conciliation through the JNC Joint Secretaries. Any informal resolution should be clear about expected changes, timescales and how progress will be reviewed.

4.2 Referral to the Investigating and Disciplinary Committee

4.2.1 If the matter cannot be resolved informally and appears serious enough to require formal consideration, it should be referred to the Governance, Policy & Personnel Committee. For this procedure, that Committee acts as the Investigating and Disciplinary Committee. It should have clear delegated authority to consider the allegation, decide whether the threshold for investigation is met, appoint an Independent Investigator where required, consider suspension, hold any disciplinary hearing, impose action short of dismissal, or dismiss the Chief Executive.

4.2.2 The Committee should receive the allegation or issue, any initial supporting information, and any response from the Chief Executive. The Chief Executive must be told in writing what the concern is, provided with the evidence being considered, and given a fair opportunity to respond before the Committee decides whether further investigation is needed.

4.2.3 Any councillor who has carried out the initial filtering role, has been directly involved in the allegation, has advised on the case, or has otherwise formed a view on the merits of the matter should not sit on the Committee for that case. Substitute members should be used where necessary to maintain independence and political balance, as far as reasonably practicable.

4.3 Threshold test

4.3.1 The Committee should only appoint an Independent Investigator where both parts of the threshold test are met:

- If the conduct allegation were proved, it could lead to dismissal or to another formal disciplinary action that would be recorded on the Chief Executive's personal file.
- There is enough evidence in support of the conduct allegation to justify further investigation.

4.3.2 If the threshold test is not met, the Committee may decide that no further formal action is needed, that the matter should be dealt with informally, or that another Council procedure is more appropriate.

5.0 Suspension

5.1 Suspension is not automatic and should only be used where it is necessary. Before suspending the Chief Executive, the Committee should consider whether there are suitable alternatives, such as temporary working arrangements, restricted duties, or other measures to protect the investigation and the Council's interests.

5.2 Suspension may be appropriate where the allegation is potentially gross misconduct, where the Chief Executive's continued presence at work may compromise the investigation, or where there is a serious risk to the Council's functions, information, resources, reputation, or the health and safety of others. The Chief Executive should be told the reason for any proposed suspension and be given the opportunity to respond, unless there is an urgent and exceptional need to act immediately.

5.3 Any suspension should be on full pay, confirmed in writing, kept under review, and reviewed after two months and periodically after that. Suspension is not a disciplinary sanction and must not be treated as evidence of wrongdoing.

6.0 Appointment of an Independent Investigator

6.1 If the threshold test is met, the Governance, Policy & Personnel Committee should appoint an Independent Investigator. The Mayor may identify or help source a suitable Independent Investigator only if the Mayor has not carried out the initial filtering role and is otherwise independent of the matter. The appointment decision should remain with the Committee.

6.2 The Committee must agree clear terms of reference for the investigation. These should set out the conduct allegations to be investigated, the documents and witnesses likely to be relevant, the expected timescale, reporting arrangements, and the officer who will provide confidential administrative support.

7.0 Investigation and report

7.1 The Independent Investigator will investigate the conduct allegation, gather evidence, interview witnesses where appropriate, and prepare a report for the Committee. The report should set out whether the evidence supports the allegation and should recommend any disciplinary action, or range of actions, that appears appropriate.

7.2 The Chief Executive should receive the report at the same time as the Committee, unless there is a lawful and justified reason for withholding limited information. Confidentiality must be maintained throughout the process.

8.0 Committee hearing and decision

8.1 The Committee will consider the Independent Investigator's report and hold a hearing if disciplinary action is being considered. The Chief Executive must have the opportunity to state their case, be accompanied, make representations, and respond to the evidence before the Committee reaches a decision.

8.2 The Committee may decide to take no further action, recommend informal resolution or another procedure, refer the matter back for further investigation, impose disciplinary action

short of dismissal, or, following the statutory Independent Panel process (SCC would seek support from Wiltshire Council to form the Independent Panel), dismiss the Chief Executive. Any decision to dismiss will be subject to a right of appeal to Full Council.

9.0 Action short of dismissal

9.1 If the Committee decides to impose action short of dismissal, it must write to the Chief Executive explaining the decision, the reasons, any sanction imposed, the duration of any warning if applicable, and the right of appeal. Any appeal should be heard by a separate Appeals Committee or appeal panel whose members have not carried out the filtering role, sat on the Governance, Policy & Personnel Committee for the case, been involved in the investigation, or formed a prior view on the matter.

10.0 Dismissal and appeal to Full Council

10.1 If the Governance, Policy & Personnel Committee is considering dismissal, the matter must be referred to an Independent Panel before the Committee makes a final dismissal decision. The Independent Panel should be made up of independent persons and must be appointed at least 20 working days before the Committee meeting that considers whether to dismiss.

10.2 The Independent Panel will consider the Committee's proposed dismissal decision, the Independent Investigator's report, and any representations from the Chief Executive. The Panel will provide advice, views or recommendations to the Committee. It is not a full rehearing of the case.

10.3 The Committee must take into account the Independent Panel's advice, views or recommendations, the conclusions of the investigation, and any representations from the Chief Executive before deciding whether to dismiss. If the Committee decides to dismiss, the Chief Executive must be informed in writing of the reasons, the effective date of dismissal, and the right of appeal to Full Council. The Full Council appeal should be heard by councillors who have not taken part in the earlier filtering, investigation, Committee hearing, Independent Panel consideration, or dismissal decision, as far as reasonably practicable.

11.0 Confidentiality and communications

11.1 Because of the seniority and public profile of the Chief Executive role, confidentiality is essential. Councillors, officers and advisers must avoid public comment, informal discussion, social media comment, or Council motions that could prejudice the process. Communications should be carefully managed, factual, and limited to those who need to know.

12.0 Appeal hearing for a Head of Service

12.1 This section applies where a Head of Service appeals against a disciplinary outcome. It is separate from the Chief Executive disciplinary procedure.

13.0 Purpose of the appeal

13.1 The appeal is intended to review the disciplinary decision and decide whether it should be confirmed, overturned, or replaced with a lesser sanction. It is not normally a full rehearing, unless the appeal chair or panel decides that a rehearing is necessary to ensure fairness.

14.0 Who hears the appeal

14.1 The appeal should be heard by a person or panel with appropriate authority who has not previously been involved in the case. For a Head of Service, the Council should consider whether the appeal is heard by the Chief Executive, another suitably senior officer, or a member panel, depending on the Council's scheme of delegation and the seriousness of the sanction. HR will provide procedural advice.

14.2 If the original decision was made by the Chief Executive, the appeal should not be heard by the Chief Executive. In that situation, the Council should identify an appropriate member appeal panel or another properly delegated route that is independent of the original decision.

15.0 Submitting an appeal

15.1 The Head of Service must submit their appeal in writing within the timescale set out in the disciplinary outcome letter or the Council's Disciplinary Policy. The appeal should explain the grounds of appeal, for example that the decision was unreasonable, the sanction was too severe, there was a procedural flaw, relevant evidence was not considered, or new evidence has become available.

16.0 Preparing for the appeal hearing

16.1 HR should arrange the hearing, confirm the appeal chair or panel, provide the documents to be considered, and ensure both sides understand the process. The Head of Service should be given reasonable notice of the hearing and must be told of their right to be accompanied by a trade union representative or workplace colleague.

16.2 The hearing pack should normally include the investigation report, hearing papers, outcome letter, appeal letter, any relevant policies, and any new evidence that the appeal chair or panel agrees should be considered.

17.0 Appeal hearing process

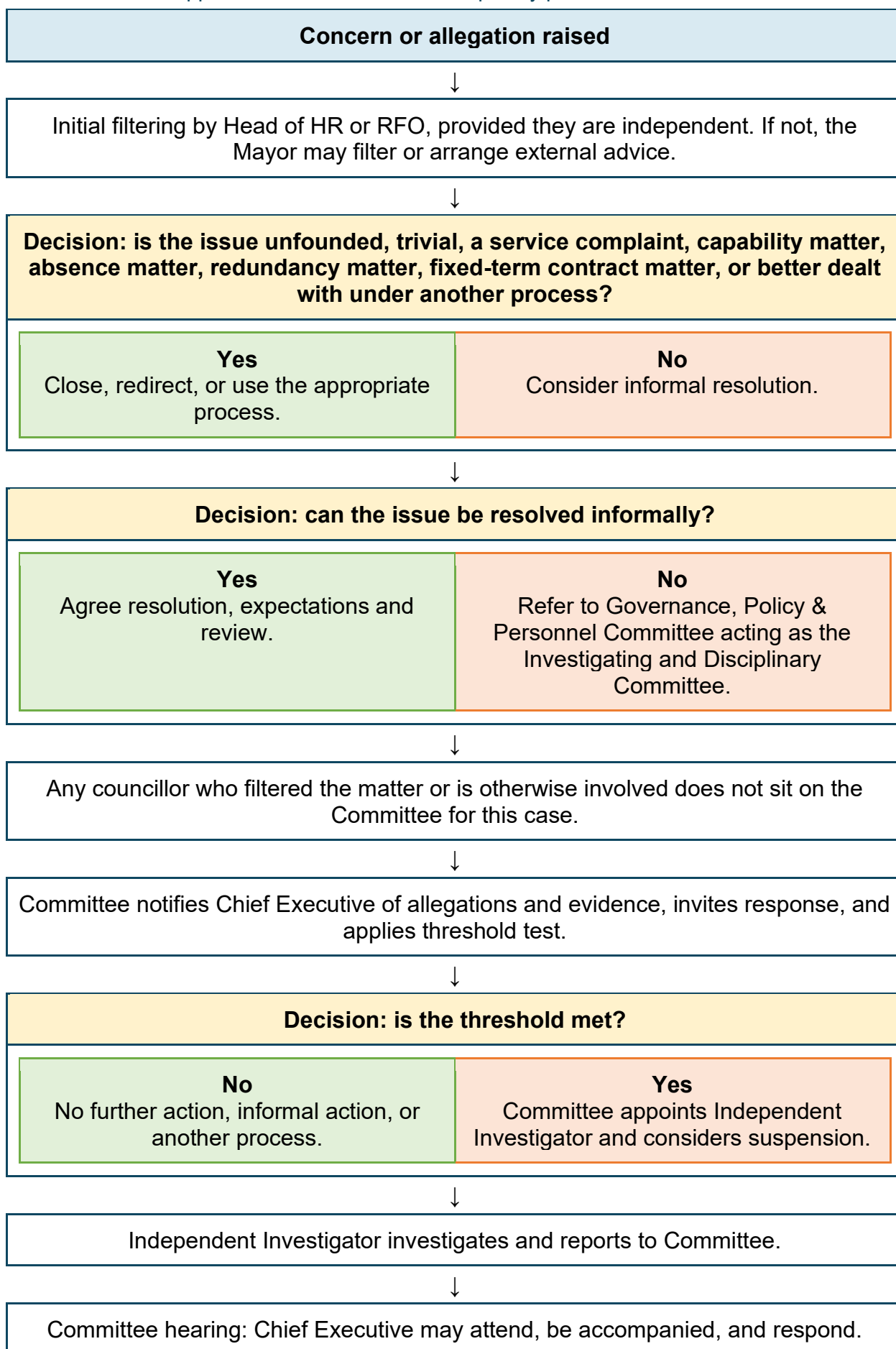
17.1 At the appeal hearing, the Head of Service should be invited to explain their grounds of appeal. The manager who made the original decision may be asked to explain the decision and the reasons for it. The appeal chair or panel may ask questions of both parties and may adjourn if further information is needed.

17.2 The appeal chair or panel should consider whether the original decision was reasonable, whether the procedure was fair, whether the sanction was proportionate, and whether any new evidence affects the outcome.

18 Appeal outcome

18.1 The appeal chair or panel may confirm the original decision, overturn the decision, reduce the sanction, or substitute another appropriate outcome. The appeal outcome should be confirmed in writing, with reasons, as soon as reasonably practicable. The appeal decision is final.

Appendix 1 Chief Executive disciplinary procedure flow chart





Committee decision No action, informal resolution, further investigation, action short of dismissal, or dismissal following the Independent Panel process.	
Action short of dismissal Confirm in writing and offer appeal to a separate Appeals Committee or appeal panel.	Dismissal Committee considers Independent Panel advice before deciding. If dismissed, confirm in writing and offer appeal to Full Council.

Grievance Procedure

Policy No.	Version	Owner	Date Published/ Reviewed	Review Due	Review Team
HR17	V2	HR	01 May 2018	01 May '19	OMG (65319)
HR17	V1	HR	01 October '11		
HR17	V2	HR	Feb 2020	Feb 2022	Renamed HR Sub committee to Personnel Committee
HR17			25/10/2023	25/10/24	Para 3.2 right to be accompanied at grievance hearing Added para 4 to clarify relationship with other procedures
HR17	V3	HHR	02/01/26	02/01/27	No legislative changes Replaced City Clerk with CEO Amended Personnel Committee to Policy, Governance and Personnel
		HHR	01/04/2026		Reviewed in line with changes to ERA 2025 clarification of how whistleblowing links with grievance procedure.

Distribution

Internal: All SCC Staff

External: Website/Councillors/Partners

1. Policy Statement

- 1.1. The Council recognises that individual employees or groups of employees may, from time to time, feel aggrieved about an aspect of their employment and accepts that each employee has the right to raise this grievance and to expect that management will consider it and respond.
- 1.2. The purpose of the accompanying procedure is to provide a framework for dealing promptly and fairly with such grievances. The aim is to resolve grievances as near as possible to their point of origin.
- 1.3. Matters appropriately dealt with under the Council's grievance procedure include all questions relating to the individual rights of employees in respect of their employment other than:
 - 1.3.1. Grievances that have already been considered in accordance with the procedure;
 - 1.3.2. Grievances arising from a disciplinary or capability process in which the employee is already involved and where there is an appeals procedure in place;
 - 1.3.3. Grievances in respect of issues over which the Council has no control. e.g. external legislation; and
 - 1.3.4. Grievances that are already the subject of a collective grievance or dispute.
- 1.4. The timescales shown in the accompanying procedure may be altered by mutual agreement.
- 1.5. Any disclosure concerning sexual harassment may qualify as a protected disclosure under the Council's Whistleblowing Policy. Nothing in this grievance procedure prevents an individual from raising a protected disclosure under the Council's Whistleblowing Policy. Where a concern may be in the public interest, or relates to sexual harassment that has happened, is happening or is likely to happen, the employee may choose to raise it under the Whistleblowing Policy, the Grievance Procedure, or both where appropriate. HR can advise on the most appropriate process, but this will not limit any statutory protection available to the individual.
- 1.5. Employees may raise a grievance about conduct by colleagues, managers, Councillors, contractors, volunteers, service users, partners, members of the public or any other third party where the matter is connected with their work or working environment.
- 1.6. Where a grievance includes allegations of bullying, harassment, sexual harassment, victimisation or discrimination, the Council will consider whether the matter should also be managed under the Dignity at Work Policy, Equality Policy, Whistleblowing Policy or another relevant procedure. The Council will take appropriate steps to prevent and respond to harassment, including sexual harassment and harassment by third parties, in line with its legal duties.

1.7. The nature and number of grievances raised in accordance with the accompanying procedure will be monitored annually by the Head of HR.

1.8. This policy and the accompanying procedure will be the subject of periodic review.

1.9. Responsibility for conducting this review will rest with the Head of HR.

2. Procedural Guidelines

2.1. Informal Resolution

2.2. Where an employee is aggrieved about any matter relating to their employment, they should raise the matter informally with their line manager as soon as possible and, other than in exceptional circumstances, within **twenty working days** of the incident or event. However, employees will be permitted to raise as part of a grievance a series of directly related incidents having a cumulative effect.

