

MANAGING WORK PERFORMANCE

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AMENDMENTS

Amendments to the policy may be issued from time to time. A new amendment history will be issued with each change.

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1 Introduction

Employees of Hull and East Yorkshire Combined Authority (the Combined Authority) are expected to maintain high standards of performance in support of achievement of the Combined Authority principles.

It has established and maintains a Managing Work Performance Policy to provide prompt, fair, consistent and effective arrangements in taking action where individual performance falls below the standards expected. Wherever appropriate, informal intervention and support will be given in the first instance.

2 Purpose and Scope

The Managing Work Performance Policy sets out the process through which cases of poor performance will be considered.

This policy applies to all Combined Authority employees. It does not apply to the Combined Authority's Mayor, Members, Co-opted Voting Members or others involved in supporting the business of the Combined Authority who are not directly employed by it.

Matters concerning the performance of the Chief Executive (Head of Paid Service) will be considered by the Independent Person (Standards) in accordance with the principles set out in this policy. Their findings and / or recommendations would be received by the Executive Board and a final decision on what action to take, if any, will be approved by them.

3 Definitions

For the purpose of this policy, the employee facing the allegations will be known as the Respondent(s). Any reference to the respondent should be taken to include his or her representative. The term "Representative" is used throughout this procedure and shall be taken to include either a Trade Union/Professional Association Representative (where recognised) or another employee who is supporting the respondent (not in a legal capacity).

4 Roles and Responsibilities

Good working relations are vital for the Combined Authority to operate successfully. There is a joint responsibility for management, trade unions (where recognised) and employees to accept the responsibility of working together on issues in good faith and with the shared intention of facilitating good working relations.

All matters of a potential performance concerns will be treated in the strictest of confidence.

4.1 Chief Executive (Head of Paid Service)

The Chief Executive (Head of Paid Service) is responsible for:

- Establishing and maintaining this Policy
- Ensuring the fair and equitable application of this policy

4.2 Executive Directors and Other Directors

Executive Directors and other directors have responsibility for embedding this policy and procedure within their respective areas, ensuring its implementation and enactment as soon as

practicably possible when alleged performance matters are raised. This includes identifying or facilitating suitable capacity to support investigations within their service area in a timely manner.

4.3 Line Managers

All line managers have a responsibility to implement this policy and to bring it to the attention of staff in their work area.

They must:

- Explain the rules, regulations and standards of performance which employees are expected to observe / achieve
- Set a positive example by maintaining the highest standards of their own performance.
- Take appropriate and prompt action with a member of their staff where performance falls short of that required by the organisation
- Treat all employees fairly by applying the policy consistently and ensuring that any personal information is kept in confidence
- Use the informal stage of this process wherever possible and prior to any formal action being taken
- Signpost employees who need it to the relevant support.
- Consult with an HR representative at any time for advice and support

4.4 Employees

All staff have a personal responsibility for their own behaviour and for ensuring that their performance is in line with the high standards expected by the Combined Authority. It is also the responsibility of every member of staff to:

- Read, understand and comply with this policy
- Engage in informal conversations or attend any investigation meetings relating to their performance, as required
- Commit to achieving any remedial actions plans agreed to improve their performance to an acceptable standard.

4.5 Specialist Human Resources Support

The specialist HR function is responsible for supporting employees and managers in the application and interpretation of this policy to ensure that it is followed, fairly and consistently.

4.6 Trade Union Representation

Trade Union representatives, where recognised, may provide advice and support for individuals who are subject to a disciplinary investigation or who raise concerns that give rise to the disciplinary investigation of another.

They also have a responsibility to ensure that the Performance Policy and procedure are used properly, fairly and consistently.

5 Implementation

This policy will be available electronically and communicated to staff via team meetings.

Support is available to all Line Managers in the implementation and application of this policy.

6 Monitoring and Effectiveness

The implementation of this policy will be monitored on an annual basis by a report to the executive team. Data will be analysed and, together with review of feedback from any staff engagement and insight work, used to identify trends and interventions needed to address any issues. The policy and procedure will be reviewed and audited periodically by the HR Team in conjunction with Trade Union representatives, as appropriate, and otherwise immediately in the case of legislative or every two years, whichever is the sooner.

7 Associated Documentation

- Employment Rights Act 1996
- Employment Rights Act 2025
- Employment Act 2008
- Discipline and Grievance – ACAS Code of Practice
- Discipline and grievances at work: The ACAS guide
- Hull and East Yorkshire Combined Authority Bullying and Harassment Policy
- Hull and East Yorkshire Combined Authority Grievance Policy

8 Procedure – Part 1 Informal Process and Formal Investigation

8.1 Informal Interviews and Counselling

Every consideration should be given to achieving an informal resolution. Informal methods are often the quickest and most effective in dealing with unacceptable performance.

Where an employee's performance is not acceptable, their line manager should discuss the matter with them. This should take the form of a counselling interview and should attempt to determine whether there are mitigating reasons for the employee's performance or whether there are any problems facing the employee which can be overcome.

The line manager should ensure that the employee understands the concerns being raised and that these are being termed in an appropriate way. Counselling represents the first attempt to help an employee and may reveal the need for specific action for this purpose, e.g. training. The aim of counselling should always be to prevent the need for the use of the formal procedure.

Minor dips in performance, unless persistent, are usually most effectively dealt with on an informal basis by an employee's line manager. Such informal discussions represent a first attempt to help an employee address the improvements necessary. The Combined Authority recognises that everyone has bad days and may not always perform consistently. Consideration should always be given to issues and / or events in an employee's private life which may be temporarily impacting on their ability to perform reliably and effectively. Issues relating to performance should always be approached supportively and with the intent to improve the performance, rather than to "catch out" the employee.

Wherever a performance issue is identified, this should always be approached in an empathetic and supportive manner. Consideration should always be given to the reasons why the performance is not at the required level, this could include, but is not limited to:

- Health issues including known or emerging disabilities
- Personal family issues
- Menopause
- Bullying and Harassment
- A lack of required resources in role
- Training and Development issues

These issues must always be considered and a reasonable and supportive course of action taken which is relevant to the individual circumstances and with an improvement in performance being the primary objective rather than a wish to “manage out” the staff member.

Referral to Occupational Health should always be considered where there are performance issues to ensure that all relevant information is considered and reasonable adjustments can be made where necessary and appropriate.

A Performance Improvement Plan should be developed in conjunction with specialist HR advice. This should identify clear expectations of what improvements are required, any support offered to facilitate improvement, how any improvements will be measured and reasonable timeframes. Objectives set should be SMART; that is

- SPECIFIC
- MEASURABLE
- ACHEIVABLE
- RELEVANT
- TIME-BOUND

8.2 Potential Performance issues

Should an employee's the line manager judge that an incident is more than minor decrease in performance or that the informal resolution is not appropriate, they must seek specialist HR advice immediately to enable them to make a decision about what initial action is appropriate.

In reaching a decision on the appropriate action, line managers and HR should have due regard for the following considerations:

- Whether the matter is a conduct or capability issue
- Following a two-way discussion with the employee, is there sufficient understanding of the issues or concerns, and the circumstances relating to them, to provide reasonable grounds for the initiation of formal action or does further information or advice need to be sought
- With due regard to the matters at hand, would the application of a formal procedure represent a proportionate and justifiable response

The following must also be considered where it is concluded that a formal investigation is the most appropriate course of action:

- The potential impact on the health and wellbeing of the individual(s) concerned and on their teams and services, and immediate and ongoing direct support to be provided
- The allocation and maintenance of appropriate resources to a formal process to ensure that it is conducted fairly and efficiently
- The necessary steps to ensure that independence and objectivity is maintained at every stage of a formal process

8.3 Formal Investigation – Prerequisites

8.3.1 Representation

Employees must be made aware of their right to representation at the commencement of a formal investigation, either by a representative of a trade union (where recognised) or professional association, where appropriate, or by a Combined Authority colleague not acting in a legal capacity.

This does not apply to suspension as suspension in itself is not disciplinary action.

Should an employee's chosen companion not be available at the time proposed for a formal meeting by the employer, the Combined Authority should postpone the meeting to a date and time proposed by the employee, provided that the alternative date and time is both reasonable and not more than five working days after the date originally proposed.

Where the person accompanying the employee under investigation is an employee of the Combined Authority, they shall be entitled to paid time off to undertake this role.

8.3.2 Local Representatives of Recognised Staff Organisations

No performance investigation should be commenced against a local representative of a recognised staff organisation until the circumstances have been discussed with a full-time officer of the organisation concerned. The full-time officer must also be invited to attend any investigative interview conducted.

This does not apply to suspension as suspension is not in itself disciplinary action. However, once a recognised representative of a staff organisation has been suspended; the appropriate full-time officer should be informed of the suspension.

8.3.3 Suspension

Suspension is not a disciplinary sanction but may be appropriate in potentially serious circumstances where it is considered that allowing the employee to continue working could place the safety/well-being of other staff or the employee themselves at risk or where it is felt that the continued presence of the employee may impair the investigation or that their performance is sufficiently impaired that there is risk to the Authority or other staff. It is envisaged that suspension would only be used for performance issues in very exceptional instances.

In determining whether suspension is an appropriate course of action, it may be necessary to involve the respondent in a preliminary discussion to establish particular facts before a decision can be made.

With the exception of where immediate safety or security issues are identified, the decision to suspend should be proportionate and timebound, and only applied when all alternatives have been considered. Such options include alternative duties or working from another location/home.

The decision to suspend can only be made by an Executive Director of the Combined Authority.

The following provisions apply during a period of suspension:

- The continued suspension/exclusion of any individual should be subject to appropriate senior-level oversight and sanction.
- Suspension will be on full pay and will be confirmed in writing within 24 hours. Full pay shall equate to the rate applicable as if the employee were working.
- The employee should be seen in person and have the allegations put to them when the decision to suspend is taken. Requests for a representative to be present will not be refused however such action will not be delayed in the event of non-availability.
- In normal circumstances, an employee will only be suspended by a Manager with the authority to dismiss (see Part II, section 4.1), or a manager with delegated authority.
- Suspension will initially be for a maximum of 28 days, after which time the decision will be reviewed by the investigating officer. If investigations are continuing the suspension will be extended and reviewed monthly thereafter. The employee should be written to after each review to confirm the ongoing suspension.
- The continued suspension/exclusion of any individual should be subject to appropriate senior-level oversight and sanction.
- A condition of continued payment during suspension will be that the employee must be available during their normal hours to attend any meeting that may be convened as part of any investigation.
- In cases where a member of staff self-certifies or submits a doctors' sick note whilst suspended from duty, the suspension will over-ride the sick leave.
- The employee will not be allowed to enter the Combined Authority's premises other than with the prior permission of their line manager or suspending manager.
- Other than in exceptional circumstances the employee will be granted permission to enter the premises on request to consult with their representative.

Advice on the potential suspension of a member of staff should be sought from Human Resources prior to the decision being made.

8.4 Formal Investigation

Investigations into alleged serious performance issues should be carried out without delay to ensure careful collection and assessment of facts.

Allegations should be clearly communicated to the respondent, poor framing of these can impact on the investigation process and the health and wellbeing of the individuals involved. All investigations should be guided by the 'Code of Good Practice for Investigations', as attached in Appendix 3.

8.4.1 Communications Plan

A communication plan should be established by the investigating officer with people who are the subject of an investigation or performance procedure. The underlying principle should be that all communication, in whatever form it takes, is timely, comprehensive, unambiguous, sensitive and compassionate. The communication plan ensures that staff are contacted on a regular basis to keep them updated on the progress of any investigation and to check on their health and wellbeing. This plan should form part of the terms of reference for the investigation.

8.4.2 Support During a Formal Investigation

Being notified of an investigation and allegations of poor performance can be an upsetting and stressful time for the employee and other colleagues involved. Concern for the health and wellbeing of those involved in investigations and performance procedures should be paramount and continually assessed.

A series of options have been put into place to enable staff to be supported. This support should also be extended to any witnesses involved in the process:

- **Occupational health service** - Any member of staff who is involved in a disciplinary investigation or process may find it helpful to talk to the occupational health service. All employees have a right to self-refer to occupational health.
- **Counselling** - Counselling services are confidential and can be accessed through the Occupational Health Service. All employees can access the counselling service.
- **Trade Unions** - The Combined Authority recognises the important role trade unions and staff organisations play in supporting investigations and staff are encouraged to seek advice from these representatives regarding their concerns. The Combined Authority will work in conjunction with the trade unions (where recognised) and staff organisations in addressing unacceptable and inappropriate behaviours.

