

## **Review of Policies**

### **1. INTRODUCTION**

- 1.1 As indicated in the Governance Review paper to the June 2016 Performance and Audit Committee, the Partnership Director, Office Manager and SEStran's HR advisers at Falkirk Council have carried out an initial review of all the HR policies over the summer and identified those policies in need of prioritisation for review this year.
- 1.2 This review has presented the opportunity for a number of policies to be updated or brought into line with those of SEStran's constituent councils and other relevant comparator bodies such as other Regional Transport Partnerships.

### **2. BACKGROUND**

- 2.1 Discussions with SEStran's HR Advisors in July 2016 have highlighted that a number of policies would benefit from review at present. The relevant policies are:
- Flexible Working Policy
  - Smoking Policy
  - Home Working Policy
  - Training Policy
  - Recruitment Policy

Copies of the policies are included as annexes to this paper, with the proposed amendments highlighted for the Committee's attention.

### **3. REVISIONS TO POLICIES**

- 3.1 The most significant change has been the inclusion of a Flexitime hours of work recording system within a revised Flexible Working Policy and also cross-referencing within this policy to the Home Working Policy. The Flexitime element of the policy has been piloted over the period of June-September and has been well received by staff and from a managerial perspective has had a positive impact on outcomes and helping employees, in line with other SEStran policies, maintain a clear work life balance. It is proposed following final stages of consultation with staff that the Performance and Audit Committee agree to the formal introduction of the scheme. To be clear to Members, the existing terms and conditions of all staff have outlined a "bandwidth" of 7am-8pm in terms of SEStran's generic statement of particulars issued and amended accordingly to all staff. Therefore, the employees of SEStran have always contractually had the ability to work flexibility as part of their contract but the introduction of a flexitime system is a mechanism for accurate recording of time worked.
- 3.2 The new SJNC Scheme of Salaries and Conditions of Service for Chief Officials came into effect from 1 April 2014. SEStran's HR Advisers have

reviewed the standard operating procedures and cannot identify anything that states Chief Officer's cannot access flexible working. The SEStran flexible working policy did not stipulate that it was not accessible to all staff prior to the recent amendments. Other authorities have recognised access to Flexible Working for Chief Officials in line with the equalities perspective whilst continuing to recognise that chief officials will work a significant amount of additional hours in accordance with their terms and conditions. The Committee are asked to approve the policy amendments and its clear implementation from this point forward.

- 3.3 The Flexible Working Policy and Flexible Working scheme will be periodically reviewed and amended as necessary in light of operational requirements and performance monitoring.
- 3.4 The Home Working policy has been updated to reflect good practice around confidentiality and hours of work agreements.
- 3.5 The Smoking Policy has been updated to reflect the increasing use of e and vapour cigarettes in line with regular cigarettes and are prohibited in all SEStran premises.
- 3.6 The Recruitment policy has been updated in terms of eligibility to work in the UK and Baseline Personnel Security Standards, as well as other highlighted minor amendments and amendments to our standard application and monitoring forms.
- 3.7 The Training Policy has been substantially re-written, now entitled Learning and Development Policy, given the previous policy was very concise and lacking in detail about how employees should request training and SEStran's responsibilities to provide training and operate a continuous developmental culture. Member's comments on this new policy would be welcomed.
- 3.8 The review of the Equality and Diversity Policy is subject to greater detail within a wider Equality paper as part of this agenda but the current policy includes an annual report to be produced. There hasn't been an annual report provided to the Committee or Board since the inception of the policy. As there is no legal requirement to report annually it is proposed that as part of the review of this policy that this aspect of it is removed. SEStran, as the separate report highlights, has equality outcome reporting requirements under the Equality Act and this will become the focus of our corporate reporting and transparency moving forward.
- 3.9 SEStran officers and our HR Advisers at Falkirk Council have agreed that in future all SEStran's policies will be reviewed on a staggered basis on a multi-year cycle unless there is a need for immediate implementation of a relevant change in legislation.
- 3.10 Previously a number of SEStran policies have contained a reference to annual reporting or review of performance by the Performance and Audit Committee. For example, the home working, smoking and mobile phones/driving policies have never been reported to the Committee despite having within them a statement of an annual reporting requirement. The rationale presumably has been there has been little or nothing to report.

Therefore, it is proposed that the individual policy requirements for an annual report are removed and replaced with a collective generic annual report on relevant amendments to policies.

- 3.11 Whilst the work on reviewing the policies on a periodic basis has been ongoing since the creation of SEStran as a statutory body, the annual review or reporting on policy implementation has not been brought regularly to this Committee. It is proposed that a collective annual report reviewing HR policies implementation and revisions should be tabled to the September/Autumn meeting of this Committee.