2.3. The line manager should consider and seek to resolve the grievance within ten working days. Whether or not this proves possible, the line manager should in every case inform the employee of the decision and, if appropriate, any action taken.

2.4. Employees may wish to seek the advice of a trade union representative or colleague prior to raising a grievance at this informal level.

2.5. As part of the informal resolution process, mediation may be offered where appropriate. Mediation is a voluntary and confidential process facilitated by an impartial third party to help both parties communicate effectively and reach a mutually acceptable solution. Employees are encouraged to consider mediation before progressing to the formal grievance procedure. Mediation will be arranged by the HR department, who will ensure that a suitably trained and impartial mediator is appointed. Mediation will not be used where it is inappropriate because of the seriousness of the allegations, a significant power imbalance, safeguarding concerns, or where the employee does not agree to participate

3. Formal Resolution

3.1. If the employee is not satisfied with the result of the informal process, they can take the matter up with the next line manager (referred to as lead manager), in writing, stating the nature of the grievance. This should be done within **ten working days**.

3.2. The lead manager will arrange a hearing with the employee to discuss the grievance as soon as possible and normally within **ten working days**. Employees will have the right to be accompanied by a fellow employee or trade union official to any grievance hearing. If the lead manager hearing the grievance determines that further investigation is required – having listened to

the employee's submission – the hearing will be adjourned for a period during which time an appropriate investigator will conduct any necessary research; including, if appropriate, liaising with other parties. The investigation will be concluded as soon as reasonably practicable.

3.3. It is not expected that other parties would attend the reconvened hearing. However, if it is determined by the lead manager that their contributions would facilitate consideration of the grievance they will be asked to make themselves available, in order that they may respond to any matters raised by the employee raising the grievance during the course of the hearing.

3.4. A formal written response to the grievance should be issued within 5 working days of either the initial or subsequent grievance hearing as appropriate.

4. Relationship with other procedures

4.1. Where a grievance overlaps with another Council policy or procedure, including disciplinary, performance management, whistleblowing, dignity at work, safeguarding, health and safety or data protection procedures, the Council will decide the most appropriate way to manage the matter. This may include pausing one process, dealing with issues together, separating issues, or considering the matter through an appeal process where this is fair and appropriate.

5. Appeal

5.1. If the employee is dissatisfied with the outcome of the grievance, there is a right of appeal to the Chief Executive Officer. The notice of appeal should be submitted in writing stating the full grounds for appeal, within **ten working days** of receipt of the formal written response issued by the lead manager. The Appeal Panel shall consider the appeal within **twenty working days** of receipt of the written appeal.

5.2. The appeal will be heard by a manager or panel who has not previously been involved in the matter, wherever reasonably practicable

5.3. There is no further right of appeal.

5.4. Should the lead manager have been the Chief Executive Officer during the formal resolution stage, the appeal will be heard by a panel of members from the Policy, Governance and Personnel Committee.

6. Grievances Relating to the Chief Executive Officer (Clerk)

6.1. If the grievance relates directly to the action or omission of the Chief Executive Officer, the grievance should be submitted in writing directly to the Chair of the Policy, Governance and Personnel committee who will investigate and respond to the grievance as outlined above.

6.2. If the grievance is being raised by the Chief Executive Officer on their own behalf, the grievance should be submitted in writing to the Chair of the Policy, Governance and Personnel Committee as above. If the grievance relates to

the action or omission of the Chair of the Policy, Governance and Personnel Committee then it should be directed to Chair of Full Council.

7. Representation

- 7.1. An individual raising a formal grievance may be accompanied throughout the process by a trade union representative or colleague of their choice and reasonable preparation for the hearing will be allowed.



Parental Leave Policy

Policy No.	Version	Author	Date Published/ Reviewed	Review Due	Review Team	Changes made:
HR25	1	KAB	May 13			
HR25	2	TA	02/08/2019	02/08/2020		Updated with change in upper age of child from 5 to 18 years
HR25			25/10/23	25/10/24	Worknest	No legislative changes needed
HR25	3	HHR	02/01/2026	02/01/27	HHR	No legislative changes needed
HR25	4	HHR	27/03/2026	27/03/2027	HHR	Amended for ERA i.e. day 1 right to unpaid parental leave.

Distribution

Internal: All SCC Staff

External (if requested): Website/Councillors/Partners

Communication:

Organisation meeting (to announce any amendments)

Highlight in Gilberts Gossip following amendments

Request Managers raise in Team Meetings

Email to SCC Distribution advising of policy reference number

Policy

The Council is committed to work/life balance policies and to its obligations under the ~~Employment Relations Act 1999 and the Parental Leave Directive 2013~~. The Council's aim is to enable parents more easily to balance their work and family responsibilities whilst taking account of the needs of Salisbury City Council as an employer and operating within its core values of fairness and equality.

This policy has been created to follow the Council's legal obligations and be appropriate and manageable within the limitations of being a small organisation.

It has been created in consultation with the Trade Unions and is supported by both management and those Trade Unions.

The policy applies to all Salisbury City Council employees.

What is Parental Leave?

The purpose of parental leave is to care for your child. This means looking after their welfare and could include making arrangements for the good of your child.

Caring for a child does not necessarily mean being with the child 24 hours a day. Parental leave might be taken simply to enable you to spend more time with your young child. Examples of the way parental leave might be used include:

- spending more time with your child in their early years
- time with your child during a stay in hospital
- allowing your family to spend more time together, for example, taking your child to stay with grandparents
- Straight after your maternity, paternity or adoption leave (provided you give the correct notice)
- Settling your child into new child care arrangements
- looking after the child at home
- taking the child for checkups or appointments (e.g. to the dentist or hospital)

1 Am I eligible and how much leave am I allowed?

Employees are eligible to request statutory unpaid parental leave from their first day of employment, provided they meet the statutory eligibility criteria. This means the employee must have, or expect to have, parental responsibility for the child, and the child must be under 18. The Council may ask for reasonable evidence of eligibility, such as a birth certificate, adoption certificate, parental responsibility agreement, parental order or other relevant documentation. ~~who have one year's continuous local government service.~~ Eligible parents are entitled to take up to *18 weeks' unpaid leave* for the purpose of caring for a child until the child is 18 years old.

You qualify if all of these apply:

- ~~• You have been in the Council for more than a year.~~
- You have or expect to have parental responsibility
- and the child is under 18 years

- You provide the Council with evidence of eligibility when requested

Requests for parental leave from others, not covered by the above definitions, will be considered on the merits of each individual case.

Requests from employees who do not meet the statutory eligibility criteria will not be treated as statutory parental leave. However, the Council may consider other forms of leave, such as annual leave, unpaid authorised leave, carer's leave, flexible working or time off for dependants, depending on the circumstances.

The 18 week entitlement is for each eligible child so, for example, where twins arrive, each parent would be entitled to up to 18 weeks leave for each child.

What is parental responsibility?

All mothers and most fathers* have legal rights and responsibilities as a parents - known as 'parental responsibility'

If you have parental responsibility, your most important roles are to:

- provide a home for the child
- protect and maintain the child

You're also responsible for:

- disciplining the child
- choosing and providing for the child's education
- agreeing to the child's medical treatment
- naming the child and agreeing to any change of name
- looking after the child's property

Fathers – Who has parental responsibility?

A mother automatically has parental responsibility for her child from birth. A father usually has parental responsibility if he is:

- married to the child's mother
- listed on the birth certificate (after a certain date, depending on which part of the UK the child was born in)

An unmarried father can only get legal responsibility for his child in 1 of 3 ways:

- jointly registering the birth of the child with the mother (from 1 December 2003)
- getting a parental responsibility agreement with the mother
- getting a parental responsibility order from a court

2 What if I don't qualify?

If you don't qualify for parental leave but need time off to care for your child you could:

- take paid holiday
- ask for unpaid time off
- ask about flexible working

If you are not eligible for statutory unpaid parental leave, you may wish to discuss other options with your manager or HR. Depending on the circumstances, these may include annual leave, unpaid authorised leave, flexible working, carer's leave or time off for dependants. Time off for dependants is intended for genuine emergencies and is separate from planned parental leave.

If there's a genuine emergency and you need to take time off at short notice the Council may let you take emergency leave.

All employees have a right to take a reasonable amount of *unpaid time* off to deal with certain emergencies involving people they care for. This is known as time off for dependants, and applies regardless of how long you have been working for your employer or whether you have child or adult care responsibilities.

3 How is Parental Leave allocated?

Full-time employees will be allocated 18 working weeks. Part-time employees will be allocated days based on the employee's average working day (hours worked per week divided by five) and the Parental Leave entitlement will be converted to hours for ease of operation. If the working pattern varies from week to week a twelve week average will be used.

Full-time employees are entitled to up to 18 weeks' unpaid parental leave for each eligible child. For part-time employees, a week means the length of time the employee normally works in a week. Where necessary, the entitlement may be recorded in hours for administrative purposes, based on the employee's normal working pattern. If the working pattern varies, a 12 week average will be used.

4 How can Leave be taken?

Parental Leave may be taken in multiples of one week. If you have a child with a disability who is entitled to disability benefits, you will be able to take leave in blocks of one day rather than one week.

A 'week' equals the length of time an employee normally works in a week

If an employee's hours change during their period of entitlement to Parental Leave then the entitlement will be recalculated for the remaining period.

Apart from in relation to a disabled child, part weeks count as a week, so if a full time employee takes 3 days parental leave and then returns to work, one week from the 18 weeks has been taken.

Carrying leave over from a previous job:

Parental leave applies to each child not to an individual's job
For example, if a new employee is entitled to 18 weeks and has used 10 with a previous employer, then they are entitled to 8 weeks with the Council.

5 Limits

There shall be a limit of *four* weeks Parental Leave in any year in relation to each child until the child is 18, beginning on the date upon which the employee becomes entitled to the leave. This will either be the date of the child's birth or the date of adoption.

Leave may be taken in accordance with statutory limits in force at the time of request.

6 How much notice do I have to give?

Employees must give their line manager at least *21 calendar days' notice* of their wish to take such leave. This must include the dates when the leave will begin and end. A shorter notice period may be accepted if the line manager is satisfied that the leave will not cause operational difficulties.

Where parental leave is requested straight after a child is born or placed with them for adoption, 21 days' notice of the expected week of childbirth or the expected week of adoption must be given.

7 Can my request be postponed or refused?

The Council may postpone requested Parental Leave (except where the leave is to be taken immediately after the child is born or has been placed for adoption) for up to six months on grounds of operational requirements, e.g.:

- where more time is needed to make arrangements for covering the employee's work
- where there is a peak in the workload
- where the particular employee's skills are needed at a specific time and the work cannot be easily covered.

Postponement will not be used in a way that prevents the employee from exercising their statutory entitlement.

Requests for Parental Leave will not, however, be unreasonably refused.

Where there are conflicting needs, the manager and the employee requesting the leave should try to resolve these via discussion and agreement. The outcome of those discussions will be confirmed by the Line Manager within seven calendar days of the request for leave confirming the reasons for postponement; and the period of rescheduled leave using the parental leave request form.

8 Procedure

Employees claiming parental leave for the first time should present to HR:

- the child's birth certificate or
- the appropriate adoption documentation including the child's birth certificate or
- other relevant proof of parental responsibility, and the child's birth certificate.
- the award of disability living allowance or Personal Independence Payment (PIP) for a child with disability

Eligibility should be confirmed by an entry on the Parental Leave Card, (see appendix 2) so that the above proof is not required for subsequent requests for parental leave.

Employees should submit a leave request to their line manager on the Parental Leave Request Form. This form allows the line manager to agree in principle to the request. If the manager feels unable to agree to the request, he/she must discuss the situation with the employee and agree a suitable alternative. No request should be refused unreasonably, and if refusal and postponement is necessary a note of the details of the request and reasons for the postponement must be completed on the form by the line manager within seven calendar days. The form must subsequently be kept by HR on the employee's personal file.

Employees should submit a request for parental leave to their line manager, copied to HR, giving the required notice and confirming the proposed start and end dates. Managers will record parental leave taken for each child and retain any eligibility evidence in accordance with the Council's data protection requirements using the PeopleHR system. Managers will notify payroll using the employee change form where pay deductions are needed.

- Managers must discuss the request with the employee if there are operational concerns. Where leave is approved, the manager must confirm the authorised dates and ensure the absence is recorded accurately on PeopleHR (PHR).
- In the event of a postponement being necessary the manager must confirm the reason for the postponement, the proposed alternative dates and the employees' right to raise concerns under the Council's grievance policy. ~~a second Parental Leave Request Form should be submitted.~~ If it has proved impossible to reach agreement via discussion and mutual compromise, at this stage the employee may invoke an appeal under the grievance procedure.
- Before taking Parental Leave, staff must receive confirmation ~~from their manager of authorisation on the Parental Leave Request Form.~~
- A running total should be recorded by HR until the child reaches the upper age limit ~~(usually the age of eight) on the Parental Leave Card, which should be lodged with HR.~~ It is important that accurate records are kept, so that any changes in employment may take account of Parental Leave taken to that date.
- ~~HR will forward the authorised Parental leave Request Form to the Finance Officer as soon as practicable so that salary adjustments may be made.~~
- Where parental leave is requested for the first time, in relation to a child, the employee may be asked to provide reasonable evidence of eligibility such as birth certificate, adoption documentation or other relevant documentation.

9 Rights of Employees during Parental Leave

~~Employees' contracts of employment will continue with all contractual rights maintained during parental leave, except for remuneration. Both employee and the Council will be bound by the duty of good faith and confidentiality. On return to work an employee has a right to the same job.~~

The contract of employment continues during parental leave. Employees continue to benefit from their statutory and contractual rights, except for pay and any benefits that are expressly linked to remuneration or attendance at work. Both the employee and the Council remain bound by duties of good faith and confidentiality. Employees returning from parental leave have the right to return to the same job, subject to the statutory rules in force at the time.

10 What happens to my Occupational Pension Contributions?

~~You have the option to continue to pay pension contributions during periods of parental leave so that the period of absence will count in full for pension purposes. The contributions will be calculated on the rate of pay that the employee was receiving immediately before commencing parental leave.~~

Parental leave is unpaid and may affect pension contributions and pension build-up.

For LGPS purposes, statutory unpaid parental leave under this policy is normally treated as authorised unpaid absence rather than relevant child-related leave, so Assumed Pensionable Pay will not usually apply.

For authorised unpaid absence starting on or after 1 April 2026, if the absence is 14 calendar days or fewer, it will normally remain pensionable, with employee and employer contributions based on the pay lost during the absence.

If the authorised unpaid absence is more than 14 calendar days, the employee may be able to buy back lost pension through a Qualifying Additional Pension Arrangement, subject to LGPS rules. Employees normally have one year from returning to work to apply, and this option is only available while they remain an active member of the LGPS in the same employment.

Employees are encouraged to seek guidance from Payroll or Wiltshire Pension Fund before taking parental leave so they understand the pension implications and any action they may need to take.

11 Communication

~~If requested by the employee the council will remain in contact with them while they are taking Parental Leave by keeping them on circulation lists at their home (or other) address, inviting them to work related social events and keeping them informed of training opportunities. This is the responsibility of the Line Manager of the employee taking Parental Leave.~~

If requested by the employee, the Council will maintain reasonable contact during parental leave. This may include keeping the employee informed about relevant workplace updates, training opportunities and work-related events. The level and method of contact should be agreed between the employee and their line manager.