8.4.3 Formal Investigation Provisions

Where allegations of serious poor performance arise, another manager will normally act as the investigating officer, with support from a Human Resources representative.. It is imperative that the investigating officer is clear about the allegation(s) they are investigating.

All measures should be taken to ensure that complete independence and objectivity is maintained at every stage of an investigation and disciplinary procedure, and that identified or perceived conflicts of interest are acknowledged and appropriately mitigated. It is the responsibility of the Investigating Officer to ensure that the investigation does not become unnecessarily protracted and is conducted in a timely manner.

The role of the investigating officer is to establish the relevant facts of any particular case and to make recommendations to the manager on whether the case should progress to a formal meeting or whether there appears to be no case to answer. In the event of a formal meeting ,

the investigating officer will present the facts objectively at a meeting using such evidence or witnesses as they deem necessary in the interests of natural justice.

The investigating officer will, with due notice; interview any relevant staff to determine what further evidence might be required and to estimate the likely timetable for the completion of the investigation.

The respondent is entitled to be represented by a Trade Union (where recognised) /Professional Organisation representative or work colleague (not acting in a legal capacity) in the course of any investigatory interview or subsequent meeting. There is no right to legal representation under this procedure.

Investigations will be conducted as openly as possible, balancing the dignity and confidentiality of the individuals concerned with the wider interests of the Combined Authority and its staff.

8.4.4 Formal Investigation Outcome

The investigating officer is responsible for determining the appropriate course of action at the conclusion of the investigation and report this to the relevant senior manager.

Options will normally be limited to:

- i) Take no action, in which case any reference to the matter will be removed from the personal file
- ii) Deal with the matter informally, in accordance with Section 9.1 above.
- iii) If appropriate, offer the parties counselling or conciliation, which would need to be agreed with the parties involved and with a clear understanding of the timescales for, and objectives of, such action. The other options remain available to the line manager in the event that counselling or conciliation does not resolve the issue.
- iv) Proceed to a formal meeting in accordance with Section 10 below.

Any alternative options must be discussed with Human Resources in advance of a decision. The outcome will be confirmed to the relevant parties in writing.

9 Procedure Part 2 – Formal Meeting

A formal performance meeting will be conducted by a panel comprising a manager with HR support, neither of whom should have any previous involvement in the investigation. It will be conducted in up to three main stages, as follows:

- Formal Performance meeting Letter
- Formal Performance meeting, and, if required
- Appeal.

9.1 Formal Performance Meeting Letter

Unless otherwise mutually agreed, the respondent must be notified of the following in writing at least seven working days in advance of the formal performance meeting:

- The purpose of the meeting
- The specific nature of any performance allegation(s), and
- The right to representation.

Where dismissal is a possible outcome, the letter should also inform the respondent that this is a possible sanction available to the panel if the case is proven.

All documentary information, including witness statements that will be presented to the hearing panel, will be provided to the respondent at this stage. The respondent(s) will have an opportunity to challenge or question any evidence presented to the formal performance meeting.

A specimen formal performance meeting invitation letter is set out at Appendix 5.

9.2 Formal performance meeting

Formal performance meetings will follow the procedure as detailed in Appendix 3.

9.2.1 Formal Performance Meeting Particulars

The respondent should be given the opportunity to state their case fully at the formal performance meeting. If it transpires that more time is needed for further investigation, the formal performance meeting should be adjourned and resumed later.

Any concerns or questions concerning the arrangements for the formal performance meeting should be notified to the line manager at the earliest opportunity, who will attempt to resolve such issues in a fair and reasonable manner.

Where, having agreed the arrangements for the meeting in good time, either party fails to appear without good cause the panel may choose to adjourn the meeting or to proceed with the case in their absence.

The decision of the meeting will, wherever possible, be given to the respondent at the meeting and will, in any event, be confirmed in writing within seven days of the meeting. The letter of confirmation will include, if applicable, details of the right of appeal.

A specimen letter is attached as Appendix 6.

9.2.2 Sanctions Available

In cases where the allegations are proven on the balance of probabilities, decisions relating to the level of action to be taken will be a matter of judgement for the panel. The panel must however have due regard to the following:

- i) the seriousness of the performance issues in question
- ii) the relevance and context of the facts/information presented
- iii) the employee's previous employment record and the existence of any current and relevant disciplinary warnings or performance issues

- iv) matters relating to fairness, consistency and the substantial merits of the information presented
- v) any mitigating factors

Within the terms of this Policy and Procedure, there are six possible outcomes following, as set out in the Table 1 below.

Table 1

Sanction	Length of Time on Personal File	Authorising Manager	Appeal to
No Action	n/a	n/a	n/a
Verbal Warning with performance improvement plan	6 months	Line Manager	Service Director
First Written Warning with performance improvement plan	12 months	Line Manager	Service Director
Final Written Warning with performance improvement plan	12 months	Service Director	Executive Director
Downgrading, Redeployment or Transfer	12 months	Service Director	Executive Director
Dismissal (with notice)	n/a	Executive Director	Chief Executive (Head of Paid Service) or Strategic Director of HR & OD

9.2.3 Sanctions Guidance

The following provides a guide to the applications of sanctions available; however, formal performance meeting panels must have full regard to the factors set out in Section 9.2.2. when reaching a decision on sanction.

- A **First Written Warning** will most commonly be the sanction where a case is upheld and there are no other warnings on file. Any warnings should be supported by a detailed and supportive performance improvement plan.
- A **Final Written Warning** will normally be the sanction should the matter upheld be sufficiently serious or in circumstances where there remains an active First Written Warning on file when further performance issues are proven on the balance of probabilities or insufficient evidence is available to demonstrate adequate improvement has been made. For performance matters, this will include a review of the employee's engagement with and performance against the performance improvement plan, where all relevant training has been given and where all appropriate agreed adjustments and support mechanisms have been instigated. A Final Written Warning can be extended to 24 months in particularly serious circumstances.

In the case of a Final Written Warning, it must be made clear to the respondent that a lack of improvement could lead to dismissal and this must be recorded as part of the written confirmation.

- **Downgrading, Redeployment or Transfer** may be considered as an alternative to dismissal where it is felt that this will enable an employee to perform in their role reliably and effectively in the future
- **Dismissal** (with notice) would normally be the outcome where a previous final written warning remains active, performance remains unsatisfactory and a second formal performance meeting finds that the employee still fails to reach the required standard. This will only occur where all possible attempts have been made to support the employee to reach the required standard.

The employee must be informed, in writing, of the reasons for dismissal, the date on which employment will be terminated, of the right to appeal and the time limit for such an appeal.

- **Dismissal** (without notice or pay in lieu of notice) would normally apply in cases of gross misconduct. Where an allegation of gross misconduct is proven on the balance of probabilities, the employee will normally be dismissed even where they have no active warnings on file.

10 Appeal

An employee has the right to appeal against any sanction applied. The appeal will be considered by the authorised person as set out in Table 1 of Section 10.2.1.

11 Record Keeping

It is the responsibility of the Line Manager to keep a confidential record of the disciplinary action taken, together with any supporting material. A copy of the final outcome correspondence will be retained on the employee's personal file. Human Resources will retain all other papers relating to the investigation/disciplinary hearings.

Warnings are active from the date and time of issue for the periods detailed in Section 10.2.1. In accordance with the principles outlined in Section 98 of the Employment Rights Act 1996, a record of all inactive warnings will be retained on the employee's file (for the duration of the whole employment period) and will normally be disregarded in determining a disciplinary penalty.

The Combined Authority is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. Further detail can be found in the Combined Authority Data Protection and Confidentiality policies and procedures.

Data is held and destroyed in accordance with the provisions of Data Protection legislation and relevant Combined Authority policy.

12 Impact Analysis

12.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others.

It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

APPENDIX 1

STANDARDS OF PERFORMANCE AND CONDUCT

This guide aims to give an indication of the standards of performance and conduct expected of all staff employed by the Combined Authority. It should be read in conjunction with the Code of Conduct for Officers (Sect 5.2 of the Combined Authority Constitution).

The Combined Authority recognises that this guide cannot cover every situation that arises and that the guidelines or rules may vary according to type of work, working conditions and size of department.

Department Rules - In addition to these standards and to Combined Authority policies, some Departments may have specific rules which will relate to the activities of the Department (e.g. safe handling of dangerous substances, safe use of machinery and equipment etc.)

Standards of Conduct

All staff should be aware that they will be seen as representatives of the Combined Authority. It is therefore important that they present a professional and caring image to the public, visitors and colleagues. There are several sources of guidance on the expected standards of conduct within the Combined Authority, with which all staff should be familiar, including:

- Staff induction process
- Performance management documents
- Contract of Employment
- Code of Conduct for Officers

As a general guide, all employees of the Combined Authority will be expected to:

- Respect and protect the dignity of local residents and colleagues
- Observe health and safety policies and safe working practices at all times
- Work effectively and constructively, individually and as part of a team
- Demonstrate the highest standards of honesty and integrity
- Attend work punctually and regularly
- Obtain the appropriate approval for any absence or flexible working
- Carry out reasonable requests or instructions from managers
- Be aware of, and adhere to, Combined Authority policies and procedures.

APPENDIX 2 – CODE OF PRACTICE FOR GOOD INVESTIGATIONS

Before holding a disciplinary hearing, it is crucial an employer has sound evidence on which to base their decisions. Failing to conduct a full investigation, in all but the most exceptional of circumstances, may render a dismissal unfair and result in costly consequences in terms of tribunal awards, and staff morale.

Investigations will be required within the Combined Authority in response to a wide range of situations, including but not limited to:

- Disciplinary allegations
- Serious Performance issues
- Grievances
- Complaints about discrimination, harassment or bullying
- Complaints from members of the public
- Personal injury claims
- Allegations of fraud

The Combined Authority also has a Whistleblowing Policy and harassing or victimising a whistleblower (including informal pressures) will be considered a serious disciplinary offence and will be dealt with under this procedure.

It is essential to ensure that investigations are conducted promptly, thoroughly and fairly. The following guidelines should therefore be applied in all cases:

1. The purpose of any investigation is not to build a case or a defence, but to establish the facts
2. In cases of alleged fraud, the Combined Authority's Section 73 officer should be notified and involved immediately
3. The investigating officer should, without delay, obtain statements from any witnesses, together with other relevant documentary information
4. Adequate time and notice of meetings should be given to employees who need to be interviewed or produce statements. Where the employee to be interviewed is the subject of a

complaint or allegation, they must be provided with details of such complaint or allegation in advance of the interview

5. All staff being interviewed should be given a reasonable opportunity to obtain support and/or guidance from a trade union or staff organisation, or from a work colleague
6. The initial evidence gathered should be used to prepare an estimate of the time and resources needed to complete the investigation
7. The evidence collected should be tested for accuracy against other witness accounts and/or documentary evidence
8. Witnesses should be aware that statements prepared during the investigations will be used as evidence for any subsequent disciplinary hearing
9. Little reliance should be placed on 'hearsay' evidence unless this points to, or can be tested against, more reliable evidence
10. Every reasonable effort should be made to respect the confidence of all staff involved in the investigation. However, staff should be advised that unless there are exceptional circumstances, the respondent will be entitled to see all statements and interview records in the event of formal proceedings
11. The investigating officer should determine what evidence is relevant to the issue at hand, i.e. what helps to prove the facts rather than what strengthens or weakens the case with advice from Human Resources
12. The evidence collected should be used as the basis for a decision as to any further action that may be required
13. Once the investigation has sufficient evidence on which to base a decision, finish the investigation. The standard of proof for most internal investigations and any subsequent disciplinary hearing will need to be "on the balance of probabilities". The case does not have to be proved "beyond reasonable doubt" for it to stand up in a tribunal
14. Investigating officers should have due regard for the Acas Code of Practice on disciplinary and grievance procedures for relevant investigations. Further advice and guidance on conducting investigations is available from Human Resources.

APPENDIX 3 – PROCEDURE TO BE FOLLOWED AT A FORMAL PERFORMANCE MEETING

The following is a guide as to the recommended procedure to follow at a Formal Performance Meeting however it should be noted that the Chair of a panel may vary this process as appropriate to ensure exploration of all the facts and circumstances.