#### **4. RECOMMENDATIONS**

- 4.1 The Committee is asked to comment, discuss and agree the amendments proposed to the relevant SEStran policies.
- 4.2 Agree with the proposal that an annual update paper on this matter is in future years brought to the September meeting as a standing item, with any further additional papers tabled to other Committee dates as required as revisions are required.
- 4.3 The Committee are also asked to agree that all aspects of the policies apply to all SEStran employees including Chief Officers.

George Eckton  
**Partnership Director**

Lynn McKenzie  
**HR Adviser**

**9 September 2016**

#### **Appendices**

1. Flexible Working Policy
2. Smoking Policy
3. Home Working Policy
4. Learning and Development Policy
5. Recruitment Policy

|                                    |   |
|------------------------------------|---|
| Policy Implications                | The proposed revisions bring SEStran's policies into line with recent changes in legislation and reflect best practice. |
| Financial Implications             | Costs are budgeted for in this year's budget.   |
| Race Equalities Implications       | The proposed revisions bring SEStran's policies into line with recent changes in legislation and reflect best practice. |
| Gender Equalities Implications     | The proposed revisions bring SEStran's policies into line with recent changes in legislation and reflect best practice. |
| Disability Equalities Implications | The proposed revisions bring SEStran's policies into line with recent changes in legislation and reflect best practice. |

|                             |      |
|-----------------------------|------|
| Climate Change Implications | None |
|-----------------------------|------|



## **FLEXIBLE WORKING PROCEDURE**

**July 2016**

## **INTRODUCTION**

SESTRAN recognises the importance of helping employees balance their work and home life by offering flexible working arrangements.

Legislation provides employees who meet the eligibility criteria set out below with the right to apply to work flexibly and for this application to be considered.

### **Scope**

This policy encompasses all SEStran employees.

### **Eligibility**

Under the terms of the legislation the employee has the right to apply to work flexibly if they meet the following eligibility criteria:

- 26 weeks continuous service with SESTRAN at the date the application is made;
- not have made a request to work flexibly during the previous 12 months.

### **Flexible Working Options**

The following section covers the options available to employees in respect of Flexible Working arrangements.

#### Compressed Hours

Compressed hours is a working pattern that reallocates the normal hours of work and the work activity into fewer and longer blocks of time. A full-time employee on this arrangement will normally have their standard hours per week compressed into fewer than five full working days a week. Examples include a 9 day fortnight.

#### Part-Time Working

Part-time working is where an employee works fewer hours per day, per week or per year, than those who work full time in the same job. Part-time working hours can be arranged into work patterns that suit service delivery needs. This can include term time working.

#### Job Share

This involves two employees carrying out the work of a full-time post that would normally be done by one employee. There is no set model for managing time, which may involve working a set number of hours each week or alternative weeks.

#### Annualised Hours

Annualised hours is where the contracted hours are worked over a whole year rather than per week. Hours of work may be varied, as agreed, in a way that reflects seasonal/operational variations in service delivery over the year.

## **Flexitime scheme**

The operation of the Flexitime Scheme must observe the following basic principles:

- The level of service must not be reduced in any way through the operation of the flexible working hours.
- Continuous cover must be made during public opening hours and the Director or a Senior Manager will determine suitable staffing levels.
- Flexitime applies to the day to day operations of the service. Any other working arrangements, for example, overseas trips must be discussed with the relevant line manager.

It is recognised however that the options contained in the policy cannot be made available to all employees. The scope to undertake flexitime is subject to the requirements of Services and exclusions. It is an over-riding principle that service provision must not suffer.

### Time Recording Arrangements

All employees are required to record their attendance by using the excel flexi sheet manual recording system.

Abuse of the flexitime scheme is regarded as a serious matter and may result in disciplinary action.

Flexible Hours:                    7:00am - 7:00pm Monday-Friday

### No Core time Hours

Employees must work a minimum of 4 hours per day. Employees who wish to work out with standard working hours require prior permission from their line manager.

### Lunch Period

There is a minimum lunch break of 30 minutes. Appropriate operational cover should be maintained during the lunch period.

### Accounting Period

The period over which employees must work their contracted hours, allowing for any carry forward, is 4 weeks.

Contracted Hours - 148 hours per 4 week period  
Contracted Weekly Hours - 37 hours

Employees working reduced or increased hours will be required to work four times their weekly contracted hours within each accounting period .