12 Misuse of Parental Leave Scheme

Any misuse of the scheme will be dealt with under the Council's Disciplinary procedure. The following are examples of misuse, are not exhaustive and may constitute gross misconduct:

- taking leave for purposes other than for caring for the eligible child.
- making a false statement as to entitlement to parental leave.

13 Review of the Parental Leave Procedure

From time to time this procedure will be jointly reviewed with the Council's recognised Trades Unions in the light of experience, good employment relations practice and developments in employment law. The aim is to ensure its continuing relevance and effectiveness.

**Salisbury City Council
Parental Leave Request Form**

Name of Employee:
Details of employee's child
Name of child:
Date of birth:
If child is not yet born, expected week of birth:
Is your child in receipt of disability benefits?
I request parental leave as follows:
From: (date) _____ to: (date) _____ inclusive
Total number of working days/hours –
How much parental leave have you taken before in relation to this child?
Employee declaration:
I can confirm that I am taking parental leave in order to care for my child. I understand and agree that:
I must have at least one year's continuous service at the date parental leave is to begin
I must give 21 days' notice of my request to take parental leave
Parental leave is taken in blocks of one week except where the child is in receipt of disability benefits, in which case can be taken in blocks of 1 day
Except in the case of a disabled child, where a day's parental leave is requested, a full week will be deducted from my entitlement
The Council may postpone a period of parental leave requested for up to 6 months, except where the request falls during the expected week of birth/placement for adoption or immediately following the birth or adoption
The council may contact my former employer to ascertain length of parental leave taken

Parental leave is unpaid Employee's signature: _____ Please pass this form to your Line Manager
(Line Manager to complete) Date request received _____ I agree/am unable to agree* to this request (*please delete as applicable) If you are unable to agree to the request please give reasons: _____ Date employee informed (letter attached): _____ If postponed, new start date of leave is: _____ Amount of parental leave remaining in relation to this child: _____ Line Manager's signature: _____ Date: _____ Please pass this form back to the employee
Instructions for Manager Please pass this form to HR for processing and give a copy to the employee
For HR use only Parental Leave Record updated on personal file and form passed to Payroll for action HR Signature: _____ Date: _____
For Payroll use only Deduction of £ _____ made from salary Payroll Signature: _____ Date: _____

The information you provide on this form will be stored on the Council's HR filing system and passed to payroll for processing.

Appendix 2

**Salisbury City Council
Parental Leave**

(for each eligible child)

This form is to be retained by HR on the employee's personal file

Name of Employee:-

Name of Child:-

Date of Birth or Eligibility (see Parental Leave Policy) :-

Date of Commencement of Parental Leave (if different) :-

Date of End of Parental Leave Entitlement:-

Proof of parental responsibility:

☐ Birth Certificate

☐ Adoption Documentation

☐ Other Proof of Parental Responsibility (please specify)

I declare I have seen the above documentation and verified eligibility of entitlement (Please tick as applicable):

HR Signature

Date

Total Parental Leave Entitlement : _____
(number of days/hours)

[illegible]

Appendix 3

Letter accepting parental leave request

[Insert name]

[Insert address]

[Insert date]

Dear *[insert name]*,

Thank you for your application for parental leave which I received on *[insert date]*, in which you requested *[insert length of leave requested]* of parental leave.

I am pleased to confirm that we are able to grant the period of leave you have requested. The leave will commence on *[insert date]* and you are expected to return to work on *[insert date]*.

[Select from the following paragraphs and delete as appropriate]

As we have discussed, you will not be paid during this period of parental leave.

(OR)

As we have discussed, you will receive *[insert payment arrangements]* during this period of parental leave.

You have a total amount of 18 weeks' parental leave to take in relation to each child you have until they are 18 years old., capped at four weeks of parental leave per 12 month period per child.

Taking into consideration this period of leave, you now have a total of *[insert amount]* of parental leave remaining in relation to this child. You now have *[insert amount]* of parental leave left to take in the 12 month period from *[insert date]* to *[insert date]* in relation to this child.

If you have any questions about the contents of this letter, or about parental leave in general, please do not hesitate to contact me.

Yours sincerely,

Appendix 4

Example letter declining parental leave request

Letter declining parental leave request

[Insert name]

[Insert address]

[Insert date]

Dear *[insert name]*,

Thank you for your application for parental leave which I received on *[insert date]*, in which you requested *[insert length of leave requested]* of parental leave.

I must inform you that we are unable to grant your request. There are certain eligibility requirements attached to taking parental leave and unfortunately you are not eligible because:

[Select from the following paragraphs and delete as appropriate]

You must have worked for the Company for a minimum of one year counted back from the start of the period of parental leave requested. As you requested that parental leave start on *[insert date]*, you would only have *[insert amount]* of service at that point.

[OR]

You are entitled to take a total of 18 weeks' parental leave in relation to each child and you have already exhausted your entitlement in relation to this child.

~~(OR)~~

You are entitled to take four weeks' parental leave per 12 month period in relation to each child and you have already exhausted your entitlement in relation to this child for the 12 month period from *[insert date]* to *[insert date]*.

~~(OR)~~

We require a minimum of 21 days' notice of the start date of parental leave and you did not give enough notice.

~~(OR)~~

We require evidence from you that you have, or expect to have, responsibility for the upbringing of the child and you have not provided this.

~~(OR)~~

Your child is aged 18 or over and parental leave may only be taken in relation to a child who is under the age of 18.

If you have any questions about the contents of this letter please do not hesitate to contact me.

Yours sincerely,

Appendix 5

Example letter postponing parental leave

Dear *[insert name]*,

Further to our meeting regarding your parental leave application, I am writing to confirm the arrangements discussed at the meeting.

You had made an application, received on *[insert date]*, to take parental leave from *[insert date]* to *[insert date]*. I informed you at our meeting that we are unable to grant leave at that time because of *[insert details]*.

I explained that, in this circumstances, we are able to postpone the leave for a period not longer than six months from the original start date requested. We were able to reach an agreement during the meeting to postpone your leave which is now to be taken from *[insert date]* to *[insert date]*.

As we have discussed, you will not be paid during this period of parental leave.

(OR)

As we have discussed, you will receive *[insert payment arrangements]* during this period of parental leave.

You have a total amount of 18 weeks' parental leave to take in relation to each child you have until they are 18 years old, capped at four weeks of parental leave per 12 month period per child.

Taking into consideration this period of leave, you now have a total of *[insert amount]* of parental leave remaining in relation to this child. You now have *[insert amount]* of parental leave left to take in the 12 month period from *[insert date]* to *[insert date]* in relation to this child.

Commented [TA1]: Removed cap

Commented [TA2]: Removed cap4

If you have any questions about the contents of this letter, or about parental leave in general, please do not hesitate to contact me.

Yours sincerely,



Paternity Leave

Policy No.	Version	Date Published/ Reviewed	Review Due	Review Team	Changes made:
HR126	2	Jan 2015	Jan 2018	HR/EMT	Updated to reflect new legislation and end of Additional Pat Leave
HR126	2	25/10/23	25/10/24	Worknest	No legislative changes needed
HR126	3	19/4/2024	19/04/2025	Head HR	Rewrote policy as old terminology used – all conditions remain same. Updated to cover statutory changes Included entitlement to pay for 2 appointments
HR126	4	02/01/26	02/01/27	HHR	No legislative changes
<u>HR126</u>	<u>5</u>	<u>01/04/26</u>	<u>01/04/27</u>	<u>HHR</u>	<u>Reflect changes under ERA 2025</u> which are day 1 right to statutory paternity leave (pay still requires 26 weeks service for 2 nd week).

1. Introduction

- 1.1. Salisbury City Council recognise that becoming a parent is a time of great change. This policy details how we will support people who wish to take paternity leave and what they will be paid during this time.

2. Who can take paternity leave

- 2.1. You must be an employee of the Council to take paternity leave
- 2.2. Anyone classed as a worker is not entitled to paternity leave, but they can take time off. They might be entitled to statutory paternity pay.
- 2.3. To be eligible the employee must have or expect to have responsibility for bringing up the child. This means they must be
 - 2.3.1. The child's father
 - 2.3.2. Married to, the civil partner or partner of the mother or birth parent – this includes same-sex partners
- 2.4. If an employee is separated from their partner but has ongoing parental responsibility for their child, they can still get statutory paternity leave and pay.
- 2.5. This policy covers statutory paternity leave for adoption.
- ~~2.6. To be entitled to take statutory paternity pay you must have been employed by Salisbury City Council for 26 weeks. However those with less than 26 weeks, as a non-contractual right are offered 1 weeks leave and full pay and 1 weeks unpaid leave (see paragraph 7.5)~~
- 2.7. Employees are eligible to take statutory paternity leave from their first day of employment, provided they meet the other eligibility and notice requirements. Statutory paternity pay is separate from the right to take leave and remains subject to the statutory service and earnings requirements.

3. Your leave entitlement

- 3.1. Employees entitled to take paternity leave are entitled to two weeks of leave, which can be taken as either:
 - 3.1.1. 2 weeks together
 - 3.1.2. 2 separate blocks of 1 week
- 3.2. Employees will still build up usual holiday entitlement during statutory paternity leave.
- 3.3. Employees cannot take holiday while on statutory paternity leave, but you can agree with your manager to take it before or after. Managers to confirm what has been agreed in HR records.
- 3.4. Other policies to review, alongside paternity leave are Shared Parental leave and Parental Leave

4. What you should do

- 4.1. There are a number of administrative requirements that must be met in relation to taking paternity leave and employees should discuss their plans with their line manager at as early a stage as possible.
- 4.2. The following paragraphs set out the basic requirements, but there are additional requirements that must be met when adopting a child from overseas and employees in this position should talk to their manager who will make sure that full information is provided.
- 4.3. To take statutory paternity leave an employee must tell their manager:
 - 4.3.1. They're having a baby
 - 4.3.2. They're planning to take paternity leave
 - 4.3.3. The expected week of childbirth
 - 4.3.4. This information must be provided to the line manager before the end of the 'qualifying week'. This can be by letter or using form SC3 [Paternity leave notification form](#)
- 4.4. To work out the qualifying week, use a calendar to count back 15 weeks from the week the baby is due. The qualifying week starts on a Sunday and ends on a Saturday.

5. Example:

6. Alex's baby is due on 1 May 2024. The qualifying week starts on Sunday 14 January 2024 and ends on Saturday 20 January 2024. Alex must give their employer the relevant information before Saturday 20 January 2024

7. Information to provide at least 28 days before starting leave

- 7.1. In order to qualify for paternity leave with regards to birth you must tell your line manager at least 15 weeks before the expected week of your child's birth and give at least 28 days notice before the date you would like to take the leave of each period of leave.
- 7.2. You should use SC3 form [Paternity leave notification form](#) and ensure the dates of paternity leave are completed.
- 7.3. If the statutory paternity leave is due to adoption you must give notice within 7 days of being notified by the approved adoption agency that you have been matched with a child.
- 7.4. You should use form SC4 [Statutory paternity pay/leave for adoptive parents](#)

7.5. Your notification should specify how much leave you intend to take and when you intend the leave to begin. Should your plans change, you must give 28 days notice of the change.

7.6. Your line manager must forward the form, confirming dates to payroll.

7.7. When you can take paternity leave

7.8. Paternity leave cannot start before a child is born or placed and must be taken at some stage within the first year following birth or adoption (except when the child is born prematurely in which case the leave must be taken within the 52 weeks following the expected week of childbirth).

7.9. Most new parents choose to begin paternity leave on the date their child is born, but you may if you wish begin the leave at any time you choose provided that the whole of the leave is taken by the end of that year.

8. Statutory Paternity Pay

8.1. Statutory paternity pay may be payable during paternity leave if the employee meets the statutory eligibility criteria. To qualify, the employee must have at least 26 weeks' continuous employment ending with the qualifying week, still be employed by the Council up to the date of birth or placement, earn at least the lower earnings limit set by the Government, and have given the correct notice. Statutory paternity pay is paid at the statutory rate set by the Government each tax year, or 90% of average weekly earnings if lower.

9. How the Council respond to your request

9.1. Once the SC3 form has been received and agreed with your manager, this is sent to payroll.

9.2. Payroll will notify the employee of the pay for the period, following receipt of the SC3.

~~9.3. The Council paternity pay is as follows:~~

~~9.4. Those with more than 26 weeks continuous service at SCC at the 15th week before the qualifying week (see paragraph 4.4 for how to determine this)~~

~~9.4.1. 1 week normal pay~~

~~9.4.2. 1 week statutory paternity pay~~

9.5. The Council provides occupational paternity pay as an enhancement to the statutory entitlement. Any statutory paternity pay due is included within the amounts set out below and will not be paid in addition to them.

9.6. Employees who qualify for statutory paternity pay will receive:

9.6.1. 1 week normal pay

9.6.2. 1 week statutory paternity pay

9.7. Employees who are eligible for statutory paternity leave but do not qualify for statutory paternity pay because they do not meet the statutory service or earnings requirements will receive:

9.7.1. 1 week normal pay

9.7.2. 1 week unpaid leave

~~9.8. Those with less than 26 weeks continuous service at SCC at the 15th week before the qualifying week (see paragraph 4.4 for how to determine this)~~

~~9.8.1. 1 week normal pay~~

~~9.8.2. 1 week leave unpaid~~

9.9. Paternity pay is subject to change every year. You can check the most up-to-date figure with payroll.

10. Changing the start date

10.1. If the employee wants to change the date they start paternity leave, they must usually give the employer 28 days' notice. This could be in a letter or email.

10.2. In some circumstances it may not be possible for the employee to give 28 days' notice of the change, for example if the baby is born early or late.

11. If a baby is born early or sick

11.1. An employee might need to change the date they start paternity leave if their baby:

11.1.1. is born early

11.1.2. is born prematurely – more than 3 weeks before the date they were expected to be born (before 37 weeks)

11.1.3. needs to stay in hospital for a time after birth

11.2. For example, they might decide to start it once their baby is home from hospital.

11.3. They will need to tell their employer the new date they're starting paternity leave.

11.4. The employer should be supportive of any difficult circumstances. They could allow for someone other than the employee to tell them, such as the employee's friend or family member.

11.5. The employee does not have to give the employer any formal evidence of the date of birth.

12. If the baby is born late

12.1. If the baby is born late, the employee must tell their employer the new date they're starting their paternity leave as soon as they can.

12.2. If the employee wants to take time off before the birth, they could agree with their employer to take another type of leave, for example holiday.

13. If there is a stillbirth or death of a baby after birth

14. If a baby is stillborn after 24 weeks of pregnancy, or is born alive at any point and later dies, the employee may still be entitled to paternity leave and, where eligible, statutory paternity pay. The employee may also be eligible for parental bereavement leave and pay. Please refer to the Parental Bereavement Leave Policy.

15. Time off for appointments

15.1. An employee, who will be taking statutory paternity leave can take time off work to attend 2 ante-natal or adoption appointments.

15.2. These can include pregnancy appointments with a surrogate.

15.3. The employee can take up to 6.5 hours for each appointment, this time includes travel to and from appointment.

15.4. These 2 appointments will be full pay.

16. Bereaved Partners Paternity Leave

16.1. Bereaved Partner's Paternity Leave is a separate day-one statutory right for eligible employees where the child's mother, primary adopter or intended parent dies within the first year of the child's life or adoption placement. Eligible employees may be able to take up to 52 weeks' unpaid leave. Please refer to the Bereaved Partner's Paternity Leave Policy.