If the respondent, or their representative, is unable to attend the respondent will need to provide reasonable notice and reasons for being unable to attend and the meeting will be rescheduled within five working days of the original date, where possible. If the respondent fails to attend the meeting without a reasonable explanation or is persistently unable to do so (for example for health reasons), the panel may choose to proceed and make a decision based on the available evidence without the respondent being present at the meeting.

1. The Chair of the panel hearing the case (“The Chair”) will introduce the parties and ensure that any specific arrangements, such as an induction loop facilities, interpreter(s) or signer(s) have been made and are satisfactory.
2. The Chair will ensure that the respondent has been given an opportunity to be represented if they so wish. Representation may be from a trade union (where recognised) or staff organisation, or from a work colleague. There is no right to legal representation in this process. Witnesses are not entitled to representation but may, under certain circumstances, have a recognised trade union or staff organisation representative or work colleague acting in a supportive role who will not be entitled to take any part in the proceedings.
3. Observers may be allowed at the discretion of the Chair and following discussion with the parties. Observers will not be allowed to take any part in the proceedings.
4. The Chair will ensure that all parties understand the purpose of the meeting and the procedure to be followed. The Chair will request that all attendees turn off any electronic devices to avoid unnecessary interruptions during the hearing and advise that the Combined Authority expressly prohibits the recording of meetings.
5. The Chair will ensure that any evidence to be considered at the hearing has been produced and exchanged in advance of the meeting. Any request to submit additional evidence in the course of the meeting will be determined by the Chair after due consideration of the interests of natural

justice and the potential disadvantage to any party. Where additional evidence is allowed, the parties should be given a reasonable time to consider it before proceeding.

6. The investigating officer will be asked to present the facts from the investigation process, using written statements and witnesses as appropriate. The key facts should normally be summarised in writing and circulated to the parties in advance of the meeting.
7. Where witnesses are called to give evidence the investigating officer will question each witness first, followed by the respondent or his/her representative and the Chair or panel members. The investigating officer may re-examine each witness to clarify any point raised in the questioning.
8. The respondent is generally entitled to be present throughout the meeting. However, in exceptional circumstances, e.g. harassment, it may be deemed more appropriate to keep the parties separated and for the right to question to be exercised by the respondent's representative. In such cases, all reasonable care must be taken to ensure that the process does not unduly disadvantage the respondent.
9. When the investigating officer has finished presenting the facts, they may be questioned by the respondent, or his/her representative, and the Chair or panel members.
10. The Chair will then invite the respondent or his/her representative to respond to the findings of the investigating officer, with particular regard to any findings of fact that might be in dispute. Witnesses may be called in support of the respondent and may be questioned by the investigating officer, Chair or the panel members. The respondent or his/her representative may re-examine witnesses to clarify any issues raised in the course of questioning.
11. When the respondent has completed his or her response, the Chair or panel members may ask any final questions.
12. The investigating officer may finish by summing up their case followed by the respondent having the opportunity to sum up. No further questions will be taken at this stage.
13. No presentation may be interrupted by the other parties except to raise a procedural point or when called upon to question witnesses. The Chair or panel members may, however, question any of the parties at any time if they believe that to be in the interests of natural justice.
14. The parties, including the investigating officer, will then be asked to leave the room whilst the Chair/panel considers the evidence and reaches a decision.
15. The Chair/panel must first determine whether, on the basis of the evidence put to the meeting, the allegations are proven. The Chair/panel may require access to additional information in order to clarify points or need time to reach a decision. In such circumstances a further meeting would be set up as soon as possible when additional information could be presented and/or a

decision reached and communicated. If the case is not proven, the matter will be closed and any reference to the allegations will be removed from the personal file.

16. If the case is proven, details of the respondent's employment record should be taken into account, including any current and relevant warnings, when deciding on the sanction to be applied. In circumstances where there is a current warning(s) a panel considering further action would have the following options:

- a. take no further action
- b. issue a warning
- c. issue a more serious warning/dismissal decision if the current breach is shown to be related to a previous warning
- d. issue a further disciplinary warning if the current breach is unrelated to previous matters
- e. consider all previous matters and issue a more serious warning/dismissal decision on the basis of serious performance issues.

17. Once a decision is made, the investigating officer and the respondent should then be recalled to the meeting and informed of the outcome.

18. The Chair/panel must confirm any decision in writing within 7 days to the employee. The letter will cover the following points:

- a. summarise the allegation(s) made
- b. identify the panel's conclusion(s) from the information presented
- c. state any disciplinary action taken along with any relevant timescale
- d. identify the consequences of any repetition of the performance breach
- e. where an improvement in conduct is required identify the level of improvement along with any timescales which are to apply. (Any review process should stipulate whether it will be continuous or conducted at the end of a specified period)
- f. establish the right of appeal and the timescale and process for making this request.

APPENDIX 4 – SPECIMEN LETTER – CONFIRMATION OF SUSPENSION

Date
Name
Address

Dear.....

SUSPENSION FROM DUTY

I am writing to confirm the details of your meeting with me on [*date*]. In the presence of [*name & job title*], you were suspended from duty with immediate effect and until further notice. Your suspension is NOT a disciplinary sanction and will be reviewed on a monthly basis. Your suspension is pending the outcome of a full and thorough investigation of the alleged incident that: on [*date*] you (*provide summary of allegations here*)

I recognise this may be an upsetting and stressful time for you. Concern for your health and wellbeing is paramount throughout this process and I would like to remind you of the support available. Section **XX** of the Disciplinary Policy and Procedure details the support which is available to you via the Combined Authority.

You will be contacted separately regarding details of an investigation meeting where you will be asked to respond to the allegations being made against you. Once the investigation is complete a decision will then be made as to whether to refer this matter to a formal hearing in accordance with the Combined Authority's Disciplinary Policy and Procedure, a copy of which is enclosed, and you will be advised accordingly.

During your suspension you will receive normal pay. You must not contact any of the parties involved in the allegations, discuss the allegations with Combined Authority staff, other than your representative, or enter Combined Authority premises without my prior approval during the period of your suspension.

You must remain contactable during normal working hours and should continue to follow the normal procedures in the event of absence or any application for annual leave. You may consider it advisable in the meantime to consult a recognised Trade Union Representative for advice. I enclose a second copy of this letter for your representative (*if you wish*).

If you have any queries with regard to your suspension or the subsequent process, please do not hesitate to contact [*name of HR rep*] on [*telephone number*].

I appreciate that this may cause you some anxiety and stress and would like to remind you again of the support available through the Combined Authority such as confidential staff counselling via occupational health, if you feel this would be beneficial please do let me know and I can refer you otherwise occupational health can be contacted on *XXX*.

Yours sincerely,

Title

c.c.

Encs. Copy of letter

Managing Work Performance Policy and Procedure

APPENDIX 5 – SPECIMEN LETTER – REQUEST ATTENDANCE AT PERFORMANCE MEETING

(This letter should be sent from the manager who will present the management case at the hearing)

Date
Name
Address

Dear

FORMAL PERFORMANCE MEETING

Further to the investigation process, I am writing to request that you attend a formal performance meeting in [*venue*] on [*date and time*].

At this meeting you will be asked to respond to the following allegation[s]:

List incidents or other cause which has given rise to the need for formal performance meeting.

The meeting will be held in the presence of [*name & job title of panel members*]. I will present the management case and will be assisted by (*Human Resources rep if appropriate*).

Copies of all statements/documents that will be considered at the hearing are enclosed for your information. [**** will be available to be called as a witness*]. If you wish to call any witnesses, please confirm their names and details to me by (*date*).

The formal performance meeting will be held in accordance with the Combined Authority's Managing Work Performance Policy and Procedure and, as such, you are entitled to bring with you a representative of your Trade Union (where recognised) or Professional Association, or a work colleague. I enclose a second copy of this letter should you wish to give it to a representative.

At the meeting you will be given every opportunity to state your case but I have to advise you that, following discussions and careful consideration of the evidence presented, action may be taken against you [including the possibility of your dismissal (*if appropriate*)].

Please confirm your attendance and contact me if you have any questions regarding the procedures to be followed.

If the member of staff has previously failed to turn up to a hearing you can add the following:

Should you fail to attend without a good cause, the meeting will be held in your absence and a decision will be made using the evidence provided. You will be notified in writing of the outcome.

Yours sincerely

Title

c.c.

Encs. Copy of letter for representative
Copies of statements/documents

APPENDIX 6 – SPECIMEN LETTER – OUTCOME OF FORMAL PERFORMANCE MEETING

(This letter should be sent from the Chair of the Formal Performance Meeting)

Date
Name
Address

Dear

OUTCOME OF FORMAL PERFORMANCE MEETING

I am writing to confirm the outcome of the formal performance meeting held on [*date, venue*], which I conducted in accordance with the Combined Authority's Managing Work Performance Policy and Procedure. Also present were [*names and job titles*] and [*you chose to be accompanied by [name, role of representative]*] or [*you chose not to be accompanied by a representative at this hearing*].

The purpose of the meeting was to consider the following allegation(s):

[List purpose or allegation(s)]

The members of the disciplinary panel considered carefully all of the evidence presented at the meeting together with the written investigatory information before them.

[Outcome, summarising main considerations, mitigating circumstances, acknowledgements etc.]

The decision of the panel was that you be issued with [*sanction*], which will remain on file for *X* months [*Please refer to Table 1 of Section 10.2.1. of the Managing Work Performance Policy and Procedure for guidance*], subject to no further performance issues.

[Detail any recommended corrective or remedial action and/or objectives for improvement] (If appropriate)

If at any time during the period this final written warning is in place any further performance issues are proven, it is highly likely that your employment will be terminated. You were advised of your right of appeal against this warning/dismissal and made aware that any such appeal should be made in writing to the Human Resources Representative [*name/address*] within **X** calendar days of the date of this letter.

If no case to answer The decision of the formal performance meeting panel was that there is no/insufficient evidence to/of **XXX** and therefore there is no case to answer.

Should you have any queries regarding the content of this letter please contact either myself on **telephone no.** or **XXX** Human Resources representative on **telephone no.**

Yours sincerely,

Name

Job Title

c.c. Trade Union representative

WORK EXPERIENCE POLICY

Authorship:	Strategic Director of HR & OD (Interim)
Committee Approved:	Executive Board
Approved date:	30/01/2026
Equality Impact Assessment:	01/2026
Target Audience:	Hull and East Yorkshire Combined Authority Employees
Policy Number:	HEY WE 1
Version Number:	v1.1

The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

AMENDMENTS

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New Version Number	Issued by	Nature of Amendment	Approving body	Approval date	Date published on website
1.1	Strategic Director of HR & OD (Interim)	New Policy	Executive Board	30/01/2026	N/A

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1 Introduction

- 1.1 Hull and East Riding of Yorkshire Combined Authority (the "Combined Authority") is committed to increasing productivity by equipping the local workforce with the skills and job opportunities needed for the future and ensuring that everyone, regardless of background or circumstances, has the opportunity to fulfil their potential in the workplace.
- 1.2 In support of this, the Combined Authority supports and encourages requests for unpaid and short-term work experience placements within the organisation.

2 Purpose and Scope

- 2.1 The purpose of this Policy is to set out a clear, consistent and transparent process to consider requests for unpaid short-term work experience. It aims to:
 - Ensure that work experience processes support the Combined Authority's vision of creating opportunity and enabling a skilled future local workforce
 - Promote fairness, equality and diversity in all recruitment activities
 - Provide guidance to Line Managers and other staff on their responsibilities when securing a work experience placement
 - Ensure compliance with all relevant legislation, health and safety requirements and best practice standards, in accordance with the UK Commission for Employment and Skills (UKCES).
- 2.2 This Policy applies to all employees of the Combined Authority and anyone who is engaged on a work experience placement with the organisation.