Credit Hours – maximum of 14.48 hours for full time employees can be carried over  
Debit Hours- maximum of 7.4 hours for full time employees can be carried over

For employees working reduced or increased hours this will be calculated on a pro rata basis.

### Flexi Leave

Up to 2 days flexi leave may be authorised in any one accounting period. Flexi leave may only be used where the hours being carried forward into the next accounting period will not exceed the maximum debit limit. All flexi leave must have prior management approval.

Employees should not work additional hours with the sole purpose of building up flexitime.

## **Flexible Working - Employee's Responsibilities**

While employees have the right to make an application to work flexibly, they also have the responsibility to:

- apply in writing using the attached proforma well in advance of proposed date;
- ensure that they meet the eligibility criteria;
- indicate the work pattern they wish to adopt;
- highlight the impact on the employer;
- suggest how it can be accommodated;
- come to the meeting prepared to discuss their application in an open and constructive manner
- be prepared to be flexible to reach an agreement with their manager.



## **The Request Process**

The process is bound by timescales which must be adhered to unless the manager agrees with the employee to different timescales. These are:

- within 28 days of receipt of the application, the manager should arrange a meeting with the employee to discuss their request. The employee has the right to be accompanied at this meeting. This can be a work colleague or TU representative;
- within 14 days of the meeting, the manager should provide a written response to the employee advising them of their decision;
- if the request is rejected, the employee has the right of appeal through the Grievance Procedure and their written grievance should be submitted to the Partnership Director within 14 days of receipt of the written response;
- a hearing is arranged within 10 days of receipt of the grievance;
- the employee is advised of the outcome of the appeal decision within 5 days of the hearing.

If the manager decides to agree to the request, they should discuss with the employee any arrangements that need to be made to facilitate the change and the expected timescales for this. Any change agreed will be a permanent change to the employee's terms and conditions unless agreed otherwise with them. Confirmation of the change should be given to the employee in the form of an amendment to their contract. Payroll also should be advised of the change.

## **Reasons for Refusal**

When considering any request on behalf of SESTRAN, the manager should be aware that should they decide to reject the request, the reason must fall under one or more of the following headings:

- burden of additional costs
- inability to meet customer demand
- inability to reorganise work with existing employees
- inability to recruit additional employees
- detrimental impact on quality
- detrimental impact on performance
- insufficiency of work when employee proposes to work
- planned structural changes.

Advice should be sought from SESTRAN's Human Resources Adviser where a manager is unsure if their reason falls within these headings.

## **Review of Procedures**

SESTRAN will undertake a review of this document as appropriate. However, either the employer or trades unions may propose amendments at any time, by giving notice in writing to the Partnership Director.

This Policy has been equality impact assessed and no adverse impact has been identified.

# APPLICATION FOR FLEXIBLE WORKING

## Note to Employee

You can use this form to make an application for flexible working.

It will help your manager to consider your request if you provide as much information as possible. It is important that you complete all the questions as otherwise your application may not be valid. When completing sections 4 & 5, think about what effect your change in working arrangements will have on both the work you do and on your colleagues.

Your manager will have 28 days after the date of your application to initially respond to your request. If the request is granted, you will receive a separate letter outlining the specific arrangements that have been agreed.

### 1. Personal details

Name:

Employee No:

Address:

Location:

Post Code:

### 2a. Describe your current working pattern (days/hours/times worked):

**2b. Describe the working pattern you would like to work**

**2c. I would like this working pattern to commence from:**

Date

**3. Reason for application**

**4. Impact of the new working pattern**

I think this change in my working location will affect my employer and colleagues as follows:

**5. Accommodating the new working pattern**

I think the effect on my employer and colleagues can be dealt with as follows:

**6. Confirmation of eligibility**

I would like to apply to work a flexible working pattern that is different to my current working pattern under my right provided in law. I confirm I meet each of the eligibility criteria as noted below:

- I have 26 weeks continuous service with SESTRAN;
- I have not made a request to work flexibly in the past 12 months.

Signature:

Date:

**Employer's Confirmation of Receipt:**

Dear:

I confirm I have received your application to work flexibly on:      Date

I shall be arranging a meeting with you to discuss your application within 28 days following this date.

From:

## **SMOKING POLICY**

### **1. INTRODUCTION**

As a good employer and in recognition of the statutory duty of care to employees, SEStran aims to improve the health and wellbeing of all employees through its Health and Safety Strategy. The Smoking policy is an integral part of this Strategy.

### **2. POLICY STATEMENT**

SEStran acknowledges that all employees and visitors to SEStran premises should be able to enjoy a pleasant, healthy and smoke-free environment.