Probation Policy

Policy No.	Version	Author	Doc No.	PDF No.	Date Published/ Reviewed	Review Due	Review Team	Changes made:
HR29	1	KAB	22799	35946	01/11	01/15	HR	None
HR29	1	KAB	22799	61047	01/15	01/18	HR/EMT	
HR29	1	TA	71244	76402	27/11/2019	11/2020	HR	Amended Para 3.3 using same protected characteristics as Equality Act
HR29					25/10/23	25/10/24	Worknest	No legislative changes needed
HR29					01/01/2026	01/01/27	Head of HR	No legislative changes needed

Distribution

Internal: All SCC Staff

External (if requested): Website/Councillors/Partners

1. Introduction

- 1.1. Salisbury City Council recognises the need for all new employees to undergo a period of planned induction, training and integration into the workforce. This will enable employees to feel valued; to gain an appropriate insight in to the workings of the Council and into the role they are expected to play in order to make an effective contribution to the provision of quality services.
- 1.2. The Council, therefore, requires that all new employees to Salisbury City Council serve a probationary period.

2. Scope of the Policy

- 2.1. This policy will apply to all new employees of Salisbury City Council and to existing employees who are appointed to a new role within the Council. This policy does not apply to casual workers. Casual workers who transfer to a temporary or permanent position will, however, be required to complete a probationary period at that point.

3. Guiding Principles

- 3.1. The procedure is supported by both trade unions and management.
- 3.2. The procedure has been designed to deal consistently and fairly with probation issues and to ensure that matters are dealt with without undue delay.
- 3.3. The procedure will be applied in a non-discriminatory way, irrespective of an employee's age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- 3.4. Senior Management or the HR Manager should be contacted at the earliest opportunity for advice and guidance where a manager believes that an employee may not be able to meet the standards required.

4. Probation Procedure – New Employees

- 4.1. The new employee's statement of terms and conditions will state that the appointment is subject to satisfactory completion of a probation period of **4 months** ~~26 weeks~~.
- 4.2. As part of the induction, the probationary procedure will be explained to new employees as to how, when and why their progress will be monitored.
- 4.3. The employee should be told by their manager about the key functions of their job and that their performance and suitability for the post will be measured, by way of a review at ~~12 weeks and 24 weeks~~ **8 weeks and**

14-15 weeks, the probationary period should still be regarded as a period of continuous review.

- 4.4. The probationary period, however, should be regarded as a period of continuous review.

5. 1:1 Meetings

- 5.1. The Line Manager must ensure that they meet with new employees regularly during the probationary period to make sure that they are aware of their specific objectives and that they receive the training necessary for them to do their job (1:1 Meetings).
- 5.2. Managers should complete the 1:1 Record form with the employee (Appendix A). Once Completed, employees should be provided with reasonable facilities, supervision and encouragement to help them reach the standard required.
- 5.3. During the first few weeks of employment, dates must be agreed between the Line Manager and the new employee for the probation reviews. A formal review should take place around the 12-8 week stage with a final review around the 24 14-15 week stage to allow time for notice to be given, if required. The scheduling of other 1:1 meetings, are at the discretion of the manager.
- 5.4. Line Managers will continually review a probationary employee's performance and should problems arise, reviews should be held more frequently than the set periods shown. Where there is any doubt about an employee's suitability, the matter must be raised immediately, so that the employee has ample opportunity to improve.

6. 12 and 24 Week programmed Reviews 8 week and final probation reviews

- 6.1. The 12 and 24 week 8 week and final probation reviews must cover the Council's key competencies set out in Appendix B (DOC 32775) as well as attitude to work, time keeping, attendance record and any other work related issues.
- 6.2. The standards required must be realistic and must include the employee's objectives. The standards must be measurable in respect of quality, time, quantity and cost.
- 6.3. Reviews must take place in private and must be free from interruptions. They must be treated as confidential.

- 6.4. The review dates are set so the new employee can prepare for the review by thinking about his/her performance and any questions that he/she may want to raise.
- 6.5. Line Managers must make sure that they have clearly defined the points which they wish to raise and that these can be substantiated with examples, where appropriate, as this may be used as part of an appeal.
- 6.6. Both strengths and weaknesses should be discussed.
- 6.7. At the 12 8 week review, a summary of the main points of the discussion must be entered on the Probationary Review Form (see Appendix B). Any items for action, either by the employee or the Line Manager, must be recorded.
- 6.8. Both the Line Manager and the employee must sign the review form. The employee does not necessarily have to agree with the Line Manager's comments, but they should sign their form to say they he/she has seen it. New employees are given the opportunity to enter their own comments in the space provided on the review form.
- 6.9. At the end of the review meeting a copy of the review form must be uploaded to PeopleHR.
- 6.10. At the final review, ~~i.e. the 24 week review~~, if the employee's performance is satisfactory in every way, their employment should be confirmed in writing.
- 6.11. Then subject to this satisfactory service being confirmed, the employee's salary will rise within the above scale by increments up to the maximum of the scale. Unless the employee is already at the maximum of their pay scale, their first increment will be paid on the next 1st April OR 6 months after their start date, whichever is later.
- 6.12. If at any time during the probationary period it is clear that the employee is not meeting the level of performance required, a formal review meeting should be arranged.

7. Formal Review Meeting

- 7.1. When an employee is not meeting the level of performance required, the employee should be told and an explanation must be given, using examples of the area(s) of concern. In this case, a formal review meeting should be held.
- 7.2. **If a scheduled review is due in the near future this may be changed to a formal review meeting. Prompt action must be taken, however, to advise the employee about work which is not meeting the required standards or about unsuitability in any respect, so in most cases, a**

separate meeting should be held. A trade union representative or work place colleague can accompany the employee at the meeting.

- 7.3. At this meeting the employee should be advised of their shortcomings and be set objectives and targets for improvement. Ideally these should be agreed with the employee, but if this is not possible then the manager will impose them. A time scale, offer of support and if appropriate, training to allow for improvement and to enable the employee to meet the standard required should be arranged.**
- 7.4. The consequences of not meeting the necessary level of work performance must be explained to the employee.**
- 7.5. Where further instruction/training is needed, the Line Manager must arrange this as quickly as possible.**
- 7.6. A further formal meeting should be arranged at the end of the agreed period by the manager to feedback on any progress and inform the employee of his/her decision. A trade union representative or work place colleague can accompany the employee at the meeting.**
- 7.7. The outcomes are as follows:
 - 7.7.1. The standard of performance has been achieved and maintained; therefore, the employee will continue on their probationary period until the **24 week final review** stage and is confirmed in post.
 - 7.7.2. The standard of performance has not been achieved and it is necessary to dismiss the employee.
- 7.8. If at this stage the new employee has not reached and is clearly not going to meet the standard needed, they must be told this and given formal notice (one week during probationary period) of the termination of his/her employment. The employee should be advised of their right of appeal.
- 7.9. Where, following a review at an earlier stage, it is clear that an employee will not be able to reach the standard required even after further instruction and/or training, then their employment may be terminated earlier than at the 24 week review.

8. Extending the probationary period

- 8.1. On rare occasions it may be necessary to extend a new employee's probationary period. This should only be done in exceptional circumstances, e.g., where a significant period of absence from work occurred and it has, therefore, not been possible to review performance.

- 8.2. If after careful consideration and consultation with the HR Manager, the Line Manager considers it appropriate, the probationary period can be extended for up to a maximum of three months.
- 8.3. ~~If the probation period is interrupted by maternity, adoption or other extended period of leave, it should be extended by an equivalent amount to ensure completion of full 26 weeks probation; this is to enable a fair assessment to be made.~~
- 8.4. If the probation period is interrupted by maternity, adoption or another extended period of leave, it should be extended by an equivalent amount to ensure completion of the full four-month probation period; this is to enable a fair assessment to be made
- 8.5. In all cases where probation is extended the following must be discussed between the manager and employee and confirmed in writing:
- 8.5.1. The reasons for the extension
 - 8.5.2. Any assistance/ training that will be given in the extension period
 - 8.5.3. The period of the extension, the performance standards expected and the way in which performance will be monitored
 - 8.5.4. That if performance fails to meet expectations at the end of the period of extension, employment will be terminated.

9. Link with Disciplinary and Capability Procedures

- 9.1. The procedure outlined above related to the suitability of a probationary employee. This includes general conduct and capability, therefore, SCC's Disciplinary and Capability procedures only apply to staff who have successfully completed their probationary period.

10. Temporary Staff

- 10.1. Temporary staff are required to serve a probationary period in a temporary post as follows:

Length of temporary contract:	Probation to be served	Transferred to different post on permanent basis during probationary period	Transferred to same or similar post on permanent basis during probationary period

Less than 3 months	No formal probation period but performance should still be monitored	26-week probation should be served in new post	26-week probation should be served in post
3 months or more	Probation should normally apply for the length of the contract, up to a maximum of four months		
Transfer to a different permanent post	If more than 4 months service there is not normally a new formal probation period, however performance should be monitored and discussed with the individual. Please liaise with HR at the earliest opportunity.		
Transfer to the same or similar permanent post	Previous service and performance should be taken into account; the original probation period may continue if service is continuous		
More than 18 weeks and up to 26 weeks	Probation should be length of contract	26-week probation should be served in new post	Original probation period should continue*
26 weeks or more	26 weeks	A further 26-week probation should be served in new post	Original probation period should continue*

10.2. If an employee is serving a probationary period and transfers to a different Line Manager and the posts are the same or similar, details of the employee's performance up until the date of transfer, should be passed to the new manager.

10.3. If they have already served the full probationary period in a temporary post, they do not need to serve a second probationary period when appointed to a permanent post, provided that the service is continuous. The procedure for employees transferring to another post will apply.

10.4. It is essential, therefore, that managers follow this procedure for temporary staff and do not offer permanent posts to unsatisfactory temporary staff.

11. Right of Appeal

11.1. Where a probationary employee is dismissed as result of unsuitability under this procedure, he/she will have a right of appeal against the

decision. The Appeal will be arranged in accordance with the Council's appeals procedure.

11.2. Any appeal must be made in writing, to the Line Manager within five working days of the date of the letter confirming the decision. Such an appeal will not delay the date of the dismissal.

12. Supported period of employment for an employee who transfers to another post within the organisation

12.1. It is important for the Line Manager of the transferred employee to ensure that they meet with them to make sure that they are aware of their specific objectives and that they receive the training necessary for them to do their job.

12.2. Employees should be provided with reasonable facilities, supervision and encouragement to help them reach the standard required. As for new employees, objectives should be set and reviews should be scheduled as detailed above. Satisfactory completion of the supported period of employment should be completed at the end of ~~26 weeks~~ **four months** in the new post.

12.3. Where it becomes clear that the transferred employee is not meeting the standard required, the manager should refer to the capability procedure. The capability procedure should be entered at the formal stage.

APPENDIX A

1:1 Meeting record Form

Name:		Date:	
Occasion:		Routine 1:1	
Topics Discussed:		Action required	Who
General comments			

APPENDIX B**SCC Probation Review Form**

Name of employee _____ Post _____

Name of manager _____

Complete at 8 and 14-15 week stage				Complete at 15 week stage
	Comments on performance and examples of how this has been demonstrated	Areas for development – these must be discussed with the employee	8 Weeks Meets Standard (Yes/No)	15 Weeks Meets Standard (Yes/No)
Quality of Work – accuracy and presentation of work				
Knowledge of job – understanding job procedures, equipment, methods, responsibilities and scope				
Dependability – the degree to which this person can be counted upon to do what is required and to meet deadlines. <u>Include comments on punctuality and attendance</u>				
Teamwork – work relationships established with fellow employees within and outside the immediate work group				

Complete at 12 & 24 week stage				Complete at 24 week stage:
Communication – the ability to convey verbal and or written information in a variety of work settings including manner of communication, style etc				
Provides Leadership (Managers only)				
Other areas not covered by the above				

Employee Comments
8 week stage:

15 week stage:

Signature:Date:

Manager's signature – 15 week stage:Date:

PLEASE SEND A COPY TO HR AT 15 WEEK STAGE - AND KEEP THIS FORM on PeopleHR.



Shared Parental Leave Policy

Policy No.	Version	Author	Date Published/ reviewed	Review Due	Review Team	Changes made:
HR43	1	KAB	Jan 2015	Jan 18	HR/EMT	New policy
HR43			25/10/23	25/10/24	Worknes t	No legislative changes
HR43		HHR	02/01/26	02/01/27	HHR	No legislative changes
HR43			01/04/2026	01/04/2027		

Distribution

Internal: All SCC Staff

External (if requested): Website/Councillors/Partners

Contents

1. What is Shared Parental Leave?
2. Who is eligible for Shared Parental Leave?
3. The Shared Parental Leave entitlement
4. Notifying the organisation of an entitlement to Shared Parental Leave
5. Requesting evidence of eligibility
6. Fraudulent claims
7. Discussions regarding Shared Parental Leave
8. Booking Shared Parental Leave
9. Responding to a Shared Parental Leave notification
10. Variations to arranged Shared Parental Leave
11. Shared Parental Pay
12. Terms and Conditions during Shared Parental Leave
13. Annual Leave
14. Contact during Shared Parental Leave
15. Shared Parental Leave in Touch (SPLIT) days during Shared Parental Leave
16. Returning to work after Shared Parental Leave
17. Special circumstances and further information

Introduction

Salisbury City Council (SCC) is committed to work/life balance policies and to its obligations under the associated legislation. The Council's aim is to enable parents more easily to balance their work and family responsibilities whilst taking account of the needs of Salisbury City Council as an employer and operating within its core values of fairness and equality.

This policy has been created to follow the Council's legal obligations and be appropriate and manageable within the limitations of being a small organisation. It has been created in consultation with the Trade Unions and is supported by both management and those Trade Unions.

The policy applies to all Salisbury City Council employees.

Law relating to this document:

- The Shared Parental Leave Regulations 2014
- The Shared Parental Pay (General) Regulations 2014
- The Maternity and Adoption Leave (Curtailed of Statutory Rights to Leave) Regulations 2014
- Employment Rights Act 1996
- Children and Families Act 2014
- Equality Act 2010

To supplement the details of this policy you may find the Summary Guide helpful (found at DOC 48887)

1. What is Shared Parental Leave?

- 1.1. Shared Parental Leave enables eligible parents to choose how to share the care of their child during the first year of birth or adoption. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. All eligible employees have a statutory right to take Shared Parental Leave. There may also be an entitlement to some Shared Parental Pay. This policy sets out the statutory rights and responsibilities of employees who wish to take statutory Shared Parental Leave (SPL) and statutory Shared Parental Pay (ShPP).
- 1.2. The Council recognises that, from time to time, employees may have questions or concerns relating to their shared parental rights. It is SCC's policy to encourage open discussion with employees to ensure that questions and problems can be resolved as quickly as possible. Employees should clarify the relevant procedures with the HR Manager to ensure that they are followed.

2. Who is eligible for Shared Parental Leave (SPL)?

2.1. SPL can only be used by two people:

- The mother/adopter **and**
- One of the following:
- the father of the child (in the case of birth) or
- the spouse, civil partner or partner of the child's mother/ adopter.

2.2. Both parents must share the main responsibility for the care of the child at the time of the birth/placement for adoption.

2.3. Additionally an employee seeking to take SPL must satisfy each of the following criteria:

- the mother/adopter of the child must be/have been entitled to statutory maternity/adoption leave, or if not entitled to statutory maternity/adoption leave, they must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have ended or given notice to reduce any maternity/adoption entitlements;
- the employee must still be working for the organisation at the start of each period of SPL;
- the employee must pass the 'continuity test' requiring them to have a minimum of 26 weeks' service at the end of the 15th week before the child's expected due date/matching date;
- the employee's partner must meet the 'employment and earnings test' requiring them in the 66 weeks leading up to the child's expected due date/matching date have worked for at least 26 weeks and earned at least the statutory minimum amount in any 13 of those weeks. The applicable statutory threshold will be the rate in force at the relevant time. Statutory thresholds are updated annually. ~~an average of at least £30 (this is correct as of 2015 but may change annually) a week in any 13 of those weeks;~~
- the employee must correctly notify the organisation of their entitlement and provide evidence as required.