3 Principles

- 3.1 The following principles underpin the Combined Authority's approach to work experience placement within the organisation:
 - Work experience placements are provided as key learning and development experiences, not a source of free labour, meaning tasks undertaken should always support development rather than replace substantive employees' work
 - Placements will be unpaid, given that the purpose of a placement is learning rather than productive labour. Individuals will not be entitled to any form of remuneration or out of pocket expenses
 - They will be available for a limited period of up to 148 hours for those individuals wishing to take up such an opportunity
 - Work experience opportunities may be considered in any department or team and must be reviewed on a case-by-case basis
 - The number of placements available at any given time will be kept under review and at the discretion of individual Executive Director or Programme Director

- All work experience placements must have a structured programme of work agreed in advance and be assigned a named person as their main contact. The planned activities should focus on enhancing core employability skills, such as teamwork, communication and problem-solving.
- Applications are encouraged from anyone who believes they may benefit from the experience, including school pupils (aged 14 and over), college/university students seeking work experience to complement their existing studies, members of the public, looked after children or existing employees pursuing a career change
- Existing employees can only be accommodated providing there is no effect on their substantive post, for example, if they are part-time and can undertake the work experience in their own time
- All work experience placements should not be placed in confidentiality sensitive areas, but individuals should be reminded that on all placements, they will be bound by the requirements of the Data Protection Act as paid employees are.
- All work experience placements are covered by the Combined Authority's insurance and indemnity whilst they are on the premises or engaged in duties on the organisation's behalf.
- The Combined Authority's Disciplinary, Grievance and Capability Policies do not apply to work experience placements. Should a capability or conduct issue arise then the Line Manager should seek specialist HR advice, in the first instance.
- The organisation reserves the right to terminate a placement immediately, should the work placement individual be judged as guilty of serious misconduct.
- Work experience placements are classed as external candidates should they apply for a substantive vacancy at the Combined Authority

4 Roles and Responsibilities

4.1 Chief Executive (Head of Paid Service)

The Chief Executive (Head of Paid Service) is responsible for:

- Establishing and maintaining this Policy
- Ensuring the fair and equitable application of this policy

4.2 Executive Directors and Other Directors

Executive Directors and other directors have responsibility for embedding this Policy within their respective areas, ensuring its requirements are adhered to. Approval to secure a work experience placement must also be given by the Executive Director or other director under whose department the opportunity arises and subject to the confirmation of the internal capacity to support the placement(s).

4.3 Line Managers / Work Placement Supervisors

Line Managers / Work Placement Supervisors are responsible for:

- Gaining authorisation from the relevant Executive Director or other Director to facilitate a work placement
- Preparing full details of the duties to be undertaken during a work experience placement.
- Leading the process to confirm the candidate who will undertake the work experience placement (in circumstances where there are more expressions of interest than placements available)
- Completing a full induction for the work experience candidate prior to commencement of duties and providing structured supervision and feedback for the duration of the placement

5 Work Placement Procedures

5.1 Pre-Recruitment Checklist

The following checklist must be confirmed with the relevant Executive Director (or other Director, as appropriate), prior to commencement of a work experience placement:

- Clear goals and outcomes to be achieved during the placement and the duties and workload to be carried out in support of these. These should be shared in advance with candidates wherever possible.
- Reporting and supervision arrangements, including the capacity of the designated supervisor to provide appropriate support
- Placement duration and location
- Health and safety and other relevant risk assessments
- Confirmation whether there is an age restriction for the placement (for instance, aged 16+) and whether a DBS check is required
- Induction completion

5.2 Conclusion of Work Placement

The following should be offered at the completion of a work experience placement:

- An end-of-placement debrief / review, including the reflections of the work experience candidate, and completion of a written evaluation
- Offering a written reference or certificate
- Signposting career pathways or future opportunities
- Gathering internal feedback for programme improvement

- Completing final administrative tasks (such as return of any Combined Authority equipment)

6 Impact Assessments

6.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others.

It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

MENOPAUSE POLICY

Authorship:	Strategic Director of HR & OD (Interim)
Committee Approved:	Executive Board
Approved date:	30/01/2026
Equality Impact Assessment:	01/2026
Target Audience:	Hull and East Yorkshire Combined Authority Employees
Policy Number:	HEYCA Men 1
Version Number:	v1.1

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1 Introduction

Hull and East Yorkshire Combined Authority (the Combined Authority) is committed to providing a high quality and productive work environment that supports the delivery of its principles and promotes the wellbeing of its staff. This includes adopting and maintaining a comprehensive suite of staff and human resource policies.

Menopause is a natural stage in women's lives and women will experience it in different ways – not all have severe symptoms. The Combined Authority recognises that perimenopause and menopause (hereinafter referred to as menopause) has the potential to affect individuals in the workplace which may present issues or challenges. It is committed to ensuring that all employees are treated fairly and with dignity and respect at work and proactively promotes a wider understanding of menopause to prevent any discriminatory or exclusionary behaviour. This policy provides guidance to both employees who may be experiencing symptoms as well as guidance for managers to manage any issues relating to this.

2 Purpose and Scope

The Combined Authority promotes a culture of menopause awareness so that employees experiencing symptoms can openly raise them and line managers have the confidence to support the member of staff in accessing appropriate support, as required.

The Menopause Policy sets out how the Combined Authority will comply with its Equality Act 2010 duty to manage age and sex related issues effectively and without discrimination. This includes setting out common reasonable adjustments that should be considered to help keep employees experiencing menopause symptoms comfortable at work as well as detailing where extra support can be found.

This Policy applies to all employees who are employed by the Combined Authority. This includes employees on temporary contracts and fixed term contracts. Staff who are seconded from other employing organisations, agency workers or contractors (workers engaged through 'employment intermediaries') should refer to their own employer policies.

3 Roles and Responsibilities

3.1 Chief Executive (Head of Paid Service)

The Chief Executive (Head of Paid Service) is responsible for:

- Establishing and maintaining this Policy
- Ensuring the fair and equitable application of this policy

3.2 Executive Directors and Other Directors

Executive Directors and other directors have responsibility for embedding this policy within their respective areas, promoting a fair and equitable working environment and supporting awareness and engagement with all employees in relation to menopause.

3.3 Line Managers

Line managers are expected to:

- Familiarise themselves with menopausal symptoms and best practice guides for managers. (Line Managers should be able to recognise basic symptoms and their impact)
- Approach conversations supportively and positively
- Hold regular one-to-one meetings to ensure there is a constant dialogue regarding their employee's wellbeing and to provide a convenient means to raise any issues
- Encourage employees to discuss their feelings, as emotions can be heightened during this time
- Undertake a risk assessment where necessary
- Consider and implement any reasonable adjustments which would help support the employee at work
- Listen and act on any feedback they receive from a delegated manager following discussions with the employee (in such circumstances where an employee has requested they discuss their symptoms with an alternative manager).

3.4 Employees

All employees are expected to:

- Familiarise themselves with this policy to raise understanding and awareness of menopause
- Speak to their Line Manager if they are experiencing symptoms being in an open manner in order to receive appropriate support
- Engage with their Line Manager to consider and discuss solutions to help alleviate the effects that symptoms may have in the workplace, particularly if they feel their performance is suffering as a result
- Treat all colleagues with dignity and respect and create an environment which reflects this

4 Definitions

4.1 Menopause: The menopause is when a woman stops having periods and is no longer able to get pregnant naturally. The menopause is a natural part of ageing that usually occurs between 45 and 55 years of age, as a woman's oestrogen levels decline. In the UK, the average age for a woman to reach the menopause is 51 however some women experience this early.

4.2 Peri-Menopause: Peri-menopause is the transition stage from the onset of symptoms until one year after the menopause. Many people experience symptoms of menopause during this stage as symptoms generally start a few months or years before the periods stops.

5 Symptoms

Menopause affects all women differently however below are some common symptoms. The duration and severity of these symptoms varies from woman to woman however some of these can have a significant impact on someone's everyday life:

- Tiredness and lacking energy
- Hot flushes

- Anxiety/panic attacks/low moods
- Difficulties concentrating/forgetfulness
- Headaches/migraines
- Abdominal pain
- Difficulty sleeping
- Palpitations
- Heavy periods
- Reduced confidence

These symptoms can start years before periods stop and last on average 4 years after the last period however this can go on for much longer. This can have a significant impact on physical and mental health and wellbeing which may affect work. It is important these symptoms are recognised and appropriate steps are taken to help people experiencing them feel more comfortable so they are better able to function both at work and home.

6 Reasonable Adjustments

Particular aspects of a job or the workplace can present a barrier for someone experiencing menopausal symptoms. If this is the case, then line managers have a responsibility to implement any reasonable adjustments that may help staff manage their symptoms at work. Reasonable adjustments should be agreed with the employee following discussions on how their symptoms are affecting their work. It is important to note that in some circumstances conditions arising from the menopause may also meet the definition of 'impairment' under the Equality Act 2010. Should there be any doubt about whether absences will qualify as an impairment under the Act, further advice and guidance should be sought from Occupational Health at the earliest opportunity.

Some examples are given below of reasonable adjustments which may assist and be considered by Line Managers and employees, according to individual circumstances:

- Encouraging the member of staff to work in a quiet area, alone from time to time to assist with concentration
- Ensuring that they take short screen breaks and rest throughout the day should they be experiencing tiredness
- Allow for more breaks to use the washroom or toilet facilities
- Agree for them to sit near a window or in a ventilated area or provide a desk-based fan should they become hot
- Be as flexible as possible with start and finish times, for instance a menopausal employee may feel tired in the morning or lack energy later in the day
- Allow the employee to discuss menopause with a different delegated manager instead of their Line Manager should they not be comfortable discussing this with theirs. Where possible, an employee should seek to discuss their concerns with their Line Manager in the first instance
- Provide flexibility for a menopausal employee to attend appointments (please see Other Leave policy)
- Provide extra support and guidance if they're struggling to concentrate or have reduced confidence

- Should the symptoms displayed form part of a cycle, be mindful of this and have due regard to this as part of workload scheduling
- Explore temporary reasonable adjustments to tasks and duties that are proving a challenge.
- Consider protected time to catch up with work should this be necessary

Should an employee reach a sickness trigger threshold point as a result of menopausal related absences, in accordance with the Combined Authority Managing Attendance Policy, an occupational health referral should be made. Discretion can be applied in agreeing what action to take, however this should be made in conjunction with occupational health advice and only following specialist HR advice to ensure a fair and consistent approach is maintained.

7 Advice for Line Managers

Line Managers should be both supportive and aware of menopausal symptoms so that employees do not feel embarrassed to approach them and discuss this. Having some understanding how menopause affects people will help this, the menopause can be extremely daunting to raise with someone who has no awareness about the issue.

Hold regular one-to-one meetings as part of a normal working routine, to give employees an open forum to discuss any concerns they may have. It is important you appreciate that it may be hard for them to discuss these concerns with you, try to prompt them to explain by regularly asking how they are.

Line Managers may seek Occupational Health advice regarding menopause should further specialist advice be required, and employees should also be informed that they may also self-refer to Occupational Health.

Should an employee feel uncomfortable discussing their symptoms with their Line Manager they may request an alternative delegated manager to speak to instead. This request should only come from the employee and not the Line Manager and the delegated manager should feedback to the Line Manager so they are aware how the symptoms may be affecting the employee at work.

Line or delegated managers are not expected to be an expert, however it is essential that they listen, respond sympathetically and show empathy in supporting their employee. Following the above principles will make it much easier to have conversations regarding menopause, however, the following provide additional advice regarding holding sensitive conversations:

- Avoid interruptions
- Listen actively
- Encourage the employee to talk
- Avoid judgmental responses
- Be sympathetic
- Be calm
- Ask open ended questions

8 Advice for Staff Experiencing Symptoms of Menopause

Staff experiencing symptoms of menopause that are affecting them at work should try to discuss this with their Line Manager, in an open and candid manner. Staff are able to self-refer to Occupational Health for support and advice, as necessary. They are also encouraged to consider contacting their GP practice should they need to and discuss treatment options with them.

Further information on menopause can be found on the NHS website;

<https://www.nhs.uk/conditions/menopause/>

Some employees may not feel they need assistance during menopause and go through it without medical or alternative interventions. However, others may choose to access support from a wide variety of clinical and other sources. These include:

- Hormone replacement therapy (HRT)
- Anti-depressants or antianxiety medications
- Natural treatments and remedies, and
- Lifestyle support such as diet and exercise.

Staff are encouraged to discuss such options with their GP. Employees can also access other NHS services such as Talking Therapy and Emotional Wellbeing services which can enable access to Cognitive Behavioral Therapy (CBT) to assist people develop techniques to tackle stress and anxiety. Further details on local services are available via the following links:

Hull - Improving Access to Psychological Therapies (IAPT) <https://www.letstalkhull.co.uk/>

East Riding – East Riding Talking Therapies
<https://eastridingtalkingtherapies.humber.nhs.uk/>

9 Impact Assessments

9.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others.