In accordance with the Smoking, Health and Social Care (Scotland) Act 2005 and the Prohibition of Smoking in Certain Premises (Scotland) regulations 2006, smoking is prohibited in all SEStran premises. This applies to employees employed directly by SEStran, through an agency, by a contractor or other organisation and all visitors.

There is currently no government standard for the contents of e-cigarettes and vapour cigarettes and as such the medical benefits or possible health risk are still unclear. In response to this, the Medicines and Healthcare products Regulatory Agency (MHRA) plan to license e-cigarettes by 2016. The World Health Organisation (WHO) have concerns that these products may increase addiction to the young and have concerns regarding the long term health effects of the contents of the aerosol cartridges.

In line with current British Medical Association guidance smoking of regular cigarettes, e-cigarettes, vapour cigarettes or any other substances smoked or inhaled is prohibited in all SEStran premises.

Employees who wish to smoke may do so in their own time during lunch breaks. Employees will not be permitted to smoke while carrying out their duties and responsibilities for SEStran.

### **3. IMPLEMENTATION AND ENFORCEMENT**

The Partnership Director is responsible for enforcing the Smoking Policy.

Managers are responsible for the promotion and maintenance of the policy by their staff and will receive training and guidance regarding their responsibilities in relation to the policy and enforcement of it.

It is the responsibility of employees to comply with the terms and conditions of the Policy and to inform their manager of anyone who fails to comply with the policy.

Repeated and deliberate failure to conform to the requirements of the Smoking Policy may give rise to disciplinary action, however, in the first instance, support and advice will be offered.

Visitors not adhering to the policy will be asked to comply or leave the premises.

A copy of the policy will form part of new employees' induction packs.

#### **4. SUPPORT AND ASSISTANCE**

SEStran recognises that smoking is an addiction and this Policy may cause difficulties for those individuals who smoke. A variety of support will be available with the aim of assisting employees who wish to give up smoking.

Methods of support and assistance will be publicised as widely as possible and will include:

- the provision of advice and guidance through the distribution of information leaflets on stopping smoking
- working in partnership with organisations such as the Health Education Board for Scotland and other agencies
- Participation in National No-Smoking Day

#### **5. REVIEW**

The Partnership Director, in conjunction with the Performance & Audit Committee will monitor and review his policy on a regular basis.

## **HOME WORKING POLICY**

### **1. POLICY STATEMENT**

SEStran recognises that there may, on occasion, be circumstances when it would be more beneficial for staff to work from home. However, employees are contractually obliged to work mainly from the SEStran offices and home working is for extenuating circumstances or when approved in advance by relevant managers.

The purpose of this Policy is to ensure that all home working is properly assessed, monitored and reviewed to ensure the safety of employees and efficiency of business. SEStran will take all practical steps to identify any additional risks associated with home working and remove or reduce the risks to an acceptable level.

### **2. INTRODUCTION**

Agreement to work from home is dependant on certain criteria being fulfilled, these being that the employee:

- Has prior approval from relevant managers
- Does not have commitments within SEStran at the time
- Has notified relevant managers/colleagues of hours of work and location
- Has left a contact telephone number and is available to be contacted during the nominated hours
- Is prepared to come in to the office if requested to do so by a manager

Permission is required for each occasion that the employee wishes to work from home and requests should be made to relevant manager. The decision of the manager is final.

### **3. WORK ARRANGEMENTS**

#### **3.1. SESTRAN EQUIPMENT**

- 3.1.1.** Any equipment provided by SEStran for the purposes of working from home will be maintained by SEStran.
- 3.1.2.** The employee is required to take reasonable care of all equipment, to keep it secure and to use in accordance with operating instructions.

3.1.3. The employee must ensure that all equipment is returned to SEStran after use.

### **3.2. INSURANCE COVER**

3.2.1. Employees are advised that working from home may affect the provisions of any home contents insurance and are advised to inform their insurers prior to commencing working from home.

3.2.2. Employees are responsible to ensure that their home contents insurance covers any SEStran equipment used for the purposes of working from home.

### **3.3. PERSONAL DETAILS AND SAFETY**

3.3.1. Employees are advised not to release their home address and telephone number to non SEStran employees.

3.3.2. Employees are advised no to conduct meetings with non SEStran employees at home. In the event that the employee feels this is essential they must gain prior approval from the relevant manager.

### **3.4. CONFIDENTIALITY**

3.4.1. In accordance with Data Protection Legislation, homeworkers must take appropriate steps to ensure the security and safekeeping of any confidential information they are required to work with in the home. Such information must not be accessible to family or visitors of the homeworker. Confidential paper files should be kept in a locked cabinet.