3. The Shared Parental Leave entitlement

3.1. Eligible employees may be entitled to take up to 50 weeks SPL during the child's first year in their family. The number of weeks available is calculated using the mother's/adopter's entitlement to maternity/adoption leave, which allows them to take up to 52 weeks' leave. If they reduce their maternity/adoption leave entitlement then they and/or their partner may opt-in to the SPL system and take any remaining weeks as SPL.

- 3.2. A mother/adopter may reduce their entitlement to maternity/adoption leave by returning to work before the full entitlement of 52 weeks has been taken, or they may give notice to curtail their leave at a specified future date.
- 3.3. If the mother/adopter is not entitled to maternity/adoption leave but is entitled to Statutory Maternity Pay (SMP), Statutory Adoption Pay (SAP) or Maternity Allowance (MA), they must reduce their entitlement to less than the 39 weeks. If they do this, their partner may be entitled to up to 50 weeks of SPL. This is calculated by deducting from 52 the number of weeks of SMP, SAP or MA taken by the mother/adopter.
- 3.4. SPL can commence as follows:
- The mother can take SPL after she has taken the legally required two weeks of maternity leave immediately following the birth of the child
 - The adopter can take SPL after taking at least two weeks of adoption leave
 - ~~• The father/partner/spouse can take SPL immediately following the birth/placement of the child, but may first choose to exhaust any paternity leave entitlements (as the father/partner cannot take paternity leave or pay once they have taken any SPL or ShPP).~~
 - Employees may take statutory paternity leave either before or after a period of Shared Parental Leave, provided they meet the statutory eligibility and notice requirements.
- 3.5. Where a mother/adopter gives notice to curtail their maternity/adoption entitlement then the mother/adopter's partner can take leave while the mother/adopter is still using their maternity/adoption entitlements.
- 3.6. SPL will generally commence on the employee's chosen start date specified in their leave booking notice, or in any subsequent variation notice (see "Booking Shared Parental Leave" and "Variations to arranged Shared Parental Leave" below).
- 3.7. If the employee is eligible to receive it, Shared Parental Pay (ShPP) may be paid for some, or all, of the SPL period (see "Shared Parental Pay" below).
- 3.8. SPL must end no later than one year after the birth/placement of the child. Any SPL not taken by the first birthday or first anniversary of placement for adoption is lost.

4. Notifying the Council of an entitlement to Shared Parental Leave

- 4.1. An employee entitled and intending to take SPL must give their line manager notification of their entitlement and intention to take to SPL, at **least eight weeks** before they can take any period of SPL.
- 4.2. Part of the eligibility criteria requires the employee to provide the Council with correct notification. Notification must be in writing and requires each of the following:
- the name of the employee;
 - the name of the other parent;
 - the start and end dates of any maternity/adoption leave or pay, or maternity allowance, taken in respect of the child and the total amount of SPL available;
 - the date on which the child is expected to be born and the actual date of birth or, in the case of an adopted child, the date on which the employee was notified of having been matched with the child and the date of placement for adoption;
 - the amount of SPL the employee and their partner each intend to take
 - a non-binding indication of when the employee expects to take the leave.
- 4.3. The employee must provide the Council with a signed declaration stating:
- that they meet, or will meet, the eligibility conditions and are entitled to take SPL;
 - that the information they have given is accurate;
 - if they are not the mother/adoption they must confirm that they are either the father of the child or the spouse, civil partner or partner of the mother/adoption;
 - that should they cease to be eligible they will immediately inform the organisation.
- 4.4. The employee must provide the Council with a signed declaration from their partner confirming:
- their name, address and national insurance number (or a declaration that they do not have a national insurance number);
 - that they are the mother/adoption of the child or they are the father of the child or are the spouse, civil partner or partner of the mother/adoption;
 - that they satisfy the 'employment and earnings test' (see "Who is eligible for Shared Parental Leave?" above), and had at the date of the child's birth or placement for adoption the main responsibility for the child, along with the employee;
 - that they consent to the amount of SPL that the employee intends to take;
 - that they consent to the organisation processing the information contained in the declaration form; and

- (in the case whether the partner is the mother/adopter), that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

5. Requesting further evidence of eligibility

5.1. The Council may, within 14 days of the SPL entitlement notification being given, request:

- the name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead)
- in the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth).
- in the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption

5.2. In order to be entitled to SPL, the employee must produce this information within 14 days of the employer's request.

6. Fraudulent claims

6.1. The Council can, where there is a suspicion that fraudulent information may have been provided or where the organisation has been informed by the HMRC that a fraudulent claim was made, investigate the matter further in accordance with the usual SCC investigation and disciplinary procedures, and also without acting in a discriminatory manner in relation to any of the protected characteristics defined in the Equality Act 2010.

7. Discussions regarding Shared Parental Leave

7.1. An employee considering/taking SPL is encouraged to contact the HR Manager to arrange an informal discussion as early as possible regarding their potential entitlement, to talk about their plans and to enable the Council to support the individual.

7.2. The Line Manager or HR Manager may upon receiving a notification of entitlement to take SPL arrange an informal discussion with the employee to talk about their intentions and how they currently expect to use their SPL entitlement.

7.3. Upon receiving a leave booking notice the Line Manager should contact the HR Manager who will usually arrange a joint meeting to discuss it. Where a notice is for a single period of continuous leave, or where a request for discontinuous leave can without further discussion be approved in the terms stated in the employee's notice booking leave, a meeting may not be necessary.

- 7.4. Where a meeting is arranged it should take place in private and be arranged in advance. If the initial date is problematic then another date will be arranged if possible. If an alternative date cannot be arranged then the meeting may be held over the telephone.
- 7.5. At the meeting the employee may, if they wish, be accompanied by a workplace colleague, trade union representative or even a personal friend or family member.
- 7.6. The purpose of the meeting is to discuss in detail the leave proposed and what will happen while the employee is away from work. Where it is a request for discontinuous leave, the discussion may also focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the organisation, and what the outcome may be if no agreement is reached.

8. Booking Shared Parental Leave

- 8.1. In addition to notifying the employer of entitlement to SPL/ShPP, an employee must also give notice to take the leave. In many cases, notice to take leave will be given at the same time as the notice of entitlement to SPL.
- 8.2. The employee has the right to submit **three** notifications specifying leave periods they are intending to take. Each notification may contain either (a) a single period of weeks of leave; or (b) two or more weeks of discontinuous leave, where the employee intends to return to work between periods of leave.
- 8.3. SPL can only be taken in complete weeks, but may begin on any day of the week. For example if a week of SPL began on a Tuesday it would finish on a Monday. Where an employee returns to work between periods of SPL, the next period of SPL can start on any day of the week.
- 8.4. The employee must book SPL by giving the correct notification at least eight weeks before the date on which they wish to start the leave and (if applicable) receive ShPP.
- 8.5. Continuous leave notifications:
 - 8.5.1. A notification can be for a period of **continuous leave**, which means a notification of a number of weeks taken in a single unbroken period of leave (for example, six weeks in a row).
 - 8.5.2. An employee has the right to take a continuous block of leave notified in a single notification, so long as it does not exceed the total number of weeks of SPL available to them (specified in the notice of entitlement) and the employer has been given at least eight weeks' notice.

8.5.3. An employee may submit up to three separate notifications for continuous periods of leave.

8.6. Discontinuous leave notifications:

8.6.1. A single notification may also contain a request for two or more periods of **discontinuous leave**, which means asking for a set number of weeks of leave over a period of time, with breaks between the leave where the employee returns to work (for example, an arrangement where an employee will take six weeks of SPL and work every other week for a period of three months).

8.6.2. Where there is concern over accommodating the notification, the organisation or the employee may seek to arrange a meeting to discuss the notification with a view to agreeing an arrangement that meets both the needs of the employee and the organisation (see “Discussions regarding Shared Parental Leave” above).

8.7. The organisation will consider a discontinuous leave notification but has the right to refuse it. If the leave pattern is refused, the employee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block.

9. Responding to a Shared Parental Leave notification

9.1. Once the Line Manager/HR Manager receives the leave booking notice, it will be dealt with as soon as possible, but a response will be provided no later than the 14th day after the leave request was made.

9.2. All notices for continuous leave will be confirmed in writing.

9.3. All requests for discontinuous leave will be carefully considered, weighing up the potential benefits to the employee and to the organisation against any adverse impact to the business.

9.4. Each request for discontinuous leave will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

9.5. The employee will be informed in writing of the decision as soon as is reasonably practicable, but no later than the 14th day after the leave notification was made. The request may be granted in full or in part: for example, the organisation may propose a modified version of the request.

9.6. If a discontinuous leave pattern is refused then the employee may withdraw the request without detriment on or before the 15th day after the notification was given; or may take the total number of weeks in the notice in a single continuous block.

- 9.7. If the employee chooses to take the leave in a single continuous block, the employee has until the 19th day from the date the original notification was given to choose when they want the leave period to begin. The leave cannot start sooner than eight weeks from the date the original notification was submitted. If the employee does not choose a start date then the leave will begin on the first leave date requested in the original notification.

10. Variations to arranged Shared Parental Leave

- 10.1. The employee is permitted to vary or cancel an agreed and booked period of SPL, provided that they advise the organisation in writing **at least eight weeks** before the date of any variation. Any new start date cannot be sooner than eight weeks from the date of the variation request.
- 10.2. Any variation or cancellation notification made by the employee, including notice to return to work early, will usually count as a new notification reducing the employee's right to book/vary leave by one. However, a change as a result of a child being born early, or as a result of the organisation requesting it be changed, and the employee being agreeable to the change, will not count as further notification. Any variation will be confirmed in writing by the organisation.

11. Statutory Shared Parental Pay (ShPP)

- 11.1. Eligible employees may be entitled to take up to 37 weeks ShPP while taking SPL. The amount of weeks available will depend on the amount by which the mother reduces their maternity/adoption pay period or maternity allowance period.
- 11.2. ShPP may be payable during some or all of SPL, depending on the length and timing of the leave.
- 11.3. In addition to meeting the eligibility requirements for SPL, an employee seeking to claim ShPP must further satisfy each of the following criteria:
- the mother/adoption must be/have been entitled to statutory maternity/adoption pay or maternity allowance and must have reduced their maternity/adoption pay period or maternity allowance period;
 - the employee must intend to care for the child during the week in which ShPP is payable;
 - the employee must have an average weekly earnings for the period of eight weeks leading up to and including the 15th week before the child's expected due date/matching date are not less than the lower earnings limit in force for national insurance contributions;
 - the employee must remain in continuous employment until the first week of ShPP has begun;
 - the employee must give proper notification in accordance with the rules set out below.

11.4. Where an employee is entitled to receive ShPP they must, **at least eight weeks** before receiving any ShPP, give their line manager written notice advising of their entitlement to ShPP. To avoid duplication, if possible, this should be included as part of the notice of entitlement to take SPL.

11.5. In addition to what must be included in the notice of entitlement to take SPL, any notice that advises of an entitlement for ShPP must include:

- the start and end dates of any maternity/adoption pay or maternity allowance;
- the total amount of ShPP available, the amount of ShPP the employee and their partner each intend to claim, and a non-binding indication of when the employee expects to claim ShPP;
- a signed declaration from the employee confirming that the information they have given is correct, that they meet, or will meet, the criteria for ShPP and that they will immediately inform the organisation should they cease to be eligible.

It must be accompanied by a signed declaration from the employee's partner confirming:

- their agreement to the employee claiming ShPP and for the organisation to process any ShPP payments to the employee;
- (in the case whether the partner is the mother/ adopter) that they have reduced their maternity/adoption pay or maternity allowance;
- (in the case whether the partner is the mother/ adopter) that they will immediately inform their partner should they cease to satisfy the eligibility conditions.

11.6. Any ShPP due will be paid at a rate set by the Government for the relevant tax year.

12. Terms and conditions during Shared Parental Leave

12.1. During the period of SPL, the employee's contract of employment continues in force and they are entitled to receive all their contractual benefits, except for salary. In particular, any benefits in kind (such as use of a company car, laptop, mobile phone) will continue and contractual annual leave entitlement will continue to accrue.

12.2. Pension contributions will continue to be made during any period when the employee is receiving ShPP but not during any period of unpaid SPL. Employee contributions will be based on actual pay, while the organisation's contributions will be based on the salary that the employee would have received had they not been taking SPL.

13. Annual Leave

13.1. SPL is granted in addition to an employee's normal annual holiday entitlement. Employees are reminded that holiday should wherever possible be taken in the year that it is earned. Where an SPL period overlaps two leave years the employee should consider how their annual

leave entitlement can be used to ensure that it is not untaken at the end of the employee's holiday year.

14. Contact during Shared Parental Leave

14.1. Before an employee's SPL begins, the organisation will discuss the arrangements for them to keep in touch during their leave. The organisation reserves the right in any event to maintain reasonable contact with the employee from time to time during their SPL. This may be to discuss the employee's plans to return to work, to ensure the individual is aware of any possible promotion opportunities, to discuss any special arrangements to be made or training to be given to ease their return to work or simply to update them on developments at work during their absence.

15. Shared Parental Leave in Touch days

15.1. An employee can agree to work for the organisation (or attend training) for up to 20 days during SPL without bringing their period of SPL to an end or impacting on their right to claim ShPP for that week. These are known as "Shared Parental Leave In Touch" or "SPLIT" days. Any work carried out on a day or part of a day shall constitute a day's work for these purposes.

15.2. The organisation has no right to require the employee to carry out any work, and is under no obligation to offer the employee any work, during the employee's SPL. Any work undertaken is a matter for agreement between the organisation and the employee. An employee taking a SPLIT day will receive full pay for any day worked. If a SPLIT day occurs during a week when the employee is receiving ShPP, this will be effectively 'topped up' so that the individual receives full pay for the day in question. Any SPLIT days worked do not extend the period of SPL.

15.3. An employee, with the agreement of the organisation, may use SPLIT days to work part of a week during SPL. The organisation and the employee may use SPLIT days to effect a gradual return to work by the employee towards the end of a long period of SPL or to trial a possible flexible working pattern.

16. Returning to work after Shared Parental Leave

16.1. The employee will have been formally advised in writing by SCC of the end date of any period of SPL. The employee is expected to return on the next working day after this date, unless they notify the organisation otherwise. If they are unable to attend work due to sickness or injury, the organisation's normal arrangements for sickness absence will apply. In any other case, late return without prior authorisation will be treated as unauthorised absence.

16.2. If the employee wishes to return to work earlier than the expected return date, they may provide a written notice to vary the leave and must give

the organisation **at least eight weeks' notice** of their date of early return. This will count as one of the employee's notifications. If they have already used their three notifications to book and/or vary leave then the organisation does not have to accept the notice to return early but may do if it is considered to be reasonably practicable to do so.

- 16.3. On returning to work after SPL, the employee is entitled to return to the same job if the employee's aggregate total statutory maternity/paternity/adoption leave and SPL amounts to 26 weeks or less, he or she will return to the same job. The same job is the one they occupied immediately before commencing maternity/paternity/adoption leave and the most recent period of SPL, on the same terms and conditions of employment as if they had not been absent.
- 16.4. If their maternity/paternity/adoption leave and SPL amounts to 26 weeks or more in aggregate, the employee is entitled to return to the same job they held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is both suitable and appropriate and on terms and conditions no less favourable.
- 16.5. If the employee also takes a period of unpaid parental leave of 4 weeks or less this will have no effect on the employee's right to return and the employee will still be entitled to return to the same job as they occupied before taking the last period of leave if the aggregate weeks of maternity/paternity/adoption and SPL do not exceed 26 weeks.
- 16.6. If a parent takes a period of 5 weeks of unpaid parental leave, even if the total aggregate weeks of maternity/paternity/adoption and SPL do not exceed 26 weeks, the employee will be entitled to return to the same job they held before commencing the last period of leave or, if this is not reasonably practicable, to another job which is suitable and appropriate and on terms and conditions no less favourable.

