

# Policy and Sustainability Committee

10am, Tuesday, 12<sup>th</sup> March 2024

## Policy Updates (Minor)

Executive/routine  
Wards  
Council Commitments

### 1. Recommendations

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- 1.1 To approve the amended Sickness Absence Policy.
- 1.2 To approve the amended Protecting Colleagues from Unacceptable Behaviours Policy.
- 1.3 To approve the standing down of the Work Experience Policy to be replaced with practical guidance.

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# Report

## 2. Executive Summary

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- 2.1 The Sickness Absence Policy updates and replaces the current policy approved at Committee in October 2019. The policy has been updated following a Whistleblowing management recommendation.
- 2.2 The Protecting Colleagues from Unacceptable Behaviours Policy updates and replaced the current policy approved at Committee in August 2022. This policy has been updated following feedback from colleagues following implementation.
- 2.3 The Work Experience Policy was established in 1998 and provided a framework for providing opportunities within the Council however this is now outdated and no longer fit for purpose and is to be stood down and replaced by guidance developed by officers.

## 3. Background

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- 3.1 The Sickness Absence Policy provides guidance to colleagues on actions to take when they are unwell and unable to attend for work. It also provides a structure and process for managers to effectively manage employee absence.
- 3.2 The Protecting Colleagues from Unacceptable Behaviours (Protecting Colleagues) was developed as part of the conduct policy reviews in 2022-23 and consolidated the previous Violence at Work and Managing Customer Contact in a Fair and Positive Manner policies. It outlines how the Council will protect colleagues in the workplace from violence, aggression, bullying and harassment, and put in place measures to prevent and mitigate such incidents. When an incident does occur, it provides a framework for colleagues and managers to follow in terms of reporting, recording and responding.
- 3.3 The Work Experience Policy provides a framework for the development and operation of work experience opportunities within the Council. It has not been reviewed since launch in 1998.

## 4. Main report – Policy Amendments

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### **Sickness Absence Policy**

- 4.1 In October 2023, a Whistleblowing management recommendation asked HR to review the issue raised in the disclosure and where appropriate review and amend the Sickness Absence Policy accordingly.
- 4.2 The current policy advises that where an employee is unwell and unable to attend for work, they should contact their line manager to advise them of their absence.

However, the policy does not advise what action an employee should take if the reason for their absence is related to their manager.

- 4.3 To remedy this, we have added in a line confirming that employees can contact another alternative manager to report their absence as appropriate.
- 4.4 We have also been asked by the Trade Unions to include lines from the Red Book<sup>1</sup> covering Industrial Injury allowance and infectious diseases.

### **Protecting Colleagues Policy**

- 4.5 The new policy was introduced in September 2023, following approval by Committee in August 2023. As a result of incidents within the Council, a review was undertaken to clarify the support that is available or should be made available to colleagues following an incident, specifically where there has been a physical assault. This information was contained in associated guidance, however it is considered that it is useful to have this incorporated into the actual policy.
- 4.6 Amendments have also been made to the language in the policy to ensure it is more inclusive and mindful of victims of unacceptable behaviours.
- 4.7 As a brand new policy to the Council, it is important that we monitor implementation and ensure we regularly review, and then shape the policy to meet the needs of our workforce.

### **Work Experience Policy**

- 4.8 The Council recognises the benefits that work experience can have for both the Council as well as the individual undertaking the opportunity. To enable us to support such opportunities, clear guidance is required to ensure they are fit for purpose, meaningful and add value.
- 4.9 The existing policy was launched in 1998 and has not since been reviewed. Feedback from service areas suggested it was out of date, responsibilities were unclear and undefined and there is a lack of guidance for managers in considering such requests. As a result, placements are unlikely to happen as the current process is hard to follow and cumbersome.
- 4.10 Colleagues from across Business Growth and Inclusion, Job, Education and Training (JET), Health and Safety and HR worked in partnership to develop new guidance and supporting documents which practically lead managers through the options for considering work experience opportunities, as well as the steps they need to take to make it happen. The guidance reflects good practice.
- 4.11 As a result, it is requested that the original Policy is stood down and replaced by this guidance. As guidance, it can be reviewed and updated regularly based on immediate feedback.

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<sup>1</sup> The Scottish local government joint council agreement, known as the Red Book, contains pay and conditions details for Scottish local government workers. The terms have been negotiated by local government employers and union representatives.

## **5. Next Steps**

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- 5.1 If approved, the policies will be updated on the Council's intranet and external websites in January 2024.
- 5.2 We will also take steps to remove the Work Experience Policy from the Orb and upload the guidance and supporting documentation.

## **6. Financial impact**

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- 6.1 We do not have any evidence which would indicate that the proposed changes to these policies will pose a significant financial impact to the Council.

## **7. Stakeholder/Community Impact**

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- 7.1 As part of our normal policy development process, the trade unions have been engaged on the Sickness Absence and Protecting Colleagues policies and have indicated their approval for the policy changes and as such both policies remain collective agreement.
- 7.2 The Trade Unions have also been given notice to stand the Work Experience Policy down, in line with our collective agreements.

## **8. Background reading/external references**

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N/A

## **9. Appendices**

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- 9.1 Sickness Absence Policy
- 9.2 Protecting Colleagues from Unacceptable Behaviours Policy
- 9.3 Work Experience Guidance

# Sickness Absence Policy

The Council (we) recognise that some absence due to sickness is inevitable. Our approach to absence management is based on a starting assumption of trust between managers and employees, and we are committed to supporting employees in a consistent, fair and sympathetic way. The sickness absence policy sets out the principles and methods through which absence is managed but is also just one part of a broader strategy to establish a healthy workplace. Our focus is on supporting you to remain healthy and encouraging all our employees to engage with the range of initiatives and support available. Our aim is to tackle the underlying causes of sickness and reduce the adverse impact of sickness absence on employees and on service delivery.

## Author

Employee Relations, Human Resources,  
Resources Directorate.

## Scope

This policy applies to all Council employees.

## Purpose

The purpose of this policy is to set out how we will manage sickness absence across the organisation, and ensure that you know what is expected of you and what measures can be put in place to support you when you are absent from work with an illness.

## Review

The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily as a result of: changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation.

## Local Agreement

This policy is a local collective agreement between the Council and our recognised Trade Unions. We will make every effort to ensure that it is maintained as a local collective agreement. Any changes will be made by agreement. If we cannot agree, either party can end the local collective agreement by giving four months' notice in writing, with the policy ceasing to apply to staff at the end of that period.

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# 1. Health and wellbeing

We want to encourage you to adopt and pursue healthy lifestyle options that can contribute to your overall wellbeing and support lower levels of sickness absence. We aim to achieve this partly through the policies we have in place and by considering medical advice where relevant but, as importantly, through your active participation in health and wellbeing initiatives available to you.

There are times when we all need extra support, and our Employee Assistance Programme is a free and confidential service that’s available to all colleagues. This offers a wide range of services, including but not limited to: counselling, advice on personal issues, work-related issues, debt management, and legal issues. They also provide specific advice for managers in supporting working relationships. If you notice you’re not quite yourself you don’t have to wait until you’re off, take early steps to seek help and support.

We also provide employee benefit choices that encourage a fit and active lifestyle, such as active travel, bike to work schemes and gym membership discounts. It’s important that you play a key role in your own wellbeing and we encourage you to take full advantage of what’s on offer both within and outside of work.

We are an equal opportunities employer and commit to supporting employees with disabilities. This may involve making reasonable adjustments to the role that is being undertaken. We recognise that a disability is not necessarily a physical limitation that can be addressed with additional equipment and we are committed to fully exploring all options available to ensure that you feel supported in relation to how your attendance is being managed.

If you are absent with, or diagnosed with, stress-related ill-health talk to your manager. Where your absence or stress relates to your line manager, speak to another appropriate manager about this and they will help you to complete a stress risk assessment and action plan. It’s important to identify the underlying issues and to try to put together steps to resolve this wherever possible. Further information is available in the Stress Management policy.