3.4.2. Confidential waste should be returned to the SEStran office as soon as practically possible for destruction and not disposed of with household rubbish.

### **3.5. HOURS OF WORK**

3.5.1. The employee must agree the precise number of hours to be worked from home with their line manager before any homeworking arrangements commence. The actual times when the work will be undertaken need not be fixed. It is not anticipated that the number of hours worked from home will exceed the normal number of daily contracted hours.

3.5.2. Whilst working from home, employees should be available by telephone during the agreed working hours or contact periods.



#### **4. MANAGING THE RISKS**

In accordance with normal Risk Management procedures, managers will ensure Risk Assessments are undertaken on all home working activities. These will include identification of the actions to be taken which will minimise the risks. These actions will form part of the Risk Management Action Plan.

Where, as a result of the Risk Assessment, it is identified that an employee is at serious risk as a result of home working, the manager will identify remedial actions and/or alternative ways of delivering the service, which reduces the risk to the employee to an acceptable level.

#### **5. RESPONSIBILITIES**

##### **5.1. PARTNERSHIP DIRECTOR**

The Partnership Director of SEStran is responsible for the effective operation of the Policy across SEStran as a whole and for ensuring development of effective procedures to implement the policy. They are also responsible for ensuring that adequate resources are available to implement appropriate protective measures, where the risk assessments have indicated they are required.

##### **5.2. MANAGERS**

Managers are responsible for ensuring that appropriate risk assessments are undertaken and for ensuring implementation of any remedial actions/measures identified by the Risk Assessment process. They are also responsible for

ensuring that appropriate procedures are in place to monitor the safety of home workers and for providing support to home workers as required.

In line with the Accident/Incident Reporting procedures, Managers are responsible for ensuring that any accident/incident relating to home working is reported and investigated and that appropriate action is taken to prevent similar situations arising in the future.

##### **5.3. EMPLOYEES**

Employees are responsible for alerting their manager to any concerns they may have regarding home working and for reporting any accident/incident relating to home working to their manager as soon as possible following the accident/incident. Employees will give a full and accurate account of details leading to the accident/incident including details of the accident/incident itself.

#### **6. MONITORING & REVIEW**

The Partnership Director, in conjunction with the Performance and Audit Committee, will monitor and review this policy on an annual basis.



## **LEARNING & DEVELOPMENT POLICY**

**September 2016**

## **Aims and Objectives**

SEStran is committed to employee learning and development, and recognising that it has a key role in ensuring employees have the necessary knowledge and skills to deliver a high quality and cost effective service to the community SEStran serves.

The policy aims to ensure equality of access to learning and development opportunities, the achievement of best value in all learning and development activities and to outline the support available and required procedures for all employees to equitably access learning and development opportunities whilst working for SEStran.

SEStran aims to provide the highest standard of learning and development, within the budgetary and best value considerations of the organisation, to develop and maximise the potential of all employees and is committed to providing a wide variety and range of opportunities to employees.

## **Scope**

SEStran is committed to equality of opportunity for all employees as described in the Equality and Diversity Policy and this will be reflected by systematic and planned development for all employees. Appropriate learning and development opportunities will be available to, and accessible by, all employees and will address individual, service and organisational needs. SEStran will monitor training applications and learning undertaken to ensure equality of access. Employees will be requested to complete and file a training request form.

## **Induction**

SEStran recognises the importance of providing appropriate induction to every new employee to allow them to become effective in their role at the earliest opportunity. SEStran will ensure that every new employee receives induction appropriate to their role and to assist with the process, every new employee will be appointed a "Mentor" who will be an experienced member of SEStran.

## **Identification**

Individual training and development needs will be identified through the bi-annual performance appraisal process of SEStran and from formal requests from employees out with the 6 monthly formal appraisal periods. Employees are also responsible for their own learning and development and as such may inform the organisation of their development needs and take part in prescribed learning and development activities.

## **Learning and Qualifications: Approved and Developmental**

SEStran recognises a difference between approved and developmental learning and qualifications.

Approved learning can be defined as: "any job-related learning which is necessary to allow the employee to perform effectively in their current role". Approved

qualifications can be defined as: “any qualification which has been identified as essential, as opposed to desirable, for the employee in their current role”.

For approved learning/qualifications employees will be entitled to receive time off to attend relevant activities and SEStran will pay all costs associated with approved learning/qualifications.

Development learning/qualifications can be defined as: “any learning which, although completion may assist the employee to develop personally and/or professionally, is not required to allow the employee to perform effectively in their current role”.