17. Special Circumstances and further information

- 17.1. In certain situations an employee's rights and requirements regarding SPL and ShPP may change. In these circumstances the Council will abide by any statutory obligations and an employee should refer to the documents listed below and/or clarify any issues or queries with the HR Manager.



Special leave policy

Policy No.	Version	Date Published/ Reviewed	Review Due	Review Team	Changes made:
34	1	Jan 2012			
	2	June 2014	June 2017	HR	3.6: pensions 10.1: to include retained services
HR134	3	April 2024	April 2025	Head HR	Updated to include carers leave (change in legislation April 2024)
HR134	4	02/01/26	02/01/27	HHR	No legislative changes Clarity – para 20.2 to highlight family friendly policies
	5	01/04/2026		HHR	Signpost to list of specific policies Amended section on jury leave Study leave removed as that is in another policy Clarification regarding religious leave can be annual leave, unpaid leave or TOIL

Distribution

Internal: All SCC Staff

External (if requested): Website/Councillors/Partners

Introduction

- 1.1. Salisbury City Council understands that issues may arise during the course of life when it is necessary for an employee to be away from their place of work. This policy has been implemented to ensure all employees are aware of their entitlements to special leave and pay under certain circumstances.
- 1.2. This policy is designed to give guidance on leave not detailed in other policies such as:
 - 1.2.1. Maternity Leave
 - 1.2.2. Paternity Leave
 - 1.2.3. Adoption Leave
 - 1.2.4. Parental Leave
 - 1.2.5. Bereaved Partners Paternity Leave
 - 1.2.6. Parental Bereavement
 - 1.2.7. Neonatal care leave
 - 1.2.8. Sickness leave

2. Purpose

- 2.1. This policy is designed to ensure a consistent approach to the granting of special leave across the Council. It aims to provide a framework of the support available to employees when they find it necessary to be away from their place of work.

3. Principles

- 3.1. Employees can if they wish to do so, request annual leave instead of special leave, however, any application for annual leave will be dealt with in accordance with the Council's annual leave procedure and there is no guarantee that any such request will be granted.
- 3.2. Managers are expected to notify payroll as soon as possible, following approval of special leave.
- 3.3. Special leave will not be regarded as sick leave and will not be taken into account for the calculation of sick leave entitlement in accordance with the Council's sick pay scheme. An employee who fails to return to work on the expiry of their special leave and who submits a Fit Note will be regarded as being on sick leave from the date they were signed off sick.
- 3.4. Where special leave is to be paid, an employee will receive payment for this period based on their basic salary.
- 3.5. Where applicable, job share and part-time employees are entitled to the benefits contained in this policy on a pro rata basis.
- 3.6. Absence on special leave (paid or unpaid) will count towards annual increments on the employee's scale and will not defer the normal increment date.
- 3.7. Employees should explore any impact on their pension by contacting Wiltshire Pension Fund
- 3.8. Any employee who is dissatisfied with any decision made under this special leave policy can raise a grievance in accordance with the Council's current Grievance Procedure.
- 3.9. This policy has been developed by management in consultation with the Trade Unions and is fully supported by both parties.
- 3.10. It has been created to be appropriate and manageable within the limitations of being a Parish Council and a small organisation

- 3.11. Nothing in the policy should be regarded as affecting an employee's statutory rights.

4. Scope

- 4.1. This policy applies to all employees of Salisbury City Council.
- 4.2. This policy will be periodically reviewed jointly with the Trade Unions in the light of experience of any developments in employment legislation or best employment practice. It will be revised where necessary in order to ensure its continuing relevance and effectiveness. In such cases all relevant parties will be informed in advance of any changes.

5. Responsibilities

- 5.1. Line Managers have a responsibility to ensure that this policy is communicated to staff. They also must ensure that leave is granted in accordance with the contents except where the policy specifies otherwise. Unless the policy specifies otherwise, Line Managers have the discretion to grant special leave, having first consulted with HR to ensure consistency in application across the Council.
- 5.2. Any leave granted should be recorded on the appropriate leave form at Appendix A.
- 5.3. Any misuse of the scheme will be dealt with under the Disciplinary Procedure.

6. Compassionate Leave

- 6.1. If requested, paid compassionate leave will be given to make arrangements in the respect of the death of a close relative or dependent (see below), including arranging and attending the funeral.
- 6.2. Please see policies for leave entitlement for bereaved partners paternity leave or parental bereavement leave.
- 6.3. Compassionate leave, however, is not an automatic entitlement and each case is to be treated on its own merits. Reasonable requests for the maximum time allowed, will not normally be refused. So that equality of treatment ensues, any proposal to grant compassionate leave outside of the following guidelines should be discussed with HR Manager prior to the granting of the leave.
- 6.4. The following is a guideline:

Death of:	Leave
* Spouse/Partner/Son or Daughter (including adopted children)	Up to 10 days
Parent (including adoptive parents)	Up to 5 days
**Brother/Sister/Parent-in-law/Grandparent/Grandchild (including adopted relatives)	Up to 3 days

- 6.5. For the purposes of this policy a partner is defined as a person sharing the home of the employee as the other member of a couple in a relationship.
- 6.6. ** Up to five days will be granted if the employee is the person with sole responsibility to make funeral arrangements.

- 6.7. In the case of step relatives, leave will be granted as above, if the employee lives or has lived with the deceased and has acted in the capacity of parent, son, daughter or sibling.
- 6.8. Paid time may also be granted for any other relative, who was treated as a near relative or where there is no other person to look after the affairs of the deceased relative. In such cases and for any other relative, compassionate leave will be granted at the discretion of the Line Manager. In such cases, Line Managers are required to consult with the HR Manager where more than three days paid leave is to be granted.
- 6.9. Sympathetic consideration will be given to the granting of compassionate leave for reasons other than bereavement; however, this may require an equivalent contribution of time from the employee.

7. Attendance at Funerals

- 7.1. Leave to enable an employee to attend a funeral may be granted without pay if the compassionate leave arrangements do not apply.
- 7.2. Leave to attend a funeral, as a representative of Salisbury City Council will be with pay. In either case, absence should be limited to the minimum period necessary.

8. Carer's Leave

- 8.1. All employees are entitled to one week's unpaid leave in any 12-month period to provide or arrange care for a dependant with a long term care need.
- 8.2. A "week" for these purposes will be equal in duration to the period you are normally expected to work in a week at the time of making the request.
- 8.3. How that is calculated will depend on whether you have non-variable or variable hours of work.
- 8.4. A dependant is:
 - 8.4.1. your spouse, civil partner, child or parent;
 - 8.4.2. someone who lives in the same household as you, otherwise than by reason of being your boarder, employee, lodger or tenant, or;
 - 8.4.3. anybody else who reasonably relies on you to provide or arrange their care.
- 8.5. A dependant has a long-term care need if:
 - 8.5.1. they have an illness or injury (whether physical or mental) that requires, or is likely to require, care for more than three months,
 - 8.5.2. they have a disability for the purposes of the Equality Act 2010, or
 - 8.5.3. they require care for a reason connected with their old age.
- 8.6. The minimum period of carer's leave that can be taken at one time is half a working day, with the maximum period being one continuous week. Leave need not be taken on continuous days.
- 8.7. You must give notice of your request to take a period of carer's leave. This can relate to all or part of the leave to which you are entitled. The notice must:
 - 8.7.1. Specify that you are entitled to take carer's leave;
 - 8.7.2. Specify the days on which you would like to take carer's leave and if you will take a full or a half day; and

- 8.7.3. Be given with at least three days' notice for one half/full/1.5 day of leave. Or, for 2 or more days' leave, with at least double the length of notice to the time you want off.
- 8.8. The notice should be in writing to your line manager.
- 8.9. The Council may, in our absolute discretion, waive the notice length requirement above, and as long as the other requirements are met, the request will be treated as one for carer's leave.
- 8.10. If the Council reasonably considers that the operation of the business would be unduly disrupted if your request was granted, we may postpone the start of the carer's leave after consulting with you to agree an alternative date(s) which is/are no later than one month after the earliest day or half day of the request.
- 8.11. In these circumstances, the Council will give written notice to you of the postponement, setting out the reason for the postponement and the agreed dates you can take the leave. This notice will be given no later than the earlier of: (a) seven days after your notice was given to the Council, or (b) before the earliest day or half day requested in your notice.

9. Time Off for Domestic Emergencies

- 9.1. Employees will also be entitled to unpaid leave to deal with domestic emergencies. A domestic crisis is where an employee needs to take immediate action to ensure that a domestic situation is not left in an unsafe or deteriorating state. For example, in the event of a fire or flood at home.
- 9.2. This should only be used where the employee is the only person available and or able to handle the emergency.
- 9.3. In such circumstances the employee should follow the same procedure as detailed in time off for dependants.

10. Volunteer Reserves

- 10.1. Employees who, with the consent of Salisbury City Council, or at the date of their commencement of employment, are members of the volunteer reserves for the:
- 10.1.1. Army
 - 10.1.2. Royal Navy
 - 10.1.3. Royal Marines
 - 10.1.4. Royal Air Force
 - 10.1.5. Other retained public services such as Retained Fire-fighters
- 10.2. Will be entitled to one week's paid leave in order to attend annual training.
- 10.3. Employees who are required to undergo two week's annual training, and have less than 25 days holiday will receive paid leave for the second week. Employees who have 25 days holiday or more, will be required to take the second week as annual leave or as special leave without pay.
- 10.4. Employees who are required to undergo short periods of training in addition to the annual training referred to above, and this additional training cannot be undertaken in off duty time, will be entitled to special leave (unpaid) for this purpose.

11. Attendance at a Court Case as a member of the Jury or a Witness

- 11.1. Leave of absence with pay will be granted while an employee serves on a jury or as a witness at a court case. ~~Employees should always claim their full entitlement to loss of earnings and provide HR with the details. Arrangements will then be made to recover the amount from the member of staff from their next available month's pay.~~
- 11.2. Employees taking action against the Council or acting as a witness in support of a person doing so will usually be required to do so in their own time.

12. Employment Tribunals

- 12.1. Employees taking action against the Council or acting as at witness in support of a person doing so will be required to do so in their own time. Unpaid leave or access to annual leave to enable attendance will not be unreasonably refused.

13. Time off for other Public Duties

- 13.1. Employees, who with the consent of Salisbury City Council, or at the date of the commencement of employment, hold certain public positions are entitled to reasonable unpaid time off to perform the duties associated with them. The Public positions are:
- 13.1.1. Justice of the Peace
 - 13.1.2. Local Councillor
 - 13.1.3. Member of a statutory tribunal or regional or area health authority
 - 13.1.4. Governor or manager of a school
 - 13.1.5. Member of the Environment Agency or the Scottish Environment Protection Agency
 - Member of a Policy Authority
 - 13.1.6. Member of a Board of Visitors in England, Wales and Scotland
 - 13.1.7. Member of a Visiting Committee to Prisons, remand centres and young offender institutions.
- 13.2. Where an employee undertakes such duties, time off without pay will be granted, as long as Salisbury City Council will not incur any additional cost and the quality of work delivery is not affected. It is expected that such employees will endeavour to minimise the number of duties they are required to carry out during work hours.

14. Religious Leave

- 14.1. Employees wishing to take time off work for religious reasons are required to advise their Line Manager, giving reasonable notice. Whenever possible, **annual leave, unpaid leave or use TOIL** will be granted. However, if there is genuine operational reasons why it is not possible to do so, details of that reason will be explained to the employee. Each request will be looked at on a case by case basis. Requests for time off will not normally be unreasonably refused. Employees may take annual leave, flexi time or unpaid leave to cover such absences.

- 14.2. A religion or belief includes any religion, religious belief or philosophical belief, as defined in current law.
- 14.3. To be protected under the Equality Act, a philosophical belief must:
 - 14.3.1. be genuinely held
 - 14.3.2. be a belief and not an opinion or viewpoint, based on the present state of information available
 - 14.3.3. be a belief as to a weighty and substantial aspect of human life and behaviour
 - 14.3.4. attain a certain level of cogency, seriousness, cohesion and importance
 - 14.3.5. be worthy of respect in a democratic society, compatible with human dignity and not conflict with the fundamental rights of others.
 - 14.3.6. Humanism and atheism are examples.

~~15. Study Leave – Please see the Professional & Vocational Study Policy~~

- ~~15.1. The granting of study leave is at each Line Manager's discretion and should be discussed before the commencement of the training.~~

16. Degree and Diploma Presentation Ceremonies and Passing Out Parades

- 16.1. Leave of absence with pay may be granted to enable an employee to receive a degree or higher educational equivalent. Unpaid leave to allow an employee to attend a ceremony at which a spouse or partner, son or daughter, is receiving a degree or higher educational equivalent or is taking part in a passing-out parade, would only be granted if Salisbury City Council would incur no additional cost and the quality of work delivery was not affected.

17. Medical and Dental Appointments

- 17.1. Details regarding time off for medical and dental appointments can be found in the Sickness Absence policy.

18. Blood Donor Sessions

- 18.1. Employees will be granted leave with pay to attend for blood donor sessions. Absence should be limited to the minimum period necessary.

19. Medical Screening

- 19.1. Employees will be given the necessary paid time off to attend screening for breast and cervical cancer as part of a screening programme. The Council will give consideration to supporting other national medical screening initiatives that may be introduced in the future,

20. Special Leave for other Reasons

- 20.1. The types of special leave of absence listed above are not exhaustive. If an employee feels they should be entitled to special leave they should first approach their Line Manager.
- 20.2. Please refer to specific policies covering family leave such as Neonatal leave, parental bereavement leave.

Special Leave Form

Confidential when completed

To be completed by employee and Line Manager

Name of Employee:

..... Post:

Special Leave Category: e.g. Compassionate/Jury Service/other, please specify:

.....

Reason for Leave:
.....

.....

Date of commencement of leave:

Date of return to work:

I confirm that this leave is: paid / unpaid / a combination of paid and unpaid as specified:

No of Days Paid: No of Days Unpaid:

Employee's Declaration:
I certify that to the best of my knowledge the details outlined above are correct.

Signed (Employee): Date:

Manager's Declaration:

I certify that to the best of my knowledge the details outlined above are correct.

Signed (Manager): Date:

Please now forward this form to the HR Manager.

To be completed by Payroll:

I confirm thatdays pay have been deducted from this employee in their

.....(months) pay.

Signed:..... Date:

The information on this form when completed will be only be used to assess the employee's eligibility to pay and enable us to monitor the special leave policy for fairness and consistency across Salisbury City Council.