## 2. Managing sickness absence

### Notification of sickness absence

If you can't come to work because you're sick, you need to phone your manager to let them know. You should do this as soon as you can, and certainly no later than the time you're due to start work. You would normally need to contact your manager each day you're off. However, if it's clear that your absence is likely to last for more than one day, you should explain this to your manager and agree the appropriate timeframe for making contact, and what form the contact should take.

Where your absence relates to your line manager, you should contact another appropriate manager to make them aware that you are unable to attend work.

If your absence continues beyond 7 calendar days, you need to get a fit note from your GP. You don't need to continue to notify your manager daily once you have provided a fit note, although you and your line manager should agree appropriate contact arrangements.

If your absence isn't supported by a fit note, or you don't follow the notification procedure, your manager will make all reasonable efforts to contact you to check that you're okay. For this reason it's important you provide your manager with emergency contact details. If we're unable to make contact we may also visit you at home to make sure nothing serious has happened. While mitigating factors will be taken into account, if you don't make contact this could be viewed as unauthorised absence, which means you won't get paid while you are off and may lead to disciplinary action being taken. The steps a manager should follow before recording an absence as unauthorised are detailed in the Sickness Absence User Guide.

Absence in respect to normal sickness is entirely separate from absence through industrial disease or injury arising out of or in the course of employment with the Council. Periods of absence in respect of one will not be offset against the other for the purposes of calculating entitlements under the scheme. Managers should refer to the Sickness Absence User Guide for further information.

A colleague who is prevented from attending work because of contact with infectious disease will advise their line manager immediately and will be entitled to receive normal pay. The period of absence on this account will not be reckoned against the colleague's entitlements under this scheme.

### Medical appointments

If you need to attend medical appointments, including emergency appointments or those externally mandated (such as hospital/specialist referrals), we provide reasonable time off. Further information regarding leave available for medical appointments can be found in the Special Leave Policy and in the Sickness Absence User Guide.

### Sickness absence categories

We apply two specific categories to sickness absence, which often determines the way in which it is measured and managed. These are:

- **Short-term sickness absence:** Absences of less than 4 continuous weeks.
- **Long-term sickness absence:** Absences of 4 continuous weeks or more.

Care should be taken to ensure that other forms of absence, such as those covered in the Special Leave Policy, are not recorded as sickness.

## Talking and listening

We manage sickness absence through a series of informal and formal conversations between you and your manager, both during and following a period of absence. This is so we can better understand the nature of your absence and decide how we might best be able to support you at work. Equally, this will help you understand how to engage with any support that's available to you.

This applies equally to ill-health that hasn't yet resulted in absence. Preventative action can often significantly reduce the impact of emerging ill-health at work, so if you're experiencing health difficulties you're encouraged to talk openly and honestly with your manager so that we can understand how to support you at work and hopefully avoid any future absence.

Your manager will review your sickness absence level on a rolling basis and may need to have a series of more formal meetings with you, depending on the circumstances. Specific levels of absence would normally prompt these conversations, as outlined in Section 3 below.

## Working in partnership with Occupational Health

In certain circumstances, we might ask you to attend our Occupational Health providers who are best placed to provide us with the specialist advice we may need to be able to support you. If your fit note or Occupational Health report mentions any reasonable adjustments that could potentially be made to support you at work, we will consider that advice. There is more information about reasonable adjustments in the Sickness Absence User Guide.

If you're asked to attend Occupational Health, your manager will meet with you in advance to explain why we need to seek additional medical advice. This could be before, during, or after a period of absence.

We would strongly encourage you to attend Occupational Health if your manager feels it's necessary. You won't be referred without your consent, but if you decline your absence will continue to be managed based on the information available, which may then not include important medical advice.

## Medical Redeployment

If we can't make any reasonable adjustments to support your return to work, or to help you reach a sustained level of attendance in your current role, we will also consider medical redeployment. If appropriate, your manager will seek advice from Occupational Health to find out what suitable alternative work you might be able to do, and then work with you for a period of three months to see if any vacancies might be suitable. Your engagement in this process will be crucial and your manager will help you with this, assisted by Human Resources. The Sickness Absence User Guide provides further guidance.

## 3. Sickness absence thresholds

While we're committed to providing support to colleagues who are experiencing health difficulties, where sickness absence reaches certain levels we often need to manage this through a more formal process.

Your manager will determine the most appropriate way of managing your absence by referring to a number of sickness absence thresholds, outlined in the table below.

|                                      |   |
|--------------------------------------|---|
| <b>Short-term absence thresholds</b> | <b>Employee should not exceed thresholds again within</b> |
|--------------------------------------|---|



|  |           |
|--|-----------|
| 3 instances of sickness absence in a 12-month period | 12 months |
| <b>or</b>  |           |
| 8 days of sickness absence in a 12-month period      | 12 months |

| Long-term absence threshold                                 | Employee should not exceed threshold again within |
|---|---|
| 4 weeks of continuous sickness absence in a 12-month period | 12 months   |

## What happens when you reach a threshold?

Whenever you're off work due to sickness, your manager will look at the number of instances and days you've been off sick in the past 12 months to check whether you've reached or exceeded any of the absence thresholds. Where the reason for your absence relates to your manager, another appropriate manager will discuss the absence threshold with you on your return to work and manage your absence in line with this policy.

If your sickness absence reaches any of the threshold levels, your manager will discuss this with you at a return to work conversation (or by other appropriate means if you are still off work) to make you aware you've reached a threshold and to explain what this means. If you exceed a threshold before your manager has an opportunity to discuss this with you (in a single absence for example), they may choose to proceed straight to a formal absence meeting.

If you exceed a threshold (i.e. more than 3 instances/8 days of short-term absence, or more than 4 weeks of continuous long-term absence in a 12-month period), in most cases your manager will arrange a formal absence meeting with you. Progression to a formal absence meeting will typically be automatic, although your manager will take into consideration the specific circumstances and may choose not to proceed to a formal meeting. For example:

- where an absence relates to a 'one off' situation, such as a surgical intervention;
- where an absence is related to a critical illness; or
- where, up to that point, the employee had a consistently exceptional attendance record.

This list is only indicative and doesn't mean all such situations would be excluded from the formal absence management process. It's vital that individual circumstances are considered so that sensible and contextual decisions can be reached, and there may be other situations where your manager chooses not to progress to a formal absence meeting.

If you have any queries about the application of discretion you can speak to askHR.

Please read the guidance available on the Orb surrounding various types of support that may be required in specific circumstances, for example where colleagues are experiencing symptoms of the Menopause, are undergoing gender reassignment, or in cases of terminal illness.

There are situations where the formal stages of the absence management process would not be applied, and any medical referrals would only be to assist with your wellbeing. These include:

- where the absence relates to a terminal illness;
- where the absence relates to a previously unknown pregnancy; and
- if we find out that the absence relates to a domestic abuse issue.

In these cases, your manager will still arrange regular conversations with you so that you can keep each other updated. The frequency and method of keeping in touch should be mutually agreed, but it's important that both you and your manager do everything you can to ensure effective communication is in place.

## Pattern Absence

If you haven't reached one of the threshold levels but there is a regular pattern to your absence, your manager will discuss this with you and may need to arrange a formal absence meeting if this is becoming problematic. Examples of pattern absences could be where you're frequently off after annual leave, after certain events, or on specific days (such as Friday / Monday). We recognise that patterns can be coincidental, or may even be indicative of other underlying issues, so these conversations will always be approached from a supportive position.

## Disability

If you have a disability that is affecting your attendance at work, serious consideration will be given to increasing the threshold levels as a reasonable adjustment where the absences relate to the disability. There is more information about reasonable adjustments in the Sickness Absence User Guide.

## Thresholds following a formal Absence Meeting

If you've had a formal sickness absence meeting with your manager, the thresholds are reset and you would only proceed to the next formal absence meeting if you exceed any of the thresholds again over the following 12 months or if a long term absence continues to the next review point (see the Sickness Absence User Guide for details). If you're absent before attending a scheduled formal absence meeting, the meeting will be rearranged and the total instances or days will be taken into account.

# 4. Conversations and formal absence meetings

## Short-term sickness absence

### Regular conversations

After each instance of short-term absence, your manager will have an informal meeting with you when you return to work. The aim of this return to work conversation is to support your wellbeing by ensuring you're well enough to be back at work, and to explore any possible underlying health issues or barriers to you achieving sustained levels of attendance.

If the absence means you reach one of the short-term thresholds, your manager will also make you aware of this during the conversation.

### Formal Meetings

There are normally three formal meetings in the short-term absence management process (further details are available in the Sickness Absence User Guide). As explained in Section 3 of this policy, you will normally be invited to a formal absence meeting once your absence has exceeded any of the short-term thresholds.

At each meeting, your manager will discuss your absence record with you, covering anything that might have affected your attendance levels, whether you have reached or exceeded a threshold, and whether there are any underlying health issues.

If appropriate, and if advised by Occupational Health, short-term absence meetings may also include discussions around potential medical redeployment or ill-health retirement (if you are a member of the pension scheme – see Section 5).

## **Long-term sickness absence**

### **Regular conversations**

If you are on long-term sickness absence, your manager will seek to agree levels of face-to-face and/or telephone contact with you. This is to allow you to keep each other informed about your state of health, your progress towards recovery and a possible return to work. Your long-term absence should be reviewed and informally discussed with you initially within the first four weeks, then at regular intervals.

### **Formal meetings**

There are normally three formal meetings in the long-term absence process (further details are available in the Sickness Absence User Guide). At each meeting, your manager will discuss how you are feeling, current medical/specialist advice, when you might be able to return to work, and any adjustments that might be made to assist your return. If appropriate, and if advised by Occupational Health, your manager may also talk to you about medical redeployment or ill-health retirement (see Section 5 for further details).

Face-to-face meetings can take place in the office, at another convenient site, or in your own home, as agreed with you.

Depending on the reason for your absence, your manager may make a referral to Occupational Health at any time during the absence to get medical advice in relation to your fitness to return to work. Your manager will always discuss the referral with you and provide you with a copy before you attend.

### **Returning from long-term sickness absence**

You're expected to return to work when your last fit note expires. In some circumstances, you can return to work before your fit note expires, as long as your GP has not indicated that they need to see you again before you return, and your manager is confident that you are fit to return.

When you return from a period of long-term sickness absence, your manager will meet you in private to talk about the absence, find out how you are and discuss any support that you may need. This meeting should take place on your first day back. If this isn't possible, your manager will ensure that a supportive meeting takes place as soon as is reasonably possible. Where a phased return or reasonable adjustments are likely to be necessary, it is recommended that a meeting is held in advance of the planned return.

You will never be put under pressure to return to work before you're fit to do so. It's important for you to be honest with your manager about how you are feeling and to explore any support we may be able to provide. Ideally, this meeting will be face-to-face. We know this isn't always possible, but it is important to try and meet this way. As a support measure, you may wish to be accompanied by a work colleague or trade union representative if you are a member of a trade union.

### **Phased returns after long-term sickness absence**

Your GP or Occupational Health may suggest a phased return to work following long-term absence. If this is agreed, then this will normally take place over a four-week period. During the four weeks, you must build up the time you are at work in each week. A longer phased return would be considered if medical advice strongly recommended this, and if it is likely to facilitate an earlier return to work.

During a phased return, the time you are not at work is paid at full pay and is not taken off your annual leave.

## Combined short-term and long-term absence

Occasionally, you might reach thresholds with a mixture of long and short-term absence. When this happens, your manager will continue to manage your sickness absence and you will still progress through the appropriate sickness absence process.

If you've already attended a formal absence meeting in one process and you subsequently exceed the threshold for the other, you will move to the next stage in that process. For example:

- If you've had a short-term Absence Meeting 1 and later exceed the long-term threshold during a separate period of absence, you would move to long-term Absence Meeting 2.

It's important to note that Absence Meeting 3 is the final meeting for both short and long-term absence.

## Right to accompaniment

You have the right to be accompanied by a trade union representative or a workplace colleague at any formal absence meeting.

## Teachers

Teachers' absence will continue to be managed until their entitlement to sick pay has run out. Managers will not be able to have a final absence meeting until the teacher is no longer receiving sick pay.

# 5. Capability and ill-health retirement

## Capability dismissal

If it's decided following an Absence Meeting 3 that there's nothing more can be done to help you return to work, or that your short term absence levels are no longer sustainable, then it's possible you will be dismissed on the grounds of capability due to ill-health. This decision would only be taken after all mitigating factors, reasonable adjustments and redeployment possibilities had been explored. Note that Absence Meeting 3 can only be held by a senior manager with the authority to dismiss.

If you are dismissed on the grounds of capability due to ill-health, you will receive payment for any outstanding annual leave you have, as well as payment in lieu of notice.

Teachers cannot be dismissed until their entitlement to sick pay has run out. Managers need to check that teachers are out of pay before they proceed to dismissal for unsustainable levels of sickness absence.

## **Ill-health retirement (pension scheme members only)**

If you are a member of a pension scheme (LGPS/STSS), below normal retirement age, and advice from Occupational Health is that you are permanently unfit to carry out the duties of your post, you may be dismissed on the grounds of capability due to ill-health with access to pension benefits. This is known as ill-health retirement.

The pension benefits you would be able to access through ill-health retirement will vary depending on whether, according to medical advice gathered by Occupational Health, you are likely to be able to work again before your normal retirement age. Details of the relevant pension benefits levels are outlined in the Sickness Absence User Guide.

If you have evidence from your GP or a specialist, disagreeing with occupational health's advice, a senior manager will review your case with help from Human Resources. We may get another independent medical opinion to help us reach our decision. See the Sickness Absence User Guide for further details.

## **Right to appeal against capability dismissal**

You have the right to appeal against any decision to dismiss you on the grounds of capability due to ill-health. Your right to appeal will be explained to you in the letter confirming your dismissal. Appeals are heard by the Personnel Appeals Committee.

If you are reinstated or re-engaged by the Personnel Appeals Committee, you may return to the meeting step you were at in the sickness absence process, prior to your dismissal.

## **6. Annual leave and sickness**

When you're off sick, you continue to accrue annual leave. This means that your annual leave builds up while you're off.

If you're on long term sickness that continues beyond the end of the annual year, you may not have been able to take your statutory annual leave (28 days, pro rata) during that year. If this happens, you can carry forward up to 20 days (pro rata) to the next annual leave year. Any leave carried over must be used within a maximum of 18 months.

You can ask to take accrued annual leave when you're off sick. However, in order that we can continue to follow your progress and understand any support required, you will still need to provide fit note to cover your absence if it's for more than 7 calendar days. Likewise, if you're on annual leave and become sick, and want to reclaim the annual leave that you've not been able to take, you must follow the normal sickness absence notification process and produce a fit note regardless of the length of the absence.

We think it's important that you take your annual leave and have the rest that you are entitled to. Please note therefore you will not be paid in lieu for any annual leave you've not been able to take, unless you are leaving the Council and unable to take this prior to leaving.

Further details of annual leave and sickness is available in the Sickness Absence User Guide

## 7. Sick pay

In line with nationally agreed provisions, we offer enhanced levels of Occupational Sick Pay for qualifying employees and based on length of service. There are separately agreed schemes for Craft, Teachers and all other Council employees.

If you don't have the minimum length of service required when you go off sick, then you won't be entitled to any Occupational Sick pay for that absence. If you don't qualify for Occupational Sick Pay, you may still be entitled to a Statutory Sick Pay payment.

Sick pay includes any contractual working time payments and any contractual overtime you get. It doesn't include casual overtime and stand-by duty.

Full details of Occupational Sick Pay schemes and entitlements are available in the Sickness Absence User Guide.

Absences covered by this policy do not affect your entitlement to a pay step.

# Protecting Colleagues from Unacceptable Behaviour Policy

The Council (we) take our responsibility to ensure the safety, protection, and wellbeing of colleagues who deliver Council services very seriously. We aim to ensure a safe working environment for all colleagues.

We are committed to protecting all colleagues and creating a workplace where everyone is treated with dignity and respect by colleagues, managers, and work contacts. We are committed to protecting our colleagues from unacceptable behaviours including violence, aggression, bullying, harassment, and discriminatory behaviour whether it originates from service users, Elected Members, members of the public or from other colleagues in the workplace.

We will not tolerate unacceptable behaviour directed towards colleagues. Any colleague who is subjected to unacceptable behaviour will be fully supported with appropriate action to address these behaviours and we will always prioritise the safety and wellbeing of our colleagues.

|   |   |
|---|---|
| <b>Author</b>   | <b>Scope</b>  |
| Employee Relations & Policy Team, Human Resources, Corporate Services, Directorate  | This policy applies to all employees, consultants, casual/supply workers, agency workers, Elected Members, and volunteers.  |
| <b>Purpose</b>  | <b>Review</b>   |
| The purpose is to outline positive behaviour in the workplace and to ensure appropriate support is provided to colleagues who encounter unacceptable behaviour in the course of their work, and to ensure that action is taken to address the behaviour in a fair and consistent manner.  | The policy will be reviewed as and when a change to the existing policy deems this necessary, primarily because of changes to legislation or statute; agreement of new national terms and conditions of service or Government Policy; organisational change; or resulting from changes agreed through Trade Union Consultation. |
| <b>Local Agreement</b>  |   |
| This policy is a local collective agreement between the Council and our recognised Trade Unions. We will make every effort to ensure that it is maintained as a local collective agreement. Any changes will be made by agreement. If we cannot agree, either party can end the local collective agreement by giving four months' notice in writing, with the policy ceasing to apply to staff at the end of that period. |   |

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# 1 Policy Aims

The aim of this policy is to set expectations of behaviour in the workplace and to ensure colleagues are supported if they encounter unacceptable behaviour such as harassment, abuse, violent or aggressive behaviour in the course of their work.

The policy is designed to:

- outline positive behaviour whilst at work;
- provide a commitment from the Council to protect colleagues from unacceptable behaviour in the workplace;
- support managers to provide an effective response to unacceptable behaviour which is reported;
- provide a framework to take action against unacceptable behaviour and support colleagues to report unacceptable behaviour in the workplace.

This policy and associated user guide should be used in any case where a colleague reports unacceptable behaviour including harassment, abuse, violent or aggressive behaviour in the course of their work. This policy relates to reports of unacceptable behaviour by anyone a colleague may encounter as part of their working duties, including service users and members of the public.

This policy applies in the following contexts:

- anywhere on the Council premises;
- anywhere off the Council premises involving delivering work-related activities, social events, Council events or business trips;
- online on Council email, chat functions, intranet, and internet systems.



Central to this policy is the prevention of discrimination, bullying, harassment, victimisation, intimidation, and other unacceptable behaviour on any grounds and particularly in relation to the following protected characteristics that qualify for protection under the Equality Act 2010:

- age;
- disability;
- gender reassignment;
- marriage and civil partnership;
- pregnancy and maternity;
- race and ethnicity;
- religion or belief;
- sex;
- sexual orientation.

## 2 Positive Behaviours

People are what make our organisation, and we want everyone to feel respected, included and to have a positive experience at work while contributing to our shared purpose of working together for the people of Edinburgh. Council business is largely based on contact between people and therefore mutual respect is critical to effective working relations and service provision.

All colleagues will be expected to demonstrate [our behaviours](#) of respect, integrity, and flexibility. This means everyone should be treated well and enabled to deliver their best work every day.

Through our behaviours, we aim to be:

- an organisation where we are inclusive, we promote equality, we treat people with fairness, understanding and kindness and we consider others in all our decisions and actions.
- an organisation where we are open and honest, we take responsibility, we build trust, and we pull together to do what's right for our residents, our colleagues, and our city.
- an organisation where we are open minded, we keep it simple, we adapt to provide great service and find better ways of doing things, and we embrace opportunities for shared working and learning.

The Council expects that all colleagues will conduct themselves in a professional way when interacting with others or when managing colleagues. We expect our managers to lead and manage employees. This includes assigning tasks and setting performance standards. It also involves dealing with employees in a respectful and constructive way if they fall below expected standards.

Acceptable behaviour at work applies to everyone in the organisation.

## 3 Unacceptable Behaviours

All colleagues are entitled to be treated with dignity and respect in their place of work – no matter where that is or who they are. We will not tolerate unacceptable behaviour in any form including violence, aggression, bullying or harassment.

Examples of unacceptable behaviour include:

- threatening, aggressive and challenging words or behaviour;
- behaviour which is perceived as harassment, or which causes alarm or distress;
- criminal damage or graffiti;
- theft;
- physical assault;
- sexual harassment;
- online abuse or harassment e.g., via direct / text messaging, emails, social media channels;
- unwanted filming of an individual.

This list is not exhaustive.

The safety and wellbeing of our colleagues comes first. We recognise that some colleagues may be more likely to encounter aggressive, confrontational, or even threatening behaviour because of the type of work they carry out. We do not expect colleagues to tolerate unacceptable behaviour and we will take appropriate steps to ensure the working environment is safe for all colleagues.

We recognise unacceptable behaviour can be seen differently in services, for example in social care or education, where vulnerable service users may not always understand the impact of their behaviour. We will support colleagues to make the working environment safe through appropriate risk assessments and adapting our ways of working as appropriate.

Where incidents do occur, these will be investigated quickly, and appropriate actions taken in relation to those involved. Management action should take a person-centred approach to resolution and personal safety and colleagues should have the opportunity to discuss with their manager the impact that the behaviour had on them and the outcome they feel would be appropriate and, within the legal powers of the organisation, make them feel safe and secure in carrying out their roles in their place of work.

All allegations of a sexual nature, domestic abuse, physical violence, harassment, or stalking raised against Council employees (whether occurring during the course of work hours or on work premises or not) must be reported to the Monitoring Officer prior to the appointment of any investigator. The user guide provides more information on how this is completed.

### **Bullying and Harassment**

A person's behaviour can amount to bullying or harassment even if they had no idea that it would be perceived that way. The impact on the victim is important.

## What is bullying?

There is no legal workplace definition of bullying. In general, it is characterised as negative behaviour being targeted at individuals, repeatedly or persistently, over time. Bullying is generally considered to be behaviour that leaves the victim feeling threatened, intimidated, humiliated, isolated, vulnerable, or otherwise upset. It does not need to be connected to a protected characteristic.

Whilst this list is not exhaustive, such behaviours may include:

- ignoring or excluding you;
- giving you unachievable tasks or “setting you up to fail”;
- spreading malicious rumours or gossip;
- giving you meaningless tasks or unpleasant jobs;
- making belittling personal remarks;
- undermining your integrity;
- withholding information deliberately;
- undervaluing your contribution – not giving credit where it is due;
- an abuse or misuse of the power or authority through means intended to unfairly criticise or injure the recipient.

Bullying can be physical, verbal, and non-verbal conduct. It can take various forms, from extreme behaviour involving violence and intimidation, through to subtle actions such as deliberate exclusion. It can also take place online with cyberbullying which is conducted via social networking channels, often using blogs or social networking sites to post photographs or offensive or threatening comments. Please refer to the [ICT Acceptable Use Policy](#) regarding the appropriate use of social media.

For the avoidance of doubt please note constructive and fair feedback about your behaviour or performance from your manager or colleagues is not bullying. It is part of normal employment and management routine and should not be interpreted as anything different.

## What is harassment?

Harassment can relate to unlawful discrimination, which can be on the grounds of protected characteristics mentioned in section 1. It is unwanted contact that violates another person's dignity; or creates an intimidating, hostile, degrading, humiliating or offensive environment for that person.

Harassment takes many forms including physical, verbal, and non-verbal conduct. It can include comments, actions, jokes, or suggestions that may be viewed as demeaning and unacceptable to the recipient. It may be an isolated incident or repeated actions that may create a stressful working environment. Physical, verbal, and non-verbal conduct can all amount to harassment. So can things you say or do online, especially on social media.

This policy covers isolated or ongoing incidents of offensive behaviour or prejudice-based incidents. A prejudice-based incident is one that is perceived by the victim, or any other person, to be motivated by hostility or prejudice against an individual or group who have a protected characteristic. When someone treats another person less favourably because they either submit to such behaviour or refuse to do so, we also see that as harassment.

## How it will be managed?

Colleagues who wish to raise a concern about the behaviour of others are supported through the [Grievance Policy](#).

If a Council employee has demonstrated unacceptable behaviour the [Disciplinary Policy](#) should be followed.

If a service user or customer of the Council has demonstrated unacceptable behaviour towards a colleague working at the Council the Managing Services section of the Protecting Colleagues from Unacceptable Behaviour User Guide should be followed.

Where it is an Elected member who has demonstrated unacceptable behaviours towards a colleague, this will be managed in line with the [Members' Code of Conduct](#) and should be raised through the Head of Democracy, Governance and Resilience, the Monitoring Officer or the Chief Executive.

## Informal resolution of complaints

It is preferable that complaints are dealt with informally where appropriate. The aim is to resolve issues quickly and reduce the impact on all involved.

It is important to make a distinction between behaviour that is perceived as causing offence or distress and behaviour which is merely causing annoyance. Sometimes the person might not understand the impact of their behaviour on someone else and making them aware of it can stop the behaviour and resolve the matter quickly.

It is important to recognise that unacceptable behaviour can be unintentional and that, in such cases, the employee being complained about can suffer similar distress to the employee who raised the concerns. In such circumstances, the manager should make sure that both parties are provided with advice and support.

Managers can access advice, assistance, and support in dealing with a matter informally through [askHR](#).

## Formal resolution of complaints

It is not always possible to resolve issues informally. If you find yourself in that situation, you should follow our Grievance Policy. We will treat your complaint in confidence, as far as is possible, and if we find that you have been the victim of harassment or bullying, we will take steps to stop it continuing or recurring.

The Council's [Disciplinary Code](#) stipulates that, in serious cases, bullying and harassment may constitute gross misconduct and, where this is established, gross misconduct will normally result in summary dismissal. In some cases, bullying and harassment can be unlawful and result in discrimination claims, criminal claims for assault or civil claims for harassment or negligence.

If you make a complaint about unacceptable behaviour including bullying and harassment, you should not be victimised as a result. If you believe that has happened to you, you must tell your manager or HR as soon as possible.

## Involving the police

Some forms of unacceptable behaviour may be serious enough to constitute a criminal offence. Despite best efforts to mediate the risk of unacceptable behaviour towards our colleagues, there are times when it may be necessary to involve the police in an investigation. Where the colleague believes the situation requires Police involvement, for example when they believe they may have been the victim of criminal behaviour, such as, but not restricted to, physical assault, managers will support colleagues in doing so.

### **Vexatious complaints**

Occasionally, people make complaints knowing they are not true. They might do this to avoid or deflect disciplinary action. We view any complaint made in bad faith as an act of misconduct and this will be managed under the Disciplinary Policy. In some cases, bad faith complaints may lead to summary dismissal for gross misconduct.

Please see Protecting Colleagues from Unacceptable Behaviour User Guide for further details.

## **4 Roles and Responsibilities**

Managers and colleagues have a vital role to play. We need everyone to identify, challenge and report unacceptable behaviour and to act in accordance with the policy and associated guidance. We also need to create an environment where colleagues feel safe, confident, and well supported to challenge and report incidents.

We want to promote a culture where employees can raise concerns without fear of victimisation or recrimination but in the knowledge that complaints shown to be malicious or vexatious will lead to disciplinary action.

### **Colleague responsibilities**

- protect the health, safety and wellbeing of themselves and others at work;
- treat others with dignity and respect and demonstrate Our Behaviours actively in their work;
- complete safety or wellbeing related learning and development opportunities, as appropriate and apply the learning to the workplace;
- be aware of relevant policies and procedures to protect health and safety in the workplace;
- co-operate fully with measures provided for their safety;
- report incidents, using the appropriate route, as soon as possible.

### **Manager responsibilities**

- promote a culture where abusive, aggressive, or violent behaviour is not tolerated;
- as a people leader, encourage and empower their teams to conduct themselves appropriately through role modelling of Our Behaviours;
- ensure their own understanding of acceptable language and behaviour is up to date;
- carry out individual and team risk assessments, as appropriate;

- ensure colleagues are well supported and aware of the advice, they know how to speak up and / or record incidents;
- support colleagues to complete safety or wellbeing related learning and development opportunities, as appropriate;
- take all complaints seriously and approach with sensitivity;
- investigate all reported incidents thoroughly and ensure that details are recorded on the required systems and with the relevant authorities, for example, Police Scotland;
- request assistance from HR, occupational health, health & safety, and/or the employee assistance programme, as appropriate;
- if an incident occurs ensure the affected employee is supported immediately and;
- ensure colleagues are fully supported to return to the workplace following any incident.

## **Health and Safety Team**

- the health and safety team will triage all reports of violence resulting in injury with a view to ensuring compliance with the requirements of the Reporting of Injuries, Diseases and Dangerous Occurrence Regulations. This means where an incident of violence has resulted in injury and this leads to an absence from work for more than 7 days, the team will make a report to the Health and Safety Executive;
- the health and safety team will act as a point of advice for managers seeking to manage the risk of violence within the workplace;
- the health and safety team will provide quarterly statistical reporting of violent incidents to the Directorate Health and Safety Groups/Committees to support monitoring and responses to incident trends.

## **Risk assessments**

Being able to identify potential risks is essential to help us manage them. Managers must ensure risk assessments are in place for all colleagues who work in frontline services (those with direct access to the public and service users). Information gathered at this stage will help inform what measures we can take to avoid or reduce future risk.

Details of how to carry out these risk assessments and reviews can be found in the Protecting Colleagues from Unacceptable Behaviour User Guide.

In general risk assessments involving unacceptable behaviour (including risks of verbal and physical violence) must include:

- details of colleague contact with service users or members of the public;
- analysis of the adequacy of existing preventative arrangements;
- relevant information from previous (violent) incident reports;
- consideration of the prior experience and training of colleagues;
- comments from trade union safety representatives, where appropriate;
- details of identified risks and mitigating actions agreed to reduce risk.

Managers must record risk assessment data and review regularly to reflect any changes to work activity or new information that may become known, such as newly identified risks for the colleague.

Information on risk assessments can be found on the [Orb](#).

## Confidentiality

Allegations of unacceptable behaviour can raise strong feelings and are always serious. This is why all parties involved have an obligation to maintain confidentiality as far as possible. This applies at every stage, including the investigation and the outcome. You must not disclose or discuss any information relating to the investigation or outcome with anyone out with the process other than your accredited trade union representative or the work colleague who supported you during this process.

If you make a complaint and do not maintain proper confidentiality at any time during the process, or you are interviewed in connection with someone else's complaint and likewise fail to maintain confidentiality, you may face action under our disciplinary policy.

# 5 Support for Colleagues

We recognise we have a duty to all employees to protect their health, safety and wellbeing at work. On occasion, despite all reasonably practicable measures being taken, colleagues will encounter abusive, aggressive, or violent behaviour in the workplace.

Unacceptable behaviour at work may result in colleagues suffering physical, emotional or psychological impacts to their experiences. It is essential that the management response to these situations is quick, sympathetic, and supportive.

### **Support immediately after an incident**

Managers should provide colleagues with post-incident support, ensure they are physically safe, and if required have access to medical treatment, including attendance at hospital where appropriate.

Colleagues should be advised of the [Employee Assistance Programme](#) and directed to the 24-hour helpline.

Managers should investigate the incident and inform appropriate internal managers (including the health and safety team and senior managers) and any external services as appropriate, for example the police.

Managers should record the incident on the on-line [Health and Safety Management Information System Form](#).

### **Additional support after an incident**

In all cases colleagues should be offered the opportunity to discuss the incident after the event with their manager and through our Employee Assistance Programme.

Managers can also refer colleagues to our occupational health service for additional support, if required.



Managers must also consider what steps can be taken to avoid a future incident, including a potential debrief with those involved, and update any relevant risk assessments.

We will work to protect colleagues from similar incidents. Where an incident is particularly serious, we may take appropriate legal action as part of our response to that incident. For example, we may support the police in pursuing a criminal prosecution or seek an interdict to prevent an assailant approaching a particular employee or entering Council premises.

Further guidance can be found in the Protecting Colleagues from Unacceptable Behaviour User Guide.

## 6 Managing Services

The safety and wellbeing of our colleagues comes first. We recognise that some colleagues may be more likely to encounter aggressive or unacceptable behaviour because of the type of work they carry out. We do not expect colleagues to tolerate unacceptable behaviour and will take appropriate steps to ensure the working environment is safe for all colleagues.

Customer is defined in this policy as anyone the Council works with, provides a service to, or supports. This includes residents, businesses, visitors, or someone acting on behalf of a customer e.g., a Councillor, parent/carer or relative.

Unacceptable behaviour from customers may include all those mentioned in section 3 and:

- unreasonable use of the complaints process;
- unreasonable levels of contact;
- unreasonable demands.

This list is not exhaustive.

We will always work towards resolving a solution that maintains colleague safety whilst continuing to provide necessary services. However, we will address unacceptable behaviour firmly and consistently which may mean restricting or changing access to a service when we consider a customer's actions to be unacceptable. Changing the service provided may mean altering who is providing the service or in what way the service is delivered.

Further guidance on restricting or changing access to services can be found in the Protecting Colleagues from Unacceptable Behaviour User Guide.

Any employee who directly experiences aggressive or abusive behaviour from a customer



has the authority to deal immediately with that behaviour in a manner they consider appropriate to the situation and in line with this policy.

With the exception of such immediate decisions taken at the time of the incident, decisions to restrict or change contact with the Council are only taken after careful consideration of the situation by a senior manager. We will give the customer the opportunity to change their behaviour or action before a decision is taken

The decision to withdraw services can only be made by a Service Director and only after all other options to manage the situation have been considered.

Services may be withdrawn when there has been:

- abusive or threatening behaviour towards employees or other service-users;
- persistent intimidation, bullying or harassment despite warnings;
- physical assault on an employee or other service-user.

This list is not exhaustive.

# Work experience guidance

## Introduction

This guidance is designed to provide managers with practical information for setting up high quality work experience placements.

Template forms are available on the Orb: HR Information > Recruitment and selection > Work experience.

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# 1. Purpose

The City of Edinburgh Council recognises the benefits that work experience placements can have on the Council, the individuals involved as well as the wider society. The Council supports involvement with and participation in work experience opportunities, encouraging services to allocate time and resources to ensure that the experience gained is both relevant, meaningful and appropriate to everyone involved in the process.

- Work experience provides an opportunity to introduce participants to the reality of working life and learn directly about the working environment to help them secure and sustain employment.
- By offering work placements, we provide an opportunity to promote the Council as an employer whilst providing participants with experience of a wide range of opportunities that the Council offers.
- It can offer an opportunity to provide additional skills to existing employees by allocating them as supervisors to work experience participants. This will provide them with additional skills, experience and exposure to some elements of management.
- Through the Business Growth and Inclusion team and the Edinburgh Guarantee, work experience provides an opportunity to assist people with protected characteristics or barriers to employment gain experience of the work environment.

The purpose of this guidance is to support managers effectively set up, manage and deliver successful and meaningful work experience placements, maximising benefits for all parties involved. This guidance covers all voluntary work experience placements undertaken within the Council.

# 2. Support and guidance

For the purpose of this guidance, work experience is defined as a short period of time that a person voluntarily spends with the organisation, during which they have an opportunity to learn directly about working life and the working environment. Some work experience placements may offer people the chance to actively participate in work related tasks, whilst others simply provide an opportunity to shadow and learn. This will vary depending on the duration and nature of their placement.

A set of guiding principles have been designed to support and guide managers in setting up and delivering high quality work experience placements.

## General principles

- ✓ Unpaid work experience is a short term voluntary arrangement giving the participant opportunity to learn directly about working life and the working environment.
- ✓ The average duration of a work experience programme is around one to two weeks; however, the length and arrangements for work experience may vary, but should not exceed four weeks or 20 days, either consecutively or non-consecutively.
- ✓ A participant's primary purpose of taking part in a work experience placement is to learn and develop. However, where possible, during the placement they should be treated as regular employees to give them a sense of the reality of working life, whilst recognising that they will require additional coaching and supervision.
- ✓ Participants should be allocated a supervisor who will be responsible for them and act as their mentor throughout the placement.
- ✓ Unpaid work experience is voluntary, and participants should not be promised any future paid work or receive any financial reward for the time spent on their placement.

|   |  |
|---|--|
| ✓ | Work placements have no normal hours of work, and attendance should be arranged and agreed with the participant or school based on their requirements and development goals. Hours of attendance should never exceed normal contractual working hours for an employee.                   |
| ✓ | You should put elements of the arrangement in writing and agree learning objectives. However, be conscious not to cross the line between documenting objectives and creating an employment contract by including elements such as working hours and expected outcomes.                   |
| ✓ | Work experience placements must not be used to displace existing posts or cover established vacancies.   |
| ✓ | The health and safety of the participant is paramount, and any risks must be adequately assessed before they start their placement.  |
| ✓ | Participants must be provided with a comprehensive induction to ensure they are sufficiently prepared for their placement.   |
| ✓ | Participants of unpaid work experience placements are voluntary, and they are not classed as employees or workers. They have no obligation to turn up to their placement if they do not want to. If they do not turn up, their placement may be brought to an end, if appropriate.       |
| ✓ | To enable them to learn and develop, participants should be given constructive feedback on their performance during their placement from their supervisor at the end of the work experience placement. They should also be given an opportunity to provide feedback on their experience. |
| ✓ | The Council do not normally offer paid work experience. In very exceptional circumstances, there may be opportunities for paid work experience through an employability programme which will be managed by the Edinburgh Guarantee and advertised in line with the recruitment process.  |

### 3. Types of work experience

|                                  |   |
|----------------------------------|---|
| <b>Term Time Work Experience</b> | <p>Term Time Work Experience is considered as a school term time activity, undertaken by a school pupil, over a period of between 2 days and 2 weeks or an activity that takes place on 1 day per week over a more prolonged period of time.</p> <p>The participants working pattern during the placement should also reflect similar timings to the pupil's normal school hours.</p> <p>These placements are managed by the Developing Young Workforce team, Education and Children's Services, <a href="mailto:DYW@edinburgh.gov.uk">DYW@edinburgh.gov.uk</a></p>                                   |
| <b>Holiday Work Experience</b>   | <p>Holiday Work Experience is considered as work experience undertaken by a school aged pupil, outside of school term and arranged outwith school.</p> <p>These placements should be limited to a period of between 2 days and 2 weeks and they can be arranged directly between a work experience applicant and a willing service manager, and in accordance with these guidelines.</p> <p>Assistance with managing these placements can be obtained from the Developing Young Workforce team, Education and Children's Services, <a href="mailto:DYW@edinburgh.gov.uk">DYW@edinburgh.gov.uk</a></p> |
| <b>Adult Work Experience</b>     | <p>An Adult Work Placement is an unpaid or paid work experience undertaken by an adult or young person who is no longer connected with a school.</p> <p>Paid placements will only be available through an employability programme managed by the Edinburgh Guarantee.</p>   |

When a service wishes to provide a work placement to an adult, they should contact the Edinburgh Guarantee, [EdinburghGuarantee@edinburgh.gov.uk](mailto:EdinburghGuarantee@edinburgh.gov.uk) so that the Council can monitor and track the success of the programme.

## 4. Roles and responsibilities

### Organising manager

- ✓ Allocate a supervisor who should be responsible for the participant and act as their mentor throughout the placement. This can be an organising manager or alternatively they may nominate an appropriate colleague from within their team.
- ✓ Ensure an appropriate level of supervision is provided at all times. The supervisor should be allocated sufficient time to adequately support and mentor the participant.
- ✓ Ensure relevant Health and Safety checks and risk assessments have been carried out by the nominated supervisor.
- ✓ Make any reasonable adjustments to the working environment before the placement commences in line with the participants requirements.
- ✓ Ensure the correct approvals have been sought and authorised prior to the placement taking place.
- ✓ Notify the Developing Young Workforce team ([DYW@edinburgh.gov.uk](mailto:DYW@edinburgh.gov.uk)) of any accident involving the young person while on placement or the young person fails to attend their placement. If arranged outwith school term time, their parents should be notified instead.
- ✓ Support the supervisors in matters of indiscipline and notify the Developing Young Workforce team ([DYW@edinburgh.gov.uk](mailto:DYW@edinburgh.gov.uk)) of any instances that require the work placement to end and the participant to return to school. If arranged outwith school term time, their parents should be notified instead.

### Supervisor

- ✓ Treat participants as normal employees as far as possible, whilst recognising that due to their lack of experience they will need additional and closer supervision. Young people should never be left unsupervised.
- ✓ Ensure the participant is supported, supervised and mentored during the placement.
- ✓ Deliver a comprehensive induction to the workplace including a Health and Safety briefing.
- ✓ Ensure the health and safety of any work experience placements and conduct any required risk assessments and apply any applicable mitigations prior to the commencement of the placement.
- ✓ Ensure the participant is aware of the expected standards of behaviour and the implications if this is breached.
- ✓ Prepare, develop and agree a work plan tailored to the participant needs, interests and circumstances.
- ✓ Plan tasks that the enable the participant to learn transferable skills.
- ✓ Give the participant constructive feedback throughout and at the end of their placement.

### Participant

- ✓ Show an interest in the Council and service in which they are placed.
- ✓ Be punctual and make the most of the opportunity offered to them.
- ✓ Demonstrate a willingness to learn and develop.
- ✓ Adhere to the expected standards of behaviour.

- ✓ Follow all reasonable instructions.
- ✓ Take responsibility for their own health and safety and that of other people around them.
- ✓ Raise any issues with their supervisor.
- ✓ Provide feedback on their experience at the end of their placement.

## 5. Health and safety

The Council has duty of care for the wellbeing of every employee and will take all reasonably practical steps to ensure the health, safety and welfare of all employees. Under Health and Safety legislation, work experience participants are considered employees of the organisation; therefore, participants should be treated like any other employee in relation to Health and Safety practices.

- It is the responsibility of the work experience supervisor to ensure that participants understand all Health and Safety risks within their working environment and the controls in place to protect them and others from harm.
- In advance of any placement for school pupils, the school must be satisfied that the employer has arrangements in place to appropriately manage the participant's health and safety.
- Supervisors must spend time during the participant's induction to ensure all applicable health and safety elements are covered.
- If applicable, supervisors should consider existing arrangements for assessing and managing risks to young people.. This should take into account any information about the participants physical and mental capacity, and of any particular needs e.g. any health conditions or learning difficulties; and review their risk assessments accordingly. You can find further information for managing risks for young persons in the [risk assessment toolkit](#).
- Many work experience participants are likely to be new to the workplace and in many cases will be facing an unfamiliar environment. Supervisors should provide participants with clear and sufficient instruction, training and supervision to enable them to work without putting themselves and other people at risk.

If you have doubts on the requirements, contact [Health and Safety](#).

### Risk assessments

Supervisors have the responsibility to ensure the health and safety of any work experience placements. They should assess all potential health and safety risks that the work experience participant may be exposed to, identify risk reduction measures, and record what action will be taken to reduce risk. The Councils [risk assessment guidance](#) should be taken into account when deciding whether a risk assessment is required.

Supervisors should also consider whether any further assessment is needed to control the risks to young people.. If required, the should complete the young person's risk assessment.

If the participant has a disability, you may be required to create a [Personal Emergency Evacuation Plan \(PEEP\)](#).

### Insurance

Work experience participants are considered as employees for insurance purposes and are covered by employers' liability insurance. No personal effects insurance is in place unless damage or loss is caused by the negligence of a Council employee.

### Protecting Vulnerable Groups (PVG)

If people aged 16 or 17 are on work experience within the Council, individuals working with them are exempt from becoming members of the scheme as they themselves are considered to be working.

In respect of younger children on work experience, there is no such exemption; however, most individuals working with such children would not be doing regulated work because their interaction with the children would either: not be one of the activities; not be their normal duties; or be incidental. Disclosure Scotland says that any care offered to children on work placement would have to be above and beyond what is normally provided to employees for this to be any more than incidental.

In practice, a PVG is not required for colleagues working with young people on work experience, providing they are never left unsupervised or in one-on-one situations with colleagues. Full risk assessments must be completed, and measures must be put in place to mitigate all risks identified. For example, tailoring working hours and breaks to ensure the participant is sufficiently supervised and never left alone in the office with only one colleague.

## 6. Induction

To help participants settle into the Council work environment, supervisors should ensure they provide participants with a comprehensive induction at the beginning of their first day. Where possible, supervisors should treat participants like any other employee to ensure they get a sense of what it would be like to be a real employee in a new working environment. However, whilst recognising there will be elements of their induction that will differ and may not be relevant. The induction required for each working experience placement may vary dependent on the duration and nature of the placement.

Generally, a good induction should cover:

- management reporting arrangements
- an introduction to colleagues
- a tour around the workplace
- an overview of the expected standards of behaviour
- ICT and system access
- standard workplace practices such as health and safety issues, security procedures, sickness absence reporting, and break times etc.
- an overview of the participant's work plan and objectives

An [induction checklist](#) has been created which should be completed when undertaking the induction. As part of this form, a record of the participant's emergency contact details should be taken. Participants should also be provided with their supervisor's contact details for sickness absence reporting.

## 7. Work plan and objectives

It is important to give participants a positive experience of the Council as a workplace. Before the participant starts, it is worth considering what work/tasks you would like to get them involved in, what they'd like to accomplish and, where possible draw up a plan so that you are not left with the participant having nothing to do. The content and design of the participants work plan and objectives will vary dependent on the duration and nature of their placement. Some work experience positions may offer people the chance to actively participate in work related tasks, whilst others simply provide an opportunity to watch and learn.

We want to ensure that they participant has an enjoyable and positive experience giving them confidence in their abilities and developing their skills which they can take forward into future endeavours. Therefore, try to tailor the placement to the participants needs, interest and circumstances with tasks that will enable the participant to learn transferable skills. Find out what the participant wants to get out of the placement, which skills they want to develop, what barriers to employment they may face, and what their career aspirations are.

### Mentoring

- This is a particularly effective way of easing inexperienced people's transition into the working world. Mentors should be good listeners and able to relate to young people. This may be the participants first experience of the work environment and they will be eager to learn from you.

### Shadowing

- It may be useful for a participant to shadow different colleagues to gain an insight into the variety of roles within your department. Shadowing should not be the only activity participants undertake during the placement; in order to gain an insight into realistic work, it is good to give participants a chance to get involved in real on-the-job activities, where possible.

### Other potential tasks during placement

- Offer them a project to work on during the placement.
- Identify team working opportunities.
- Assign tasks for them to work on which are supervised but with scope to use their own ideas and creativity.
- Administrative tasks such as answering telephones, sending emails, or minute taking.
- Daily reflections.
- Discussion on skills in relation to the role using the [meta-skills progression framework](#).
- Support developing CV.

## 8. Conduct and behaviour

### Standards of behaviour

The Council aims to provide a safe working environment where everyone is treated fairly and with respect. Supervisors should make work experience participants aware of the responsibilities and standards of behaviours expected from them during their placement. This includes demonstrating Our Behaviours of respect, integrity and flexibility.

Where a participant's behaviour falls below the expected standard, this will be treated seriously and may result in the end of the placement. If a supervisor has concerns about the conduct and behaviour of a work experience participant, they should arrange to meet with them to discuss. Areas of concern should be highlighted, and the participant given the opportunity to explain before any actions are taken. If applicable, the school should be notified.

### Data protection

Data protection requires the Council to use their personal data fairly and responsibly. To do this, the Council needs to comply with the UK data protection regime which is set out in the UK General Data Protection Regulation and the Data Protection Act 2018. Some of the information participants may encounter in the course of their placement with the Council may be confidential in nature. Work experience participants must ensure any information is held in the strictest confidence and must not be divulged to other parties without authorisation.

### ICT Acceptable Use

During your placement, you may be permitted access to telephones, intranet / internet, and email systems, as well as other equipment and information systems. Supervisors should ensure participants understand that their use of ICT must be for a legitimate purpose related to your work placement and the implications if this expectancy is not met.

## 9. Performance and feedback

### Participant performance feedback



Constructive, honest and supportive feedback will encourage participants to reflect on their time and performance during their placement with the Council. Identifying areas for improvement and providing constructive, meaningful feedback will allow the participant to learn and develop.

Supervisors should complete a '[Participant performance feedback form](#)' and arrange a meeting with the participant at the end of the placement to discuss this and give them an opportunity to ask questions. Feedback should be honest and constructive to give the participant an opportunity to learn from their experience and take forward into future endeavours.

### Participant experience feedback

At the end of the work experience placement, you should ask your participant to complete the '[Work experience participant feedback form](#)'. Feedback from participants will be important to help drive continuous improvement in the quality of any future work experience placements the Council offers.

### Service experience feedback

If either the organising manager or the participant's supervisor would like to provide any feedback, suggest improvement, or raise any issues with the work experience process, email [edinburghguarantee@edinburgh.gov.uk](mailto:edinburghguarantee@edinburgh.gov.uk)

## 10. Data retention

Any documentation relating to the work experience placement must be securely recorded and then destroyed in line with the Council's data retention schedule.

## 11. Further information

| Contacts                   |  |
|----------------------------|--|
| Edinburgh Guarantee        | <a href="mailto:edinburghguarantee@edinburgh.gov.uk">edinburghguarantee@edinburgh.gov.uk</a> |
| Developing Young Workforce | <a href="mailto:DYW@edinburgh.gov.uk">DYW@edinburgh.gov.uk</a>                               |
| Health and Safety          | <a href="mailto:healthandsafety@edinburgh.gov.uk">healthandsafety@edinburgh.gov.uk</a>       |

# Induction checklist

## Induction checklist

To be completed by supervisor in communication with the work experience participant.

### Section 1: Work experience participant details

|                              |                            |
|------------------------------|----------------------------|
| <b>Name:</b>                 | <b>Service:</b>            |
| <b>Placement start date:</b> | <b>Placement end date:</b> |

### Section 2: Emergency contact details

|                      |                      |
|----------------------|----------------------|
| <b>Name:</b>         | <b>Relationship:</b> |
| <b>Phone number:</b> |                      |

### Section 3: Manager/mentor details

|              |                   |
|--------------|-------------------|
| <b>Name:</b> | <b>Job title:</b> |
|--------------|-------------------|

### Section 4: Induction checklist

| Subject   | Complete<br>[✓] | Comments |
|---|-----------------|----------|
| <b>1. Discuss placement</b>                               |                 |          |
| <b>2. General hours of attendance</b>                     |                 |          |
| <b>3. Emergency contacts</b>                              |                 |          |
| <b>4. Department welcome</b>                              |                 |          |
| - Breaks and toilets                                      |                 |          |
| - Overview of the function of the department.             |                 |          |
| - Guided tour of workplace and introduction to team       |                 |          |
| <b>5. Dress code</b>                                      |                 |          |
| <b>6. Standards of behaviour and confidentiality</b>      |                 |          |
| <b>7. Health and Safety/Risk Assessment</b>               |                 |          |
| - Accident and incident reporting                         |                 |          |
| - Manual handling   |                 |          |
| - First aid /first aid officers                           |                 |          |
| - Personal protective equipment                           |                 |          |
| - Awareness of dangerous equipment                        |                 |          |
| - Food hygiene  |                 |          |
| - Control of substances hazardous to health (COSHH)       |                 |          |
| <b>8. Fire procedures and fire safety</b>                 |                 |          |
| - Fire exit points / fire doors / alarms / distinguishers |                 |          |

|                          |  |  |
|--------------------------|--|--|
| - Raising the alarm      |  |  |
| - Assembly points        |  |  |
| - Fire drills            |  |  |
| <b>9. Any questions?</b> |  |  |

**Additional information**

**Section 5: Sign-off**

I confirm that the above information has been discussed and all relevant checkpoints have been completed.

|                               |              |
|-------------------------------|--------------|
| <b>Participant signature:</b> | <b>Date:</b> |
|-------------------------------|--------------|

|                              |              |
|------------------------------|--------------|
| <b>Supervisor signature:</b> | <b>Date:</b> |
|------------------------------|--------------|

DRAFT

# Participant performance feedback form

## Participant performance feedback form

To be completed by the supervisor.

### Section 1: Work experience participant details

|              |                            |
|--------------|----------------------------|
| <b>Name:</b> | <b>Placement location:</b> |
|--------------|----------------------------|

### Section 2: Supervisor details

|              |                   |
|--------------|-------------------|
| <b>Name:</b> | <b>Job title:</b> |
|--------------|-------------------|

### Section 3: Evaluation

|                                   | Excellent | Good | Acceptable | Less than acceptable | Comments |
|-----------------------------------|-----------|------|------------|----------------------|----------|
| Attendance                        |           |      |            |                      |          |
| Punctuality                       |           |      |            |                      |          |
| Appearance                        |           |      |            |                      |          |
| Reliability                       |           |      |            |                      |          |
| Ability to work under supervision |           |      |            |                      |          |
| Ability to work on own            |           |      |            |                      |          |
| Use of initiative                 |           |      |            |                      |          |
| Communicative ability             |           |      |            |                      |          |
| Relations with colleagues         |           |      |            |                      |          |
| Enthusiasm                        |           |      |            |                      |          |

**Additional comments:**

#### Section 4: Declaration

I confirm that the above information is accurate and contains all relevant details.

Signature:

Date:

## Participant experience feedback form

### Participant experience feedback form

To be completed by the work experience participant.

#### Section 1: Work experience participant details

Name:

Service:

Placement start date:

Placement end date:

#### Section 2: Feedback

Describe your experiences during the placement:

How was your induction/welcome?

What did you particularly like/find useful about the placement?

**What did you dislike/find least useful about the placement?**

**What could the Council do to improve the placement experience?**

**Section 3: Declaration**

**I confirm that the above information is accurate and contains all relevant details.**

**Signature:**

**Date:**