The amount of financial support offered to individuals for Developmental learning/qualifications is at the discretion of the Partnership Director, who when determining this will consider the business case for the learning including: the amount of budget available, the business benefit of learning, the motivations of the individual applying for the learning, and associated recruitment and retention issues.

SEStran line managers will ensure that the employee is advised whether the learning/training is classed as Approved or Developmental before the learning/training commences and will ensure fairness and equality of opportunity in making these decisions. The amount of time off to attend training offered to individuals for Developmental learning/qualifications is also at the discretion of the line manager, subject to the adherence to the following legislation.

The Employee Rights Act 1996 section 63D provides that employees have the right to request “time to train”. Employees can make requests for time to undertake training which they believe will improve both their effectiveness at work and team/service performance. There is no limit on the amount of time, study or training that an employee can request, however employees do not have the right to be paid for the time spent training when requests of this nature are made.

Further guidance on the application of this legislation is available from SEStran’s HR Advisers.

The learning and development needs identified will be met through a variety of activities depending on the nature (approved or developmental) and extent of the requirements deemed necessary after assessment.

### **Repayment of Learning/Qualification Costs**

There will be no requirement for an employee to repay any costs paid by SEStran associated with approved learning, approved qualifications and developmental learning.

Where an employee leaves the service of SEStran or fails to complete a Developmental Qualification, the Partnership Director may, if it is considered appropriate, demand repayment of costs paid by SEStran as follows:

- ***Employee fails to complete qualification*** – repayment by employee of all costs paid by SEStran excluding travel costs and time off

- ***Employee leaves the service of SEStran whilst undertaking the qualification*** – repayment by employee of all costs paid by SEStran excluding travel costs and time off
- **Employee leaves the service of SEStran within 12 months of completion of the qualification** – repayment by employee of all costs paid by SEStran excluding travel costs and time off
- **Employee leaves the service of SEStran within 13-24 months of completion of the qualification** – repayment by employee of 50% of costs paid by SEStran excluding travel costs and time off

Employees will be made aware of the repayment request at the time of application and agreement of any requests to undertake developmental qualifications.

### **Evaluation**

As part of their Personal Training assessment and as part of the annual performance appraisal process, employees and line managers will be required to evaluate all learning and development activities to measure their contribution to the achievement of SEStran's corporate objectives and to ensure best value.

### **Review**

The Partnership Director in conjunction with SEStran line managers will monitor and review this policy as appropriate.



## **RECRUITMENT POLICY**

**July 2016**

## **Introduction**

SESTRAN aims at all times to recruit the person who is most suited to the particular job. Recruitment will be solely on the basis of the applicant's abilities and individual merit as measured against the criteria for the job. Qualifications, experience and skills will be assessed at the level that is relevant to the job.

SESTRAN is committed to applying its equal opportunities policy at all stages of recruitment and selection. Shortlisting, interviewing and selection will always be carried out without regard to gender, sexual orientation, marital status, colour, race, nationality, ethnic or national origins, religion or belief, age or trade union membership.

Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of their disability.

## **Recruitment process**

It is SESTRAN's policy that vacancies will normally be advertised externally in appropriate media as well as being notified to existing employees who will be encouraged to apply for vacant posts if they have the appropriate qualifications, experience and skills.

All posts to be advertised will be agreed in advance by the Partnership Director and, where appropriate, the Partnership Board.

Before beginning to recruit to a post, the person responsible for the process must ensure that there is an up-to-date job description and a clearly drafted **person** specification. The job description will describe the duties, responsibilities and level of seniority associated with the post, whilst the **person** specification will describe the type of qualification(s), training, knowledge, experience, skills, aptitudes and competencies required for effective performance of the job.

Application packs to be issued to candidates will include: an application form, equal opportunities monitoring form, job description, copy of advert and SESTRAN information.

Copies of job description and person specification templates are attached at Appendices A and B respectively.

## **Selection process**

The shortlisting process will be undertaken only on the basis of the information provided on each person's application form and with regard to whether or not they meet the essential criteria noted in the person specification and job description.

Candidates will be advised whether or not they are being invited for interview in writing as soon as possible after the closing date. As much notice of interviews

will be given as possible, normally at least 5 working days. If a candidate is unable to attend for interview alternative arrangements will be made if practical.

Reasonable adjustments to the recruitment process will be made to ensure that no applicant is disadvantaged because of any disability they may have.

Interview panels will ensure that the questions they ask job applicants are not in any way discriminatory or unnecessarily intrusive. The interview will focus on the needs of the job and skills needed to perform it effectively, taking account of the information contained in the **person** specification and job description. A record of every recruitment interview must be made and retained in a confidential basis for a period of six months and thereafter confidentially destroyed. On no account should any job offer be made during or at the end of an interview.