Trans Inclusion Policy

Policy No	Version	Owner	Date Published/ Reviewed	Review date	Changes
HR56	1	HRM	25/03/2022	25/03/2025	New policy
HR56			25/10/2023	25/10/2024	No legislative changes
HR56		HHR	01/07/2026		Update paragraph 14.1 to confirm all buildings have gender neutral toilets

Distribution

Internal: All SCC Staff

External: Website/Councillors/Partners

1. Policy statement

1.1. The purpose of this policy is:

1.2 Salisbury City Council is committed to treating all employees with dignity and respect. The Council recognises that individuals may hold a range of views and beliefs. All employees are expected to behave professionally, treat colleagues respectfully and comply with this policy

1.3 To maximise the inclusion of trans staff, and prospective staff, in all aspects of the Council

1.4 To give the best possible support to staff who transition at Salisbury City Council and ensure a positive experience of transition at work

1.5 To enable managers and colleagues to support staff effectively

1.6 To recognise and value the diversity of gender identity and gender expression

1.2. This policy is non-contractual and aimed as guidance.

2. Scope of policy

2.1. This policy applies to everyone who works at Salisbury City Council. The anticipated audiences are:

2.1.1. Managers (to enable them to support staff)

2.1.2. Trans staff (to enable them to see what they should expect and have confidence in the Council to support them)

2.1.3. Colleagues of trans staff (to enable them to see how trans staff should be treated and develop their understanding.

2.2. In this policy we have used the term 'trans' to mean anyone who feels that the sex they were assigned at birth, and the corresponding gender they were assumed to have, does not match or sit easily with their own sense of self.

2.3. We have chosen 'trans' because it is one of the broadest and most widely accepted words currently in use. However we recognise it is not a term everyone uses and we recognise and respect everyone's right to choose how they are described as individuals.

2.4. These terms may include, but are not limited to: trans, non-binary, gender fluid, man with a trans history, woman with a trans history, man or woman. We particularly note that some people who transition will regard themselves as men or women afterwards and no longer consider themselves trans.

2.5. We also acknowledge those who are exploring their gender identity and may describe themselves as gender questioning.

2.6. We recognise that not all of the terms used in this policy are familiar to everyone so there is a glossary in Appendix 3. If you would like further advice or support on the terms used then please do contact HR Manager.

3. Wider experiences

- 3.1. It is important to recognise that our experience of gender is not independent of other aspects of our lives. How we experience and/or express our gender is influenced by our ethnicity, ability, culture, faith, age and class, as well as many other factors.
- 3.2. People are not black and trans separately, or trans and disabled separately, rather they are a black trans person, or a trans disabled person and those combined experiences interact to create specific and sometimes highly challenging life circumstances.
- 3.3. Trans inclusion cannot be separated from all other forms of inclusion. There is no hierarchy of rights – it is a matter of support and access for all.
- 3.4. As set out under 'Scope' this document uses the term 'trans' in a broad and inclusive way. However, trans people are diverse and some groups of trans people experience issues and have needs that others may not. This is particularly the case for non-binary, gender fluid and gender questioning people. We will therefore use those more specific terms where necessary to highlight and address those issues and needs.
- 3.5. To support understanding there is some background information in Appendix 1 (About trans people) and Appendix 2 (About transitioning). These appendices should be read before continuing with the rest of the policy.

4. Language

- 4.1. We aim to use language that recognises the agency of trans people, validates their gender identity and empowers them. We therefore use the following terms and phrases:
 - 4.1.1. 'Chosen name', 'chosen pronoun' (or simply 'name' and 'pronoun')
We use 'chosen' rather than 'preferred' because the right of a person to have their pronoun(s) respected is not negotiable.
'Preferred' can imply it is OK to call a person something other than the name or pronoun(s) they have asked for.
Choosing your name is an empowering step for many trans people. It does not, however, imply that trans people 'choose their gender' or 'choose to be trans'.

- 4.1.2. 'Prior to transition'
We use this instead of phrases such as 'when the person was a woman' or 'before becoming a man' as these phrases imply that the gender a person was assumed to have at birth was correct / valid. Such phrases also label the person with their assumed gender which may be upsetting.

- 4.1.3. 'Assigned at birth' / 'assumed at birth'
We use this phrasing to acknowledge that sex is assigned by others at our birth, and we are assumed to have a corresponding gender.

5. Support and best practice

- 5.1. This section sets out what is expected of Salisbury City Council's managers if a staff member shares with you the information that they are trans.
- 5.2. The situation may be new to you as a manager. However, it's important to remember that as a professional manager you have the skills to work with and support people experiencing a range of different life circumstances, of which you don't necessarily have personal experience. You can be supportive and kind without understanding every detail.
- 5.3. Equally Salisbury City Council wants you to feel supported yourself. If you have any questions, contact HR Manager.

6. If Someone Tells You They Are Trans

- 6.1. In many instances a person will tell you they are trans because they are planning to transition. Much of the following section is about supporting that process.
- 6.2. However, it's also possible that someone who transitioned in the past may tell you that they are trans / have a trans history. This could be for a number of reasons, including that:
 - 6.2.1. They are experiencing difficulties that they want your support to address
 - 6.2.2. They are worried about something and want to talk it through with you
 - 6.2.3. They feel 'obliged' to
 - 6.2.4. They are open and positive about their history and want to be visible
- 6.3. Whatever the circumstance, the following approach is a good place to start:
 - 6.3.1. Recognise you might be the first person they have told and your reaction is important
 - 6.3.2. Thank them for sharing the information
 - 6.3.3. Confirm what they share is confidential – however there may be situations where we have to break confidentiality – this would be if a person was at risk as a result of sharing this information. We would liaise with our Designated Safeguarding Officer to discuss this.
 - 6.3.4. Listen
 - 6.3.5. Make a statement of support
 - 6.3.6. Don't assume anything – from the pronouns someone might want, to the gender identity they might have, to the transition they might / might not want, to the gender expression they might use. Everyone is individual, every experience is different
- 6.4. Centralise the individual – ask what would they like from you as their manager, what support they need (at the moment); recognise they may not yet have thought that through, or may just want you to be aware for now and do nothing
- 6.5. Recognise the trans person may not 'have all the answers' – they may be gender questioning and exploring; they may know they are, for example, a

trans man, but may not know what steps they want to take (if any) or when they might want to take them – and that's OK

- 6.6. Make sure they are aware of this policy along with a zero tolerance to any discrimination.
- 6.7. It may be useful to explore if they have shared with anyone else and/or whether they have support in their life generally, and be able to link them to local peer support as and when they wish
- 6.8. Make sure they know they can come to you at any time
- 6.9. A checklist in Appendix 5 may help with some practical areas to consider.

7. Supporting Transition

- 7.1. If someone wishes to make a transition e.g. change name and/or pronoun and/or title and/or gender markers and/or ensure others know about their gender identity / expression / questioning, it's useful to make some simple plans.
- 7.2. This is likely to include:
 - 7.2.1. Support arrangements
 - 7.2.2. Dates / timeframes
 - 7.2.3. Communication plans
- 7.3. Plans to update documentation and records (unfortunately SCC current payroll software only accepts markers 'm' and 'f'. We have asked this to be changed. If this is not able to be changed then gender markers would be a consideration if new software is purchased for payroll).
- 7.4. Plans for any associated leave

8. Establishing Support

- 8.1. Ensure people are aware of, and able to access, relevant support.
- 8.2. As well as internal support from their manager, HR Manager some organisations offering support can be found in Appendix 4.
- 8.3. Some people might welcome regular check-ins; others might prefer to approach the relevant person on an ad hoc basis as and when they need. Ask what their preference is.
- 8.4. Ensure people know who to contact if they experience any issues or difficulties at work. In Salisbury City Council the main contacts is HR Manager/City Clerk.

9. Dates and Timeframes

- 9.1. Sometimes people already have a clear idea of when they want to tell people and/or make changes. Others may not have thought that through and may welcome exploratory conversations.
- 9.2. There may also be circumstances where a person just wants you to know what is going on for them, but does not (yet) wish to make any changes or announcements.

- 9.3. Timeframes should be led by the staff member and not be influenced by what may be convenient for the organisation. Under no circumstances should a staff member be made to feel pressurised to bring forward, or to delay, any announcement or change.
- 9.4. Dates and timeframes may need to remain flexible to meet the changing circumstances of the staff member.

10. Communication / Sharing Information:

- 10.1. If the trans individual wants others to use a different name / pronoun etc, it's necessary to communicate this to the rest of the workforce. As a manager you should:
- 10.1.1. Ask how the person would like that to happen
Identify who needs to be told (e.g. clients, colleagues), what they will be told, when and how, and who will do the telling
- 10.1.2. Ensure you have the person's consent before anyone is told
- 10.1.3. Identify how any (appropriate) queries will be fielded

11. Updating Documentation / Records / ID / Contact Details

- 11.1. Refer to Appendix 5 which gives details of areas where information may need to be updated and considered.
- 11.2. As long as HMRC are aware that a person is trans, gender fluid or non- binary, any difference between the legal gender marker HMRC hold and the 'lived' gender marker that Salisbury City Council holds and transmits to HMRC as part of their submissions will not be queried.
- 11.3. As HMRC only accepts binary gender codes (M/F), gender fluid and non-binary people will be asked to select one or the other for HMRC purposes. The code they select need not be the one assigned at birth, but can be the one they feel most closely aligned to, or an arbitrary choice if neither is a better fit than the other. This binary data will be kept confidential.

12. Medical Leave

- 12.1. If there is a need for time off due to medical reasons, the sickness absence policy will be applied. However the manager should consider any specific requests for time off and where necessary discuss with HR Manager. This may include time off to attend appointments, some of these appointments may involve long journeys.

13. Confidentiality

- 13.1. All staff have a right to expect confidentiality on personal matters (except in certain safeguarding and criminal justice situations).
- 13.2. We recognise that 'outing' a person as trans can make their life unsafe and we take breaches of confidentiality seriously.
- 13.3. A person's trans status / history is no-one else's to share without the person's explicit consent. Salisbury City Council will never assume that a person is happy to share the information they are trans / a person of trans

history. In particular we will not assume that if they have shared in some situations / places, they have shared (or are happy to share) in others.

14. Toilets

- 14.1. ~~Salisbury City Council assumes everyone chooses the facilities that are the best option for them out of the options available. It is not appropriate to question people about their choice of facility based on their appearance.~~ Replace with Salisbury City Council provides a range of toilet facilities across its premises, including lockable gender-neutral facilities.
- 14.2. We are committed to ensuring that all staff can access toilet facilities safely, comfortably and with dignity.
- 14.3. If any member of staff has questions, concerns or specific requirements relating to toilet facilities, they should speak to the Head of HR so that appropriate support can be considered.
- 14.4. We recognise that access to suitable toilet facilities is important for all staff, including trans, non-binary and cisgender employees.
- 14.5. We recognise that gender neutral toilet provision is essential for non- binary people and is an option that others, both trans and cis may need or choose.

15. Staff safety

- 15.1. Salisbury City Council considers the safety of its staff paramount. The principles embedded in this policy recognise that trans staff may face safety issues that others do not, or may be at heightened risk especially when travelling after dark or as lone workers. We will consider this when completing our general workplace risk assessments.

16. Dress code/Uniform

- 16.1. There are explicitly no gendered expectations about dress. If your role requires a uniform we will speak to you about this.

17. Recruitment

- 17.1. We will take active steps to ensure that trans applicants know they will be welcome. We recognise that a person may sometimes struggle to provide references, ID etc in their current name and we will talk to you about what we need and how we can achieve this.

Appendix 1 About trans people

- 1.1. People who feel that the sex they were assigned at birth, and the corresponding gender they were assumed to have, does not match or sit easily with their own sense of gender (their gender identity) may use the term 'trans' to describe themselves.
- 1.2. This includes people with a very wide range of different experiences, such as:
 - 1.2.1. People assigned male at birth who recognise themselves to be women (sometimes called trans women);
 - 1.2.2. People assigned female at birth who recognise themselves to be men (sometimes called trans men)
 - 1.2.3. People who do not recognise themselves as either men or women (sometimes called non-binary people)
 - 1.2.4. People who may experience / express different genders at different times (sometimes called gender fluid people).
- 1.3. Nowadays we are starting to recognise that sex and gender are a lot more complex than most of us have been brought up to believe. In particular:
 - 1.3.1. Sex (what we tend to think of as our physical and biological make-up) and gender identity (what we tend to think of as our inner sense of self as, for example, a man or woman) are both on a spectrum and don't neatly divide into just two categories of male and female.
 - 1.3.2. We also know that sex does not automatically determine gender identity (being born with what are understood as 'male' sex characteristics doesn't always mean a person is a boy / man). Sex and gender don't always align in the way we expect.
- 1.4. It's really important to know these two things, as they are crucial to understanding trans people and treating them fairly and inclusively. Most of the difficulties and barriers trans people encounter are rooted in misunderstandings of these two points.
- 1.5. Being trans is simply a part of the ordinary diversity of life experiences, roughly as common globally as having red hair, affecting around 1 in 100 people. It is not a mental illness. However, trans people can feel an enormous social pressure to behave in a way that they do not wish to, and this can cause discomfort and distress.
- 1.6. Some trans people will know from as early as they can remember that they are not the gender other people assumed they would be. Others may question their gender for a period of time before coming to an understanding of who they are. Sometimes a person may experience a process of development and change in their gender identity. People who come to realise they are trans, can do so at any age.
- 1.7. It's also important to know that gender identity (e.g. being a man, woman, non-binary person) and sexual orientation (e.g. being lesbian, gay, bisexual,

heterosexual, pansexual) are different things. Trans people may have any sexual orientation, just like anyone else.

Appendix 2 About Transition

- 2.1. Some trans people transition. Transitioning means changing gender expression (cultural gender cues) and/or how you interact with the world (e.g. the documentation you have and the gendered spaces you use) to better align with your gender identity (sense of self). This can refer to social, medical and/or legal changes.
- 2.2. Some trans people change social aspects such as their name, title (Mr, Ms etc), pronoun (he, she, they etc), clothes, hair style, speech and/or body language, and/or any other features of their presentation.
- 2.3. Some trans people undergo medical intervention such as taking hormones and/or having surgery.
- 2.4. Some trans people use a piece of law called the Gender Recognition Act to change their legal gender.
- 2.5. Trans people may use some or all of these things in combination.
- 2.6. Whether, how and at what pace a trans person transitions is individual to them and is affected by their own particular experiences and life circumstances.
- 2.7. The extent and nature of different transitions does not make some people 'more trans' or more 'genuine' or 'serious' than others. ~~In particular everyone's gender, whether trans or not, is equally valid, real and worthy of respect.~~ Salisbury City Council expects all employees to be treated with dignity and respect regardless of their gender identity or gender expression.
- 2.8. However, it should be recognised that trans people who blend in with others of their gender, experience privileges that those who are perceived as trans often do not. These include being able to use public toilets safely and being correctly gendered by others verbally.
- 2.9. There is plenty more to learn about trans people and the diversity of their lives and experiences. Resources and organisations that can help you are listed in Appendix 4.

Appendix 3 Glossary of terms

We have attempted to provide a glossary of terms that is respectful to all. However language can change over time. If any term or explanation below should be reviewed then please contact HR Manager to discuss further.

Ally	(noun) a person who supports and stands up for the rights of marginalised people
Cis gender	Cisgender (sometimes cissexual, or shortened to cis) describes a person whose gender identity is the same as their sex assigned at birth
Gender expression	The way in which a person expresses their gender identity, typically through their appearance, dress, and behaviour.
Gender Fluid	Gender-fluid people are people whose gender changes over time. A gender-fluid person might identify as a woman one day and a man the next. When they realize their gender identity has changed, they might or might not change their gender expression — how they dress and present themselves, for example — and their pronouns.
Gender identity	A person's innate sense of their own gender, whether male, female or something else (see non-binary below), which may or may not correspond to the sex assigned at birth.
Gender questioning	A term used to describe those who are in a process of discovery and exploration about their sexual orientation, gender identity, gender expression, or a combination thereof.
Intersectionality	The idea that identities are influenced and shaped by race, class, ethnicity, sexuality/sexual orientation, gender/gender identity, physical disability, national origin, etc., as well as by the interconnection of all of those characteristics.
Intersex	A term used to describe a person who may have the biological attributes of both sexes or whose biological attributes do not fit with societal assumptions about what constitutes male or female. Intersex people may identify as male, female or non-binary.