It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

FLEXIBLE WORKING POLICY

Authorship:	Strategic Director of HR & OD (Interim)
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Target Audience:	Hull and East Yorkshire Combined Authority Employees
Policy Number:	HEYCA FW 1
Version Number:	v1.1

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1 Introduction

The Combined Authority acknowledges and recognises that all employees will need to balance home life with meeting their work commitments. This policy provides the framework within which the Combined Authority will respond to requests for flexible working and flexible service delivery.

2 Purpose and Scope

The purpose of this policy is to set out how the Combined Authority will comply with its Flexible Working Regulations duty to consider flexible working statutory applications in a reasonable manner. Examples of a reasonable manner include:

- assessing the advantages and disadvantages of the application
- discussing possible alternatives to the request
- offering an appeal process

This policy applies to all Combined Authority employees. It does not apply to the Combined Authority's Mayor, Members, Co-opted Voting Members or others involved in supporting the business of the Combined Authority who are not directly employed by it.

3 Roles and Responsibilities

3.1 Chief Executive (Head of Paid Service)

The Chief Executive (Head of Paid Service) is responsible for:

- Establishing and maintaining this Policy
- Ensuring the fair and equitable application of this policy

3.2 Executive Directors and Other Directors

Executive Directors and other directors have responsibility for embedding this policy within their respective areas, promoting a fair and equitable working environment.

3.3 Line Managers

Line managers are expected to:

- Advise and support staff through this process
- Answer queries openly and transparently
- Give serious consideration to every request for flexible working and endeavour to consult with employees as a means of exploring the available options to find a solution that suits both the employee and the MSA.
- Wherever possible, managers should adopt flexibility and should consider what flexibility is available.
- Behave equitably, fairly and non-judgmentally in the application of this policy.

3.4 Employees

All employees are expected to:

- Familiarise themselves with this policy to raise understanding and awareness of Flexible Working Requests
- Speak to their Line Manager if they wish to submit a flexible working request
- Follow the prescribed process within this policy when submitting a flexible working request
- Consider the impact of any request on the delivery of the Combined Authority's business and what could be put in place to mitigate any impact
- Treat all colleagues with dignity and respect and create an environment which reflects this

4 Procedure

Managers will give serious consideration to every request for flexible working and endeavour to consult with employees as a means of exploring the available options to find a solution that suits both the employee and the Combined Authority. Requests should be considered consistently and reasonably. In certain areas, however, the needs of the service will make it impossible to accommodate certain requests. In these cases, employees will be given written details of the reasons for refusal and will have the right of appeal.

4.1 Making an Application

Employees may request to:

- a) Change the hours they work
- b) Change the times when they are required to work
- c) Change where they are required to work (including working from home and from alternative locations)

It should be noted that this is a right to request flexible working, not a right to have it agreed. Managers have the right to reject an application for flexible working when the desired working pattern/arrangement cannot be accommodated within the needs of the service.

An application must:

- a) Be made using Section 1 of the Flexible Working Application Form
- b) Specify the change requested and the date the proposed change should become effective
- c) State whether a previous application has been made and, if so, when. Two applications may be made within any rolling 12-month period.

4.2 The Meeting

Once a request for flexible working has been received the manager will hold a meeting to consult with the employee, within 21 days of the date on which the request is received to discuss the application. A meeting is not necessary if the manager agrees to the flexible working request and notifies the employee within the 21 day period. If the manager believes that the employee's original request cannot be accommodated, then the meeting should explore why this is the case and whether any alternative working pattern may be able to accommodate the employee's request.

- The time and place of the meeting will be convenient to both the manager and the employee.
- The employee has the right to be accompanied at this meeting by a trade union representative (where recognised) or a workplace colleague.
- If the employee's chosen companion is not available at the time proposed for the meeting then this will be rearranged to a convenient time within seven days of the date of the initially proposed meeting. If this is not possible the employee must consider an alternative companion who can attend the meeting.
- Both the employee and the chosen companion will be entitled to paid time off for the purpose of attending the meeting.

4.3 The Decision

The manager will give the employee written notice of their decision on the application within 7 days of the date of the meeting. The manager will complete Section 2 of FW1 and return it to the employee a copy should be saved in the employee's electronic personal file. If the new arrangement involves a change that would affect pay, the manager will also ensure that a payroll amendment form is completed and submitted.

Where the decision is to agree to the request, the notice must specify the change agreed and the date from which it will take effect.

Where the decision is to refuse the variation, the notice will:

- a) Set out the grounds for refusal - which must be for a valid reason and comply with the reasons below.
- b) Contain a sufficient explanation as to why those grounds apply.
- c) Set out what other flexible arrangements have been considered, and why those alternative arrangements cannot be accommodated, if applicable.
- d) Set out the appeal procedure.

The only valid grounds for refusing a request are the following business reasons:

- Burden of additional costs
- Detrimental effect on ability to meet customer demand
- Inability to reorganise work amongst existing staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes.

4.4 The Appeal Process

An employee is entitled to appeal against the decision by giving notice within 7 days of the date on which the decision was given. The notice of appeal must be made in writing to the next level of line management, using Section 1 of the Flexible Working Appeal Form.

The appeal hearing must be held within 14 days of the date on which the notice of appeal is given by the employee.

The time and date of the appeal hearing must be mutually convenient, and the employee has the right to be accompanied.

The appeal will be heard by the next level of line management.

The employee will be given notice of the appeal decision within 7 days of the appeal hearing. This notice must be in writing and be signed and dated by the person who heard the appeal.

This decision will be final. A copy of the completed form must be saved on the employee's electronic personal file. If the request is agreed to as a result of the appeal and it involves a reduction in hours the manager is responsible for completing and sending this to Payroll for processing.

4.5 Review Period

There is no automatic right to continue with the flexible working arrangement. The exceptions to this are where an employee requests a reduction to their working hours for more than a six-month period and where an employee's request for full homeworking is agreed. Both of these circumstances are deemed to be permanent contract variations. Where a flexible working arrangement has to be withdrawn, the employee will be given three months' notice to enable them to make suitable alternative arrangements.

Where a request has been granted on a temporary basis a review period of less than 12 months should be agreed and recorded on form FW1 and a meeting held on an agreed date to review the new working pattern.

All other flexible working arrangements will be reviewed every 12 months. The review will consider how well the arrangement is working, what the impact is on the service and colleagues and whether it should continue.

4.6 Extension of Time Limits

The time limits in this procedure must be strictly applied except in exceptional circumstances. Extensions of time limits can only take place if they are agreed in writing by both the manager and the employee.

Where an application is sent to the manager (who would normally deal with the application) and the manager is absent from work due to leave or illness, an automatic extension applies. The 21-day period that the manager has to arrange the meeting will commence on

the day of the manager's return. There are no other circumstances where an automatic extension to any period applies.

4.7 Circumstances when an application can be treated as withdrawn

An application will be treated as withdrawn where:

- a) The employee decides to withdraw the application.
- b) The employee fails to attend two pre-arranged meetings without reasonable cause.
- c) The employee unreasonably refuses to provide the employer with the required information.

In all circumstances a written record must be made.

Documentary evidence relating to these circumstances must be retained and provided to the relevant manager in the event of an appeal.

5 Impact Assessments

5.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others.

It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

CHANGE MANAGEMENT POLICY

Authorship:	Strategic Director of HR & OD (Interim)
Committee Approved:	Executive Board
Approved date:	30/01/2026
Equality Impact Assessment:	01/2026
Target Audience:	Hull and East Yorkshire Combined Authority Employees
Policy Number:	HEY CM 1
Version Number:	v1.1

The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

AMENDMENTS

Amendments to the policy may be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approving body	Approval date	Date published on website
1.1	Strategic Director of HR & OD (Interim)	New Policy	Executive Board	30/01/2026	N/A

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1 Introduction

- 1.1 Hull and East Riding of Yorkshire Combined Authority (the "Combined Authority") is committed to providing stable and secure employment for staff. However, changing internal and external needs, funding levels or technological, legal or other developments will sometimes necessitate changes to staffing levels, structures, roles and ways of working.
- 1.2 This policy provides a clear process to follow when implementing change which will ensure it is managed in a way that is sensitive, compassionate, consistent, fair and in line with statutory requirements and best practice. The Combined Authority is committed to minimising the impact of change on employees and, wherever possible, avoid redundancy through redeployment and pay protection.

2 Purpose and Scope

- 2.1 The purpose of this Policy is to set out the Combined Authority's approach to the management of organisational change and the procedures that should be followed by Line Managers in order to effectively support staff through such processes. In such circumstances where national change management processes apply, these will supersede local arrangements.
- 2.2 This Policy applies to all substantive employees of the Combined Authority, including those who are seconded out to another organisation and those on long term leave (e.g. maternity leave, adoption leave, shared parental leave, long term sickness absence or career break/ sabbatical).
- 2.3 Staff who are on fixed term contracts may be in scope, in accordance with [The Fixed-term Employees \(Prevention of Less Favourable Treatment\) Regulations 2002](#) and as outlined within individual change management processes, which will be clearly communicated at the time of consultation.
- 2.4 This Policy does not apply to staff employed elsewhere and seconded into the Combined Authority (those staff are the responsibility of their substantive employer) or to agency staff.

3 Definitions

For the purpose of applying the provisions contained in this document, the following definitions shall have the following meanings:

- 3.1 **Affected by Change** means staff who are affected by the change e.g. change of line manager, changes to responsibilities but are not at risk of redundancy.
- 3.2 **At Risk** means staff whose posts may potentially be redundant as a result of organisational change if Suitable Alternative Employment cannot be found.

- 3.3 **Continuous Service** means the duration of a colleague's part time or full-time employment with the Combined Authority or any employer covered by The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (SI 1999/2277). It is used to determine how much service is taken into account when calculating sickness absence pay, redundancy pay, contractual maternity/ paternity/ adoption leave and pay and annual leave.

The '*one-week continuous service*' date is of particular relevance to the redundancy pay calculation. It is the date from which a colleague has continuous service with the Combined Authority with either no break or a break of less than a week (Sunday to Saturday) between employments and determines eligibility for redundancy informed by the provisions of the Employment Rights Act 1996.

- 3.4 **COSOP** means Cabinet Office Statement of Practice. It is a non-statutory policy within the public sector that outlines how staff transfers should be handled, particularly in relation to pension arrangements, to ensure continuity of employment and fair treatment, especially when TUPE (the Transfer of Undertakings (Protection of Employment) Regulations) legislation may not fully apply. National guidance should be referred to if COSOP applies.
- 3.5 **Displaced** means involuntary loss of current role, due to organisational change. Displacement occurs at stages 1 and 2 of the process for filling posts and prior to the member of staff being formally placed 'at risk', which may take place following stages 1 and 2, (or 2a as applicable) if Suitable Alternative Employment is not found.
- 3.6 **Downgrading** means where a post to which an employee is appointed, irrespective of its banding, carries an hourly rate lower than that for the previous post held or a salary scale lower than that of the previous post.
- 3.7 **HR1** means the legal document that UK employers must complete and submit to the Insolvency Service when they are proposing collective redundancies. The purpose of the document is to notify the government and initiate consultation procedures to protect employees' rights during the redundancy process.
- 3.8 **Mutually Agreed Resignation Scheme (MARS)** means a scheme under which an individual employee, in agreement with their employer, chooses to leave employment in return for a severance payment. MARS is different from redundancy.
- 3.9 **Organisational Change** means any Combined Authority or management-initiated change in the organisation of the Combined Authority. Organisational changes may include the reorganisation, relocation, merger, significant expansion or reduction of a function, competitive tendering or outsourcing or a major change in working practice. All such changes will be conducted in accordance with this document which incorporates best practice and legal requirements and aims to provide a framework for common understanding for managers, staff and trade unions.

- 3.10 **Pay Protection** means a period of time during which a colleague is paid their previous salary in order to allow them to prepare for a reduction of earnings or secure an alternative role at the previous salary.
- 3.11 **People Impact Assessment** means a tool used to match existing roles to new roles to identify if employees are entitled to a slot in or a ring fence.
- 3.12 **Promotion** means when a colleague moves to a post which carries a higher rate of pay than that which applies to the previous post held.
- 3.13 **Reckonable Service** means previous service with a recognised organisation that can be taken into account when calculating redundancy pay (amongst other entitlements). The amount of Reckonable Service will depend on any breaks in service and how long these breaks were.