Psychometric testing may be used as part of the recruitment process. Any test used must have been validated in relation to the job, be free of any bias, and be validated, administered, scored and feedback and by a suitably trained person.

All applicants invited for interview must be advised that, if successful at interview, they will be expected to complete an Occupational Health questionnaire.

Once the preferred candidate has been selected, the Occupational Health questionnaire should be sent to the candidate.

If the Occupational Health Adviser has any queries regarding the questionnaire, they may invite the candidate for a medical interview or a medical examination. If the candidate refuses to complete the questionnaire, or attend an Occupational Health interview or examination, this would mean that conditions of the appointment had not been satisfied, and the manager must obtain advice from the Service HR Adviser.

It is SESTRAN's practice to seek the successful candidate's consent to seek two written references and to ask for documentary proof of qualifications.

Information regarding attendance, ill health or disability must not be requested from previous employers prior to interview. However, two appropriate and satisfactory employment references will be required prior to confirming any conditional offer of employment, and the conditional offer letter will advise the candidate that references will be sought at that point. A template offer letter is attached at Appendix C.

On no account should any job offer be made during or at the end of an interview. Offers of employment may only be made on condition that all checks have been received and are satisfactory.

Candidates who have been unsuccessful at interview will normally be advised in writing within two weeks of the interview date.



## Eligibility to work in the UK

The Immigration, Asylum and Nationality Act 2006 introduces Civil Penalties for employers who illegally employ someone who is subject to immigration control. An 'on the spot fine' will be introduced of up to **£10,000 per illegal employee**. This fine will be enforced regardless of whether the employer is aware that they are employing someone illegally. In addition employers who knowingly allow illegal working are at risk of prosecution, and a criminal conviction carries a threat of imprisonment and/or a fine.

Therefore to avoid a penalty notice of a fine or imprisonment employers are required to;

- See, validate and retain copies of certain original documents for not less than 2 years after employment has ended
- If document contains photograph, the employer must satisfy him/herself that the photo is of the prospective employee or employee
- If document contains date of birth, the employee must satisfy him/herself that it is consistent with the appearance of the prospective employee
- Employees who have restrictions on their time in the UK may be subject to repeat checks, and managers are responsible for monitoring and following up on this

A list of documents which should be considered for the purposes of validating eligibility to work in the UK is attached at Appendix D.

**When candidates are invited for interview they must be asked to bring along with them the appropriate documentation. The chair of the panel must ensure that original documents are checked and copied from List A or List B as attached, before employing that person. Where candidates are not from the UK, advice should be sought from SESTRAN's Human Resources Adviser before any offer of employment is made.**

## Baseline Personnel Security Standard (BPSS)

BPSS is the minimum standard required to ensure the identity and integrity of an employee with access to official information/systems. It involves a number of checks:

- Identity check;
- Nationality and Immigration Status;
- Employment History (past 3 years);
- Verification of Criminal Record (unspent convictions only);
- References covering previous 3 year period;
- Checks relating to time spent living or working abroad;

The checks relating to gaps in employment history or additional references covering a 3 year period are not mandatory but are considered good practice.

## **Induction**

All employees will undergo an induction appropriate to the duties of their post. The attached induction checklist should be used to keep a record of the induction process and retained in the employee's personal file.

## **Review**

This policy will be reviewed as required to take account of developments within SESTRAN and legislative requirements.

**JOB DESCRIPTION**

**Section A Job definition**

**Section B Organisational relationship**

**Section C Key Responsibilities**

**Section D Knowledge, Skills & Experience**

Knowledge

Skills

Experience

**Section E Communications and Contacts**

**PERSONN SPECIFICATION**

**TITLE OF POST:**

| <b>POSTHOLDER'S ATTRIBUTES</b>           | <b><u>ESSENTIAL</u></b> | <b>DESIRABLE</b> | <b>TO BE IDENTIFIED BY:</b> |
|--|-------------------------|------------------|-----------------------------|
| <b>Qualifications/Training</b>           |                         |                  |                             |
| <b>Special Knowledge</b>                 |                         |                  |                             |
| <b>Circumstances / Personal</b>          |                         |                  |                             |
| <b>Disposition/Attitude</b>              |                         |                  |                             |
| <b>Practical and Intellectual Skills</b> |                         |                  |                             |
| <b>Experience</b>                        |                         |                  |                             |

Enquiries to: Chair of Interview Panel  
Direct Dial: Extn. No.  
Date:

**CONFIDENTIAL**

Name  
Address  
Town  
Postcode

Dear Name,

Post: {Job Title}

Following a successful interview, the Interview Panel will be making recommendations to the Partnership Director in regard to your appointment, but any recommendation will be subject to satisfactory completion of various pre-employment checks.