Non Binary	Non-binary is used to describe people who feel their gender cannot be defined within the margins of gender binary. Instead, they understand their gender in a way that goes beyond simply identifying as either a man or woman. Some non-binary people may feel comfortable within trans communities and find this is a safe space to be with others who don't identify as cis, but this isn't
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	always the case.
Sex	Sex and gender are terms that are often used interchangeably but they are in fact two different concepts, even though for many people their sex and gender are the same. Sex and gender are both generally referred to in two distinct categories: male and female or man and woman. However, there are naturally occurring instances of variations in sex characteristics (sometimes known as intersex). This is where people are born with hormones, chromosomes, anatomy or other characteristics that are neither exclusively male nor female. They are usually assigned a sex (male or female) by their family or doctor at birth as birth certificates require the sex of the child – either male or female. Individuals with variations in sex characteristics might identify as male, female, or intersex, and they may consider themselves to be a man, a woman, or to have a non-binary identity.
Trans	denoting or relating to a person whose sense of personal identity and gender does not correspond with their birth sex.
Transition	The steps a trans person may take to live in the gender with which they identify. Each person's transition will involve different things. For some this involves medical intervention, such as hormone therapy and surgeries, but not all trans people want or are able to have this. Transitioning also might involve things such as telling friends and family, dressing differently and changing official documents.

Appendix 4 Resources and Organisations

Organisation	Website	Brief details of what they do
Gendered Intelligence	www.genderedintelligence.co.uk	GI is a registered charity that works to increase understandings of gender diversity and improve the lives of trans people. They work throughout the UK, offering a broad spectrum of non-judgmental, practical services to the public, private and not-for-profit sectors, including: staff training, speakers and panellists for events and conferences, and wide-ranging consultancy. They also provide services for trans and gender questioning people, especially young people, and those who support them.
LGBT Foundation	https://lgbt.foundation/	LGBT Foundation is a national charity delivering advice, support and information services to lesbian, gay, bisexual and trans (LGBT) communities
Mermaids	https://mermaidsuk.org.uk/	Helping gender diverse kids, young people and their families
All About Trans	https://allabouttrans.org.uk/about/support-organisations/	Website with links to organisations supporting trans people
Stonewall	https://www.stonewall.org.uk/	General information and advice

Appendix 5 – Transitioning at work checklist What

Needs Updating?

Updating ID

This may involve:

New ID / name badges - which may be in more than one name / gender for gender fluid people

New photo(s) – you may need to make provision to take new photos off site / in private, prior to a social transition date

Updated security clearances

Updating internal records, data and contact details

This may involve:

HR records Payroll*** HMRC
/ DWP*

Pension records

Insurances, and other benefits e.g. PMI, EAS Previous general HR documents e.g. appraisal notes

Copies of recruitment documentation including right to work Phone list(s)

Email address(es) / pronouns in footers Computer logins /
IDs

Business cards

Any local IT files e.g. Excel work schedules, project plans** General hard copy prints e.g. meeting minutes

Online work-related profiles such as LinkedIn

Website e.g. any profiles, email addresses, bylines for articles / blogs etc Downloadable publications e.g. authored documents, newsletters

Hard copy publications e.g. leaflets, hard copy newsletters Images – in the office, in publications, on the website Professional memberships and subscriptions

Awards, commendations, certificates and trophies

*Note: HMRC do not update the gender on their files unless someone has a GRC (Gender Recognition Certificate). However, as long as HMRC is informed, either by the employer or the individual, that someone is changing their gender expression, data transmitted to HMRC that contains a gender coding that does not match the gender code they hold should not cause a problem or query. Unfortunately for non- binary people, HMRC currently only accept M or F gender markers, so the person will have to select one or the other for HMRC purposes.

The situation with DWP is understood to be similar.

*** currently SCC payroll software only accepts markers m or f. We have approached them to ask that this is reviewed. Gender markers would be considered if new payroll software is purchased in the future.

****It may be helpful to run a global IT search on the person's pre-transition name to ensure all relevant files are picked up. This in turn will help you identify any documents that may exist in hard copy.**

Updating external records, data and contact details

This may involve:

Information that clients may hold e.g. contact details Information that suppliers may hold,

Information that colleagues / peers may hold e.g. names in their work smart phones

Managing records that cannot be changed

Your organisation will also need to consider which of its old records (e.g. copy of right to work) cannot be redacted / updated / destroyed, how they will be kept safe and confidential, and who has access. This should be made transparent.

There may also need to be a discussion about any public documents that cannot be withdrawn, for example old hard copy newsletters that have had wide distribution; published hard copy books; articles distributed via the internet that will have been downloaded; and how any situations arising are managed.

Checklist

	Action/Process	Who	When
ID			
New ID / name badge(s)			
New photo(s)			
Internal records, data and contact details			
PeopleHR (gender is not a mandatory field)			
Payroll			
HMRC / DWP*			
Pension records			
Previous general HR documents e.g. appraisal notes			
Copies of recruitment documentation including right to work			
Phone list(s)			
Email address(es) / pronouns in footers			
Computer logins / IDs			
Business cards (if issued)			
General hard copy prints e.g. meeting minutes			
Website e.g. any profiles, email addresses,			
Hard copy publications e.g. leaflets, hard copy newsletters			
Images – in the office, in publications, on the website			
Professional memberships and subscriptions			
External records, data and contact details			
Information that service users may hold e.g. contact details			
Information that colleagues / peers may hold e.g. names in their smart phones			

Appendix 6 The Law

Trans people are supported and protected by three main laws: Equality Act 2010
Data Protection Act 2018 (GDPR 2018) Gender Recognition Act 2004

The broad aim of these laws is to maximise the inclusion of trans people, prevent discrimination, harassment and victimisation, and protect privacy / confidentiality. These laws underpin Salisbury City Councils approach to trans inclusion. Key

summary points about each are set out below.

Please note that whilst it is useful to know which laws apply and broadly what they say, current UK laws are not a statement of best practice, nor are they wholly clear. They don't cover every circumstance we may encounter. Our practical guidance, informed by our values, establishes the standards of inclusive practice we expect all those working for Salisbury City Council to adhere to. We have included links and references for further support and advice if a situation is unclear.

Equality Act 2010 – Key points

- This law makes discrimination against, harassment of and victimisation of trans people unlawful.
- It works by highlighting 9 'protected characteristics' in respect of which these things are unlawful
- One of the 9 characteristics is 'gender reassignment' which in loose terms equates to 'being trans'. More specifically: "a person has the protected characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex".
- "Gender reassignment" is a self-identified characteristic – there is no need for anyone else to 'confirm' someone is trans
- There is no need for the person to have had, or to want, any medical intervention – social transition is sufficient
- There is no need for the trans person to have started any kind of transition (social, medical or legal).
- It protects people of all ages

In addition:

- The law protects those who are discriminated against or harassed because someone thinks they are trans, even if they are not (Discrimination by Perception)
- The law protects those who are discriminated against or harassed because they are associated with someone who is trans, such as a colleague or friend (Discrimination by Association)

Data Protection Act 2018 (enacts GDPR 2018 in the UK) – Key points

This law protects privacy generally; it is not specific to trans people

The information that someone is trans / has a trans history should be treated as Special Category data and that data managed accordingly

Gender Recognition Act 2004 – Key points

- This law enables some trans people to make a legal change of gender by applying for a Gender Recognition Certificate (GRC)
- It enables the issue of a new birth certificate and confers the right to marry / enter into a civil partnership, be registered with HMRC and to be registered with DWP in that gender (note that these three things are basically all it affects in a typical work environment - there is no need for someone to have a GRC to be treated in accordance with their gender identity in everyday life)
- A person is under no obligation to disclose that they have a GRC, and it is inappropriate to ask whether someone has one, or to ask to see it
- This law provides increased privacy to those with a GRC; it is often unlawful to disclose someone's trans history without their consent if you have come by that information in a professional capacity (e.g. as manager / employee, client / supplier, co-colleagues).
- There is no essential requirement for any medical intervention
- There are a number of barriers to access, including: contact with the medical profession is required to 'confirm' someone is trans; a person has to make a legal declaration of permanence; they must have lived in accordance with their gender identity for 2+ years; they must be 18+; there are costs involved; the person must submit 'evidence' to a panel that they never meet which then judges whether their gender identity merits recognition.
- This law was progressive when it was brought in, but is now regarded as dated. Other countries enable self-declaration of gender in similar ways to self-declaring a change of name – e.g. Ireland, Argentina, Denmark, Iceland and Malta. Despite the results of a government consultation published in Oct 2020 showing the population is in favour of a self-declaration model, the government has decided not to make any appreciable changes to the current arrangements.

Other laws

Criminal law

Transphobic abuse and violence constitute hate crimes / hate incidents and as with other crimes, should be reported to the police.

Common law

Cases can be brought under common law for misuse of private information, or breach of confidence.

This Appendix does not give full detail of the law; if you need to know more, contact HR Manager.



Whistleblowing Policy

Policy No.	Version	Author	Date Published or reviewed	Review Due	Review Team	Changes made:
HR41	1	KAB	10/11	10/15	OMG/HR	
HR41	2	HR				Previous version replaced with shorter/ summarised version
HR41			25/10/23	25/10/24	Worknest	No legislative changes
		HHR	01/04/2026	01/04/2027	HR	Comply with ERA 2025 that includes sexual harassment is a qualifying disclosure Clarification of who policy covers, definition of public interest, confidentiality and external disclosures.

Definition

Whistleblowing is the name given to the act of the disclosure of information to the employer or the relevant authority by an individual who knows, or suspects, that the Council is responsible for or taken part in some wrongdoing.

Those making qualifying disclosures are protected against dismissal or detriment by The Public Interest Disclosure Act 1998.

This policy covers employees and workers.

Qualifying disclosures

Certain disclosures are prescribed by law as “qualifying disclosures”. A “qualifying disclosure” means a disclosure of information that the employee genuinely and reasonably believes is in the public interest and shows that the Council has committed a “relevant failure” by:

- committing a criminal offence
- failing to comply with a legal obligation
- a miscarriage of justice
- endangering the health and safety of an individual
- sexual harassment (as defined in the Equality Act 2010)
- environmental damage or
- concealing any information relating to the above.

These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen. The Council will take any concerns that you may raise relating to the above matters very seriously.

Employees must reasonably believe that the disclosure is in the public interest, meaning the issue affects others (colleagues, service users, the public) not purely a personal grievance. We encourage you to use the procedure to raise any such concerns.

Concerns about the Council's failure to take appropriate steps to prevent sexual harassment, including harassment by third parties, may also be raised under this policy where the concern meets the legal test for a protected disclosure.

Nothing in this policy, any confidentiality clause, settlement agreement or non-disclosure agreement prevents an individual from making a protected disclosure, including a disclosure about sexual harassment where the legal requirements for whistleblowing protection are met.

Should the concern not meet the requirement to be a qualifying disclosure, you should raise this under the Council's grievance policy. Where a concern is raised

under the whistleblowing policy where it is not appropriate to do so, ie it relates to a personal grievance, the receiving manager will confirm that the matter will be addressed under the grievance policy.

The procedure

In the first instance you should report any concerns you may have to your line manager or *Head of HR* where the concern relates to your line manager or it is not appropriate to make the report to your line manager. ~~All concerns reported will be treated in the utmost confidence.~~ Concerns will be handled sensitively and confidentially as far as reasonably possible. However, it may be necessary to share information where this is required to investigate the concern, take appropriate action, or comply with legal obligations. You may submit your concerns in any format. You may be asked to confirm any verbal concerns in writing or to confirm a written record of a verbal report.

If you do not report your concerns to the Council you should take them direct to the appropriate organisation or regulatory body with authority for that area.

Disclosures made externally must be to an authorised prescribed person to be protected. Wider disclosures (e.g., to the media) are only protected in specific, limited situations.

Following receipt of a disclosure made under this policy, an investigation meeting will be held with the individual. The purpose of this meeting is to gather as much information as possible from the individual regarding their concerns, including whether they have any supporting evidence or can identify any witnesses.

After this meeting, the investigating manager will commence a full investigation into the concerns raised. The investigation will aim to gather all relevant information including relevant documentary evidence or witness statements. This investigation must be completed within 28 days *following* receipt of the disclosure. If this is not possible, the investigating manager will speak to the individual in advance of the completion deadline to agree an extended period of investigation.

Once the investigation is complete, the investigating manager will write to the individual confirming the outcome.

If the individual is not satisfied with the explanation or outcome, they may raise the matter with the appropriate official organisation or regulatory body. Alternatively, individuals may raise a formal complaint under the Council's grievance policy.

Formal action

Should formal action be required as a result of any disclosure made under this policy, this action will be carried out in accordance with the applicable internal policy. Any potential sanctions imposed will be fair and reasonable in line with the relevant policy.

Protection against detrimental treatment

All individuals who raise matters of concern under this policy are protected against detrimental treatment, up to and including dismissal, because they have made a disclosure.

Bullying, harassment, victimisation or any other detrimental treatment afforded to a colleague who has made a qualifying disclosure is unacceptable. Anyone found to have acted in such a manner will be subject to disciplinary action.

WHISTLEBLOWING – APPROPRIATE REGULATORS

A current list of prescribed persons and bodies is maintained by GOV.UK. Individuals should check the current list before making an external disclosure to ensure they are reporting to the correct prescribed person for the issue raised.

If you decide to blow the whistle to a 'prescribed person' rather than your employer, you must make sure that you have chosen the correct person or body for your issue. The identity of the appropriate regulator will depend on the nature of your concern. However, the regulator must be one of those prescribed by an order made by the Secretary of State for the purposes of the Public Interest Disclosure Act 1998 Section 43F. The Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2003 lists the prescribed regulators. They include:—

- **Audit Commission for England and Wales**—ensuring the proper conduct of public business, value for money, investigating fraud and corruption in local government
 - **Charity Commissioners for England and Wales**—ensuring the proper administration of charities and fund given or held for charitable purposes
 - **Chief Executive of the Criminal Cases Review Commission**—dealing with actual or potential miscarriages of justice
 - **Commissioners of Customs and Excise**—checking value added tax, insurance premium tax, excise duties and landfill tax
 - **Commissioners of the Inland Revenue**—checking income tax, national insurance contributions, statutory maternity pay, statutory sick pay, child benefits and the enforcement of the minimum wage
 - **Comptroller and Auditor General of the National Audit Office**—ensuring the proper conduct of public business, values for money, investigating fraud and corruption in relation to the provision of centrally funded public services
 - **Director of the Serious Fraud Office**—investigating serious or complex fraud
 - **Environment Agency**—acts which relate to pollution, flooding, the flow of rivers and the management or regulation of the environment
 - **Financial Services Authority**—monitoring the business of businesses, clubs, and societies in respect of financial misconduct
 - **Food Standards Agency**—matters affecting the health of the public relating to the consumption of food
 - **Health and Safety Executive**—dealing with matters affecting the health and safety of any individual at work and also any matters which may affect a member of the public arising from the activities of people at work
 - **Information Commissioner**—compliance with the requirements of legislation relating to data protection and to freedom of information
 - **Occupational Pensions Regulatory Authority**—matters relating to occupational pension schemes
- In addition, you could also blow the whistle to your legal adviser, in the course of obtaining legal advice, or to a government minister or member of the Scottish Executive if you are a public sector employee.

- More information on whistleblowing can be found on the Directgov website