At the Combined Authority's discretion, reckonable service includes service with one or more of the employers covered by the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999, as amended, from the point at which the employee's contract of employment is in effect.

- 3.14 **Redeployment** means the appointment of displaced or at-risk staff into a suitable alternative post.
- 3.15 **Redeployment and At-Risk Register** means a register centrally held by the Combined Authority where a list of displaced / at risk staff is collated and matched against potentially suitable alternative roles which become available.
- 3.16 **Redundancy** means when a role is no longer needed (in accordance with the Employment Rights Act 1996 S.139(1)), which can lead to dismissal if Suitable Alternative Employment is not secured.
- 3.17 **Ring Fencing** means the process by which staff who are displaced are identified for consideration for a post in a new staffing or management structure which is similar to their current post and where there is more than one contender for that post.
- 3.18 **Similar** means, for the purposes of this Policy, a post which is at least 70% the same as an existing role.
- 3.19 **Slotting In** means the process by which staff who are displaced are confirmed into a post in a new structure which is similar to their current post and where that individual is the only contender for that post.
- 3.20 **Staff-Side Forum** means a forum that from time to time the Combined Authority may establish which provides a regular and formal means of information, consultation and negotiation between managers and recognised trade union representatives.

3.21 **Suitable Alternative Employment (SAE)** means an equivalent post defined in terms of pay, working hours, status, grade, duties and responsibilities, location and location allowances. It must be suitable to personal circumstances, skills and experience. It may be on any site operated by the Combined Authority, subject to individual travel considerations. The Combined Authority views SAE as posts that can be one pay grade higher, one pay grade lower or the same pay band to the previous post.

3.22 **TUPE** means the Transfer of Undertaking (Protection of Employment) Regulations 2006 Collective Redundancies and Transfer of Undertakings (Protection of Employment) (Amendment) Regulations 2014.

4 Roles and Responsibilities

4.1 Chief Executive (Head of Paid Service)

The Chief Executive (Head of Paid Service) is responsible for:

- Establishing and maintaining this Policy
- Ensuring the fair and equitable application of this policy

4.2 Executive Directors and Other Directors

Executive Directors and other directors have responsibility for embedding this Policy within their respective areas and providing strategic leadership through complex periods of change.

4.3 Managers Leading Change

Managers leading change, on a case-by-case basis, are responsible for the design and delivery of the change process and must:

- Carry out early engagement with stakeholders, taking into account valuable insight from those with knowledge and experience of the areas likely to be impacted
- Seek specialist HR advice at the start of any change management process
- Produce a clear consultation document, *'The Business Case for Change'* which, should not be revised or changed once finalised following feedback from any staff-side forum established by the Combined Authority, unless through mutual agreement
- Regularly brief staff in accordance with the agreed communication plan and ensuring that those less directly impacted also receive appropriate and meaningful communications about the proposals
- Provide timely information to staff and trade unions so that they are able to make meaningful contributions to the consultation process, including inviting Trade Unions to consultation meetings with the support of specialist HR input

- Ensure that consultation is meaningful, approaching it with an open mind and considering all feedback received for use in changes to proposals as appropriate

4.4 Line Managers

Line Managers are critical to any change management process and are responsible for:

- Keeping up to date with briefings in relation to the change management process, including reading and updated Frequently Asked Questions and supporting the staff they line manage to understand how these relate to them
- Informing and engaging their team regarding proposed changes, including employees who are absent from the organisation (i.e. on maternity, adoption leave, paternity leave, shared parental leave, neonatal care leave, long term sick leave, career breaks, secondments - this list is not exhaustive), in accordance with communication guidance shared by specialist HR advisors and managers of change
- Providing support to colleagues they manage, maintaining confidentiality at all times and recognising the sensitive nature of change for individuals
- Understanding the need for change and how people respond to change. Supporting managers of change to ensure the change process is as positive as it can be
- Liaising with specialist HR advisors at an early stage regarding any concerns they have in relation to the dignity and respect of their staff and the potential for discrimination as a result of a change management process. Full consideration should be given in relation to reviewing existing reasonable adjustments or making new reasonable adjustments at any stage of the change management process, including when considering the suitability of alternative employment for an individual and in the arrangements for filling posts. All managers are required to support the Combined Authority's commitment to creating an inclusive work environment, through ensuring reasonable adjustments are in place for those who require them
- Ensuring that changes, once implemented, are embedded and that benefits are realised at the earliest opportunity

4.5 All Staff

The active engagement of staff is essential to successful change. Staff must:

- Actively participate in all forms of communication to ensure they are fully aware and informed about the proposed changes and their implementation. This includes reading updated Frequently Asked Questions and providing feedback through the available mechanisms and methods shared as part of the specific organisational change process
- Give full consideration to any suitable alternative employment opportunities made available to them and in identifying new career opportunities; particularly if they are at risk of redundancy

- Initiate and complete where appropriate any paperwork in relation to protecting pensions entitlements, particularly where pay protection applies
- Continue to perform their role professionally during times of change

4.6 Trade Unions

Trade Union representatives (where recognised) will contribute to the development of proposals with a view to reaching a mutually acceptable solution to internal and/or external challenges.

They are also responsible for:

- Supporting effective communication regarding organisational change
- Ensuring on behalf of their members that this policy and procedure is adhered to; and that all practices are equitable, transparent and consistently applied
- Fully participating in consultation processes in line with the Combined Authority's principles of partnership working by understanding the need for change and considering the proposals/solutions

The key mechanism for addressing concerns raised by recognised Trade Union representatives regarding the application of this Policy and working towards mutual agreement will be via a staff-side forum that may be established by the Combined Authority from time to time.

5 Change Management Procedure

5.1 Statement and Principles

Organisational change is driven by the business needs of the Combined authority and can be initiated by the external environment or by an internal review of organisational requirements. The list below provides examples of when this policy applies:

- National and local policy implementing on organisational form and structure.
- Departmental restructuring/ reorganisation and developing the organisation to ensure it is performing effectively
- Transfer of a service in or out of the organisation under the appropriate transfer mechanism, for example – TUPE or COSOP
- Changes which affect the terms and conditions of employment, such as job description, hours, pay, location

During any organisational change, a fair and equitable process will be followed. The process will be determined in line with this policy depending on the circumstances of the change and additional information on process design is provided in Appendix 1.

Reasonable minor changes and adjustments to duties and working practices may be implemented without recourse to the formal procedures in this document.

A minor change is defined as follows:

- Job description - change of job title and/or change of line manager

Changes to an employee's contractual terms and conditions of employment include:

- Job Description (where more than a minor change as outlined above)
- Working hours or working pattern
- Pay
- Location or Contractual base

These changes can significantly affect employment contracts, so consultation is required, and mutual agreement is important to avoid subsequent claims of breach of contract or constructive dismissal. Any situation which may lead to redundancy will not be deemed to be a minor change.

The Combined Authority is committed to the following principles for managing organisational change:

- **Where Trade Unions are recognised, early engagement conversations will be undertaken.**
- Staff will:
 - Receive notice of any organisational change which may affect their futures at the earliest opportunity
 - Be considered against their substantive post and existing contractual arrangements throughout the organisational change process
 - Be treated as individuals with due regard to their personal and employment circumstances and their career aspirations at all stages of the change management procedure
 - Have the right to be accompanied by a Trade Union representative (where recognised) or workplace colleague at formal meetings to discuss the organisational change
- Requests by the employee for additional support at any individual meetings should be considered on an individual basis e.g. where disability is involved and familiarity with the impairment or the individual or specialist input would be beneficial
- The Combined Authority will consider all reasonably practicable steps to avoid compulsory redundancies in change processes where this may be applicable

- It strives to provide appropriate training and development and career support during change

5.2 Consultation

5.2.1 Purpose of Consultation

In accordance with legislation and its partnership working principles, the Combined Authority is committed to meaningful and appropriate consultation with recognised Trade Unions and staff affected by the organisational change.

There will be times when organisational change will need to proceed without a consensus being reached on all issues.

The purpose of a consultation is to:

- Receive and, where possible, address any questions on the consultation document
- Consider any comments or views on the consultation document including any alternative proposals and costings (which the Combined Authority shall as far as practicable make available) before determining any final decision to proceed
- Clarify any change processes and timeframes specific to the proposed organisational change under discussion

5.2.2 Consultation Procedure

With support from specialist HR advice, managers leading change will usually be required to prepare a consultation document (often referred to as the 'Management of Change Business Case') in accordance with good employee relations practice. It will be presented at a staff-side forum meeting prior to any consultation commencing and shared with forum members one week in advance of the meeting

Early engagement with stakeholders is essential in the development of the consultation document and, in the case of a TUPE process, the format of the information required to engage and consult will be determined in partnership with any staff-side forum that is established.

5.2.3 Time Periods for Consultation

The timing of the consultation will be determined in response to the factors which are driving the need for change and the extent of consultation will be proportionate to the degree of proposed change, the number of staff affected and the impact on individuals.

In all cases, the Combined Authority will allow sufficient time for meaningful consultation with staff and their representatives. In exceptional circumstances where changes need to be made very quickly, recognised Trade Unions will be briefed as soon as practicably possible, and the verbal briefing will be followed by a written brief.

Where the consultation is in relation to a changes to an employee's contractual terms and conditions of employment, reasonable consultation with the individual will be required.

In a collective redundancy scenario, consultation will take place for a period of no less than the statutory time scales, as follows:

- **20 - 99 proposed redundancies** - at least 30 calendar days before the first redundancy takes place
- **100 or more proposed redundancies** - at least 45 calendar days before the first redundancy takes place
- Where the change proposal does not include a collective redundancy scenario, the consultation period will typically run for 30 calendar days

The Combined Authority makes the commitment that where multiple business units are affected by change, it will run consultations concurrently where possible. It will count the number of redundancies across the organisation's footprint when determining the period of consultation.

Recognised Trade Unions and staff may request additional information or request consideration for an extension of consultation time should this be judged necessary to enable them to understand and contribute to an informed discussion on the merits of the proposal and to ensure meaningful consultation takes place. A reason will be given in writing where such a request cannot be accommodated.

5.2.4 Consultation with Trade Unions

Trade Unions, where recognised, play a vital role in advising and representing staff undergoing organisational change and in working with managers to ensure that organisational change is managed with the least disruption.

Early informal, or 'pre consultation' with the Trade Unions is encouraged and should occur where possible. Meaningful pre-consultation often leads to an agreed shorter formal consultation time and greater staff satisfaction with the process.

Formal consultation with the Trade Unions, where recognised, will commence within the minimum timescales above, once any informal comments have been considered and the consultation document has been finalised. Ongoing discussions with the local accredited representatives will continue throughout the consultation and implementation stages of change.

In a redundancy scenario, the information provided in writing to the Trade Unions shall include the following:

- Numbers and descriptions of employees whom it is proposed to dismiss as redundant

- Total number of employees of any such description employed by the Combined Authority at the establishment in question
- Proposed method of selecting employees who may be dismissed
- Proposed method of carrying out the dismissals, with due regard to any agreed procedure, including the period over which the dismissals are to take effect
- Proposed method of calculating the amount of any redundancy payments to be made (over and above the statutory redundancy payment) to employees who may be dismissed
- HR1 in advance of it being submitted to the Insolvency Service

5.2.5 Group Consultation

Each member of staff affected by the organisational change proposal will be invited to a consultation launch meeting, with the purpose of announcing the proposed change and explain the consultation process that will follow. Following this meeting, all staff who are affected by the proposed change will be provided with a copy of the consultation document. The meeting will be recorded and a link to the recording shared with all staff affected by the proposed change and their Line Managers. Recognised Trade Unions representing staff affected by the change should be invited to the first meeting with all affected staff and given reasonable notice to attend.

Regular updates and frequently asked questions may be made available to staff through agreed communication mechanisms throughout the formal consultation period. Throughout this period staff should be encouraged to discuss their concerns and queries with their line manager and Trade Union representatives.

5.2.6 Consultation with Individual Staff

Employees affected by the proposals are able to request a formal or informal 1:1 meeting with their Line Manager to discuss the proposals and how they may impact on their personal circumstances. An informal 1:1 meeting will be with the individual's Line Manager whereas a formal 1:1 meeting will be with their Line Manager, with the right to be accompanied by a recognised Trade Union representative or work colleague (not acting in a legal capacity) and is supported by a specialist HR advisor.

A written record of the individual meetings will be kept and provided to the employee and their Trade Union representative, where applicable. The record will be a note of the main points discussed at the meeting, not verbatim notes.

It is recognised that staff may require time to consider and respond to the consultation and will therefore be made aware of their right to submit written feedback in accordance with the mechanisms identified in the consultation paper.

5.2.7 Staff Who Are Absent From Work

Staff who are absent from work for any reason including maternity leave, adoption leave, shared parental leave, paternity leave, neonatal care leave, long term sick leave, career breaks, secondment to another organisation (this list is not exhaustive) have the same right to be consulted with as other employees.

They will be sent a copy of the consultation document and any other documentation and any other associated documentation such as Frequently Asked Questions, to their home address/agreed correspondence address, by their Line Manager so that they can participate in the consultation process and should be offered the opportunity to discuss the documentation further.

5.2.8 Measures To Avoid or Minimise Redundancy

An essential element of consultation is the consideration given to avoiding or minimising redundancies.

Trade unions (where recognised) and those affected by potential change management should be given the opportunity to suggest how the redundancies could be avoided or minimised. As part of this process, the following factors should be considered:

- Natural wastage
- Reduction in the use of temporary staff
- Restricting the recruitment of permanent staff
- Consideration of flexible retirement requests
- Consideration of flexible working requests
- Filling of vacancies from existing employees who meet the job requirements and person specifications
- Reducing overtime by as much as operational requirements will permit
- Reducing the hours of work, and
- Training, re-training or redeploying employees for different work for which there is a requirement either at the same or at a different location/or such other establishment, where applicable

5.2.9 The End of Consultation Process

The manager leading the change will give full consideration to all comments received from staff and the Trade Unions (where recognised) and will make a decision on the way forward as soon as possible following the end of the consultation period. A written report will be provided to Trade Unions covering the change process to be followed and the timeframe, following which this will be shared with staff.

6 Managing Structural Change

It may be necessary from time to time for the Combined Authority to carry out a restructuring process in order to ensure that it is performing effectively or in response to a variety of internal or external factors. Such restructuring may be limited to individual teams or directorates, but it may also potentially include the whole workforce. This section should be read in conjunction with the Change Management Procedure (Section 5).

In the case of a restructure, job descriptions and person specifications will be produced for new posts.

Following the outcome the consultation, the implementation phase will commence. The process for filling posts in the revised or new structure will be carried out as outlined in Section 7 of this Policy.

Individual requests for job re-banding within the relevant team/ department/ whole organisation that is affected by this change will be suspended during a period of restructuring. The timing of this will be agreed in conjunction with any staff-side forum that may be established.

Where working patterns are different in a new post or where there was an agreed arrangement to work flexibly in the former post, the Combined Authority will make all reasonable efforts to support the protected employee to maintain their working pattern, provided this does not impact adversely on the delivery of the service. Individuals are required in this circumstance to reapply for their preferred working pattern through the Flexible Working Policy.

7 The Process for Filling Posts as a result of an Organisational Change Process

7.1 Stages 1 to 3

The Combined Authority has established three stages in the process for filling posts in a new or revised structure, during which staff will be considered against their substantive post and existing contractual arrangements.

- Stage 1** - Posts in the new structure are filled either by slotting in or by ring fencing
- Stage 2** - Any posts that remain vacant following Stage One will be opened up to access by displaced staff for whom the post is considered potentially suitable alternative employment. This could include ring fencing to a specific department in the first instance. If so, this will be referred to as Stage Two (a) and posts that remain vacant after Stage Two (a) will be available at Stage Two (b) to displaced staff from other departments and who are on the '*Redeployment and At Risk Register*'. Where transformational change applies to the whole organisation, Stages Two (a) and Two (b) will not be separate.
- Stage 3** - Any posts that still remain vacant after Stage One and Stage Two (including Stage Two (a) and Stage Two (b) where applicable) will be reviewed against the '*Redeployment and At Risk Register*,' with priority given to Combined Authority employees at risk of redundancy, followed by employees on the register for another reason and then internal employees. The posts may then be advertised to other, non-Combined

Authority staff who are at risk of redundancy if the organisation is participating in any local/regional clearing house schemes. If not, posts may be advertised internally and/or externally, in line with the normal recruitment process

The three stages may run concurrently but priority will still be implemented in this order to ensure that all reasonably practicable steps will be taken to avoid compulsory redundancies.

7.2 Appeals Regarding the Filling of Posts

Employees have the right to appeal against the decision to be chosen to slot or not to slot into a post or for selection or non-selection to a ring-fenced pool. In such circumstances, they have 10 working days from the date of their outcome letter to submit an appeal in writing to the appointing manager. The appeal shall be considered by an impartial manager equal to or above the change manager via an appeal panel and shall be responded to within a timely manner.

Employees should only be turned down for posts as part of the filling of posts process where they fail to meet the essential criteria or where others who are displaced are considered to meet the requirements better (the fact that there may be better candidates in the external labour market is not a reason for non-selection).

Statutory protections should also be taken into account, where applicable. Any member of staff who is not appointed to a post in the new structure will be offered post-interview feedback and further support where appropriate and has the right to appeal via local grievance procedures.

7.3 Staff at Risk

When changes in staffing levels or skill mix are proposed which will lead to a reduction in the numbers of staff employed in particular grades, occupational groups or specialties, the manager leading change will identify the individual staff or pool of staff who are at risk of redundancy as a result of the changes in line with the agreed criteria. This will be following stage 2 (or following 2a, where stage 2 has been split into 2a and 2b). Staff who are acting up or on a secondment will be placed in the pool relating to their substantive post.

Affected staff will be invited to a meeting(s) with their manager and Trade Union representative or work colleague to:

- Explain why they are at risk of redundancy
- Formally place the individual at risk
- Discuss how the proposed changes affect the individual
- Discuss ideas for avoiding redundancy dismissals, reducing the number of staff at risk who are made redundant and mitigating the consequences of any redundancy dismissal

- Explore/ continue to explain and explore the possibility of redeployment, through the identification of suitable alternative employment
- Explain the arrangements for protection of pay and terms and conditions where applicable
- Offer support and assistance including health and wellbeing support which may be available
- Discuss any other relevant issues and processes which may include providing a redundancy payment estimate if requested.

Affected staff will have their status updated to at risk on the '*Redeployment and At Risk Register*,' with priority given for:

- a) Roles that remain unfilled following stage 1 and 2 or stages 1 and 2a (where stage 2 has been split into 2a and 2b)
- b) Those who are within their redundancy notice period over employees who are on the register for other reasons e.g. pay protection
- c) Recruitment to Combined Authority roles that are outside a current restructure, where relevant

Following the meeting, staff at risk will be given a letter within five working days to confirm their at risk status and the key points discussed at the meeting including answers, wherever possible, to questions raised at the meeting for which there were no immediate answers available at the time.

The individual will be served their notice of redundancy in accordance with their contractual notice period once financial approvals of redundancy have been received.

7.4 Suitable Alternative Employment (SAE)

Suitable alternative employment will be a post defined in terms of pay, working hours, status, grade, duties and responsibilities, location and location allowances. It must be suitable to the individual's personal circumstances, skills and experience. It may be on any site operated by the Combined Authority, subject to individual travel considerations.

SAE can be one pay grade higher, one pay grade lower or the same pay grade. Staff at risk will be given prior consideration for suitable posts in line with their skills, experience and capabilities and, where appropriate, will receive protection of pay for a period of 2 years). Identification of suitable alternative employment will be carried out in accordance with any redeployment guidance and documentation.

Where there are insufficient numbers of vacant posts within the Combined Authority, the specialist HR advisors will endeavour to identify suitable redeployment opportunities within

the wider local public sector/clearing house arrangements, where possible, and draw these to the attention of the staff.

Staff who accept another job whilst still employed by the Combined Authority with any of the recognised bodies on the Redundancy Payments (Modification) Order (including this Combined Authority) and you are due to start within four weeks of their termination date will not be entitled to any redundancy payment.

Suitable Alternative Employment priority will be given to staff with a Contract of Employment with the Combined Authority. If the individual is offered the post when they have formally been placed at risk of redundancy, this will be treated as an offer of suitable alternative employment and a trial period will apply.

Staff who unreasonably refuse an offer of suitable alternative employment may lose their right to a redundancy payment.

7.5 Suitable Alternative Employment (SAE) – Redundancy Protection for Pregnancy and New Parents

The Protection from Redundancy (Pregnancy & Family Leave) Act 2023 and subsequent Regulations extends redundancy protections during pregnancy and following maternity, adoption, or shared parental leave. The specific 'redundancy protected period' length varies according to the particular nature of the leave being taken by the employee as well as the date when an employee tells their employer that they are pregnant.

Should redundancy arise during a protected period and suitable alternative roles exist, employers must offer them to protected employees under the above Act before others. This applies even if other employees are also suitable. Failure to comply may render the dismissal automatically unfair.

In circumstances where there are insufficient suitable alternative vacancies for everyone who has this redundancy protection, the Combined Authority will set out in writing to affected parties the criteria to be applied when appointing to the vacancies. These may include consideration of relevant employees:

- Skills
- job knowledge
- experience

Where an employee is not offered a suitable alternative vacancy, a meeting will be held with them to discuss the decision.

Further details, including timescales for which these protections apply, can be found at <https://www.acas.org.uk/redundancy-protection-for-pregnancy-and-new-parents>

7.6 Trial Periods and Training

A trial period will only apply to staff who have been formally placed at risk and where a formal offer of suitable alternative employment has been made. This also includes those staff who have been offered SAE whilst pregnant, taking maternity leave, taking adoption leave, taking shared parental leave or taking neonatal care leave (See Section 7.5 above).

The purpose of a trial period is for both the Line Manager and the individual to assess the suitability of the post as alternative employment.

Where staff have the potential ability but not the immediate experience to undertake full duties of the role, they will be provided with appropriate skills development/training. This will be provided where it is reasonable, practical and cost effective and where the member of staff demonstrates a willingness to learn and can apply the new skills within an agreed timeframe.

The trial period will normally last for four weeks but may be extended by mutual agreement in special circumstances, including where a member of staff requires additional training and development.

If the trial period is unsuccessful, as determined by the individual and/or the Line Manager concerned, redundancy arrangements will apply as from the date when the original contract of employment will terminate. Until the end of their notice period, staff at risk will be considered for other suitable alternative employment if available. This will be subject to the same arrangements including a trial period.

8 Redundancy

8.1 Definition of Redundancy

To assist in the delivery of necessary change and to achieve efficiencies, both voluntary or compulsory redundancy schemes may be considered by the Combined Authority. Staff may be subject to redundancy proceedings where any of the following apply, in accordance with the Employment Rights Act 1996 definitions as described:

- The Combined Authority has ceased or intends to cease to carry on the business for the purposes of which the employee was so employed
- The Combined Authority has ceased, or intends to cease, to carry on the business in the place where the employee was so employed
- The requirements of the Combined Authority for employees to carry out work of a particular kind has ceased or diminished or are expected to cease or diminish
- The requirements of the Combined Authority for the employees to carry out work of a particular kind, in the place where they were so employed, has ceased or diminished or are expected to cease or diminish

In considering any measures to avoid compulsory redundancies, including requests for voluntary redundancy via a formal voluntary redundancy programme where applicable, operational efficiency and service needs must be taken into consideration.

8.2 Voluntary Redundancy

The Combined Authority reserves the right to operate a voluntary redundancy scheme from time to time. Consideration of applications by employees under any such scheme will be subject to the needs of the service, cost implications based on clear and consistent criteria. Due regard will also be given to equality legislation.

8.3 Redundancy Arrangements

Where redundancy applies to an individual, notice of redundancy will be given in accordance with their contract of employment and once all required financial approvals have been received.

They will continue to be listed on the Combined Authority's Redeployment and At Risk Register until their contract ceases or they are successfully redeployed. During this period, the Line Manager will agree with the member of staff what work they are to undertake.

Their employment will be terminated on the grounds of redundancy if no suitable alternative employment can be found or if a trial period is unsuccessful.

In some circumstances tax benefit may be applied to the payments. Individuals should source independent financial advice.

Staff will not be entitled to payment on the grounds of redundancy in the following circumstances - they:

- Have been dismissed for reasons of misconduct or gross misconduct
- Have secured suitable alternative employment with the Combined Authority or another employer set out within The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (see Sec 8.4 – Clawback - for further details).
- Unreasonably refuse to accept or apply for suitable alternative employment with the Combined Authority or another employer who may be part of a local clearing house arrangement
- Leave their employment prior to expiry of notice, other than in circumstances where the Combined Authority has authorised an early release if they are being released early
- Are offered a renewal of contract with the substitution of a new employer for the Combined Authority

Staff whose employment is subject to a TUPE transfer out of the Combined Authority will not be redundant and therefore will not be entitled to redundancy payment benefits on the grounds of redundancy.

Line Managers will liaise with specialist HR advisors in order to confirm details of redundancy entitlements and other aspects of the redundancy process. The Line Manager will confirm in writing the following details to the individual affected and their trade union representative:

- The number of weeks' notice, in accordance with the contractual notice period
- The effective date of the redundancy, which will also be the last day of service
- The number of days' outstanding annual leave, where applicable, to be paid in lieu
- The amount of redundancy payment/enhanced pension benefits that will be paid, where applicable
- What efforts will be made to assist the individual in seeking suitable alternative employment during the notice period
- The support that will be offered during the notice period e.g. help with job search, CV and interview preparation
- What work the individual will be expected to undertake during their notice period
- Confirmation that reasonable time off with pay will be given to seek and prepare for alternative work
- That early release will not normally be given, unless there are compelling reasons to the contrary and approved on a case-by-case basis. The date of early release will then become the revised date of redundancy for the purpose of calculating any entitlement to a redundancy payment

8.4 Redundancy Eligibility and Calculation

In order to be eligible for a redundancy payment an employee must have at least two years of continuous service, aggregated across employers listed in The Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (SI 1999/2277). Breaks in service may affect eligibility; breaks of more than one week generally break continuity unless covered by statutory exceptions.

Calculation Methodology

Redundancy pay is calculated based on age, length of service (up to 20 years) and weekly pay (subject to a statutory cap), in accordance with the following:

- Service **under age 22**: 0.5 week's pay per full year
- Service **aged 22 to 40**: 1 week's pay per full year
- Service **aged 41 and over**: 1.5 weeks' pay per full year
- Maximum of 20 years' service counted

- Weekly pay is capped at the statutory maximum (e.g., £719 from April 2025).
- Maximum statutory redundancy payment: £21,570 (as of April 2025).

Example Calculation

Employee aged 45 with 18 years of service (all post-22):

- 18 years × 1.5 weeks = 27 weeks' pay
- Weekly pay capped at £719 × 27 = £19,413 statutory redundancy payment

8.5 Redundancy Payment Exclusion Rule (Clawback)

An employee who accepts another job whilst still employed by the Combined Authority with any of the recognised bodies on the Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999 (including this Combined Authority) <https://www.legislation.gov.uk/uksi/1999/2277/contents> and is due to start within four weeks of their termination date, will not be entitled to any redundancy payment. In this instance your service carries over to the new employer for future redundancy calculations. It is your responsibility to make your Line Manager aware in such circumstances.

Should your start date occur more than four weeks after your termination date, repayment of the redundancy payment will not be required.

Once your employment with us has ended, you may accept an offer of employment without affecting your eligibility for redundancy pay and, where applicable, pension benefits.

9 Transfer of Undertakings (TUPE)

Transfer of Undertakings (Protection of Employment) Regulations (TUPE) protects employees' terms and conditions of employment when the service or business is transferred from one employer to another or when a service provision change takes place. TUPE applies in contracting out scenarios, retendering and where services may be brought into the Combined Authority.

Where a service transfers to a new organisation, or into the organisation, employees assigned to the services which are subject to the transfer may transfer in accordance with TUPE, where this applies, or under The Cabinet Office Statement of Practice (COSOP - which mirrors TUPE) or other appropriate transfer mechanism where there is no statutory entitlement to TUPE.

Where there is a proposal to transfer services and staff from the Combined Authority to an alternative employer, there will be consultation with the recognised trade unions and impacted staff at the earliest opportunity, allowing time to inform and fully consult before the transfer.

10 Support for Staff

All staff affected by organisational change will be encouraged to seek the advice and support of their trade union. Relevant support will be available and, depending upon the nature of the change, may include:

- The provision of appropriate training and development and career support during change
- Support from the health and wellbeing services that may be available
- Time to meet with recognised trade union representatives to discuss the change
- Further assistance to staff who are at risk of redundancy will include reasonable time off to seek other employment in accordance with the Other Leave Policy
- Placement on the Combined Authority's Redeployment and At Risk Register

It is recognised that that affected staff may take some time to adjust to the new environment following the completion of a change management process and Line Managers must remain available to manage and support staff following a transition.

11 Mutually Agreed Resignation Scheme (MARS)

MARS is a mechanism through which an individual employee, in agreement with their employer, chooses to leave employment in return for a severance payment. Mutually agreed resignation is not a compulsory or voluntary redundancy. Severance payments should not be made where the circumstances entitle an employee to a contractual redundancy payment or redundancy benefits under the Combined Authority Pension Scheme Regulations

There may also be a risk of a future redundancy claim if an employee is paid under MARS when their post is in fact redundant.

A mutually agreed resignation is viewed as being a voluntary resignation on the part of the individual employee, in return for a severance payment. As there may be significant financial implications, employees may wish to seek advice from a regulated financial advisor

12 Appeal Process

Complaints against the misapplication of this Policy, including the:

- Manner in which a consultation or redeployment process has been managed
- Selection criteria developed to inform redundancy decisions
- Decision to dismiss an employee by reason of redundancy as opposed to the offer of a suitable alternative post, or

- Absence of mutual agreement with regard to the suitability of an alternative employment post

will be heard in accordance with the Combined Authority's Grievance Policy. The decision of the Appeal Panel will be final and there will be no further opportunity for recourse to the Grievance Procedure.

Complaints about slotting or ring fence pool decisions will be reviewed by an impartial manager equal to or above the change manager, with support from a specialist HR advisor. The decision of the appeal panel will be final and binding.

13 Impact Assessments

13.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others.

It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

APPENDIX 1

THE PROCESS FOR FILLING POSTS IN NEW / REVISED STRUCTURES AND THE APPEALS PROCESS

Filling of Vacancies During Organisational Change

When the change process involves organisation transformation, the process for filling posts will be managed at organisation level in stages 1, 2 and 3 as outlined below.

<p>STAGE 1</p> <p>Posts filled by either slotting in or ringfencing (including competitive interviews if required). This occurs where there is a 70% match to an employees substantive role.</p>	<p>STAGE 2</p> <p>Posts that remain vacant after stage 1 will be opened up to staff who are displaced to express an interest in as suitable alternative employment.</p>	<p>At Risk</p> <p>Employees that are displaced following stage 1 and 2 placed at risk of redundancy and added to the redeployment and 'at risk' Register</p>	<p>STAGE 3</p> <p>Posts that remain vacant after stages 1 and 2 may be advertised.</p> <p>Priority order:</p> <ul style="list-style-type: none"> • CA employees at risk of redundancy • CA employees on the redeployment register for an alternative reason • Internal employees • Other Employees at 'risk of redundancy' within any local clearing house arrangements • External candidates.
		<p>Notice of Redundancy</p> <p>Following relevant approvals, the employee is served notice in line with their contractual notice period</p>	

Stage one – Slotting In

- Slotting in may apply at **Stage One**, where the duties and accountabilities of a post are not significantly reorganised and are substantially the same in the new and existing role.

The following criteria will apply:

- The job banding/pay remains the same and;
 - The post holder is the only person identified for the new post and holds a substantive contract of employment and;
 - The member of staff has the minimum qualifications and/ or equivalent knowledge and experience required for the new post and;
 - The new role contains 70% or more of the current role (as determined through the completion of a People Impact Assessment
- In this instance a formal interview is not required, but rather a meeting between individual and Line Manager for the role, to discuss and confirm that the role does offer suitable alternative employment and to confirm key objectives as required.

Stage 1 – Ring Fencing

- Ring fenced competition will apply at **Stage 1** where the 'slotting in' criteria above is met but there is more than one person identified for the post.
- Where they are selected for a new post, an employee will normally be given the offer in writing within seven working days of the interview.

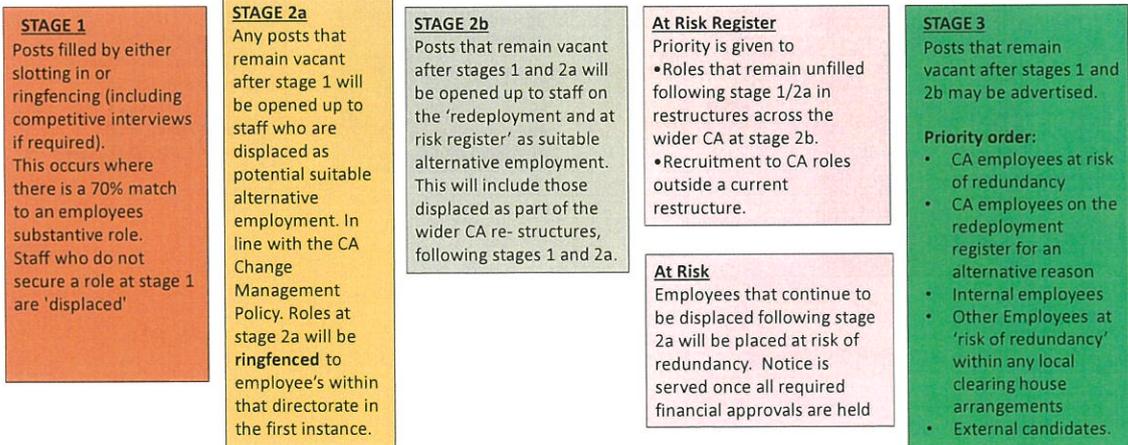
At Stage One, employees returning from agreed employment breaks within the applicable period set out within the Career Break Policy, who cannot be slotted back into their own post or a post at the equivalent grade to that which they took the break from, will be eligible for long term protection from the date of their return.

Stage 2

- Any posts that remain vacant after Stage 1 will be opened up to staff who are displaced.
- In some cases, Stage 2 will be split into Stage 2a and Stage 2b, in which case posts may be ring fenced at Stage 2a to employees within a directorate structure in the first instance.
- Selection for posts will be determined by whether the person has the necessary skills to carry out the role through completion of an 'expression of interest' and also an interview, where there is more than one member of staff who is considered suitable for the post
- The post may only be the same grade, or one grade higher or lower

Filling of Vacancies During Organisational Change

When the change process is at directorate level only, the process for filling posts will be managed at in stages 1, 2a, 2b and 3 as outlined below.



Where there is only one member of staff for one post, whether the same grade or one grade higher or lower, a discussion may take place between the Line Manager and individual with specialist HR support as required, to discuss and agree that the role offers suitable alternative employment and determine key objectives. The individual may then be offered the role as suitable alternative employment.

Where applicable, all members of staff must hold a substantive contract of employment in order to be eligible to compete in the ring-fenced filling of posts process. Eligibility will be based on substantive posts not secondments.

The process of identifying the roles and/or staff who are to be ring-fenced or slotted in is a dual responsibility which is shared between consultation lead managers and specialist HR advisors.

Agreed slotting in and ring-fenced proposals shall be confirmed in writing to the affected employee(s) and suitable notice of the ring-fenced conformation process will be given once the outcome to the consultation has been shared.

Selection criteria for all posts affected by a new or revised structure (whether or not there is competition) must be non-discriminatory, fair, objective, clearly defined and based on the skills and competency requirements of the post. The selection criteria must be made available with the consultation document.

When filling posts, priority must be given to employees for whom Redundancy Protection for Pregnancy and New Parents is applicable (see Section 7. of the Change Management Policy).

Where national frameworks apply for the appointment of specific posts, they will apply

Appeals Process for the Filling of Posts

When the change process is at directorate level only, the process for filling posts will be managed at in stages 1, 2a, 2b and 3 as outlined below.

<p>OUTCOME Affected employees have the