This post requires that Occupational Health clearance is obtained, and a questionnaire is attached. Please complete the questionnaire and ensure confidentiality by sealing it in a plain envelope with your name written on the top left hand corner. You should then return it to the Chair of the Interview Panel, who will forward it unopened to Occupational Health for assessment.

References will now also be requested.

It is important that you note that this letter is a conditional offer of appointment, and will only be confirmed after consideration of such pre-employment checks as may be conducted and considered necessary by the SESTRAN. SESTRAN reserves the right not to proceed with an appointment for any reason.

As we are not in a position to confirm a formal offer of employment to you at this stage of the recruitment process you are advised not to hand in your notice to your present employer. Please wait until such time as you receive a letter from SESTRAN formally offering you an appointment.

Yours sincerely,

**TITLE**

Eligibility to Work in the UK  
List of Original Documents Required at Interview

Candidates must provide **one** of the original documents alone, or **two** of the original documents in the **specified combinations** given in **EITHER List A OR List B.**

**List A** contains the range of documents which you may accept for a person who has a permanent right to work in the UK. If you conduct the right to work checks correctly before employment begins, you will establish a continuous statutory excuse for the duration of that person's employment with you. You do not have to conduct any further checks.

**List B** contains a range of documents which may be accepted for a person who has a permanent right to work in the UK. If you conduct the right to work checks correctly you will establish a time-limited statutory excuse. You will be required to conduct a follow-up check in order to retain your statutory excuse. This should be undertaken in the same way as the original check. List B Part 1; checks should be completed before employment starts and again when permission expires (as set out in the document checked). List B Part 2; checks should be completed before employment starts and again after six months (as set out in the Positive Verification Notice).

**LIST A (Part 1) - Documents which confirm the candidate has an on-going right to work in the UK - one document only is required (See note re citizens from A2 and A8 countries)**

A passport showing that candidates are a British citizen or a citizen of the United Kingdom and Colonies having the right of abode in the UK.

A passport or national identity card showing the candidate is a national of an EEA country or Switzerland.

A registration certificate or Document Certifying Permanent Residence issued by the Home Office or the UK Border Agency, as a national of an EEA country or Switzerland.

A permanent residence card issued by the Home Office to the family member of a national.

A **current** passport endorsed to show the candidate is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

A **current** Bio-metric Immigration document issued by the Home Office to the holder indicating that the candidate is allowed to stay indefinitely in the UK or have no time limit on their stay in the UK.

**LIST A (Part 2) – Documents which confirm the candidate has an on-going right to work in the UK but where two documents are required (See note re citizens from A2 and A8 countries)**

A **current** Immigration Status Document issued by the Home Office to the candidate with an endorsement indicating that the candidate is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A **full** birth/adoption certificate issued in the UK, which includes the names of at least one of the candidate's parents or adoptive parents, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A birth/adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

A certificate of registration or naturalisation stating the candidate is a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

**Note:** EEA nationals who may work without restriction are from Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, UK, Iceland, Liechtenstein and Norway. Nationals of Switzerland may also work without restriction.

**LIST B (Part 1)- Documents which confirm the candidate has a time limited right to work in the UK – one document only is required**

A **current** passport endorsed to show the candidate is allowed to stay in the UK and is allowed to do the type of work in question.

A **current** Biometric Immigration Document issued by the Home Office indicating the candidate can stay in the UK and is allowed to do the work in question.

A **current** residence card (including an Accession Residence Card or Derivative Residence Card) issued by the Home Office to a non-European Economic Area (EEA) national who is a family member of a national of an EEA country or Switzerland who has a derivative right of residence.

A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

**LIST B (Part 2)- Documents which confirm the candidate has a time limited right to work in the UK but where two documents are required Documents where a time limited statutory excuse lasts for 6 months**

A Certificate of Application issued by the Home Office under regulation 17(3) or 18A9" of the Immigration (European Economic Area) Regulations 2006 to a family member of a national of a European Economic Area (EEA) country or Switzerland stating that the holder is permitted to take employment which is less than 6 months old together with a Positive Verification Notice from the Home Office Employer Checking Service.

An Application Registration Card issued by the Home Office stating that the candidate is permitted to take the employment in question, **together with a Positive Verification Notice** from the Home Office Employer Checking Service.

A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer which indicates that the named person may stay in the UK and is permitted to do the work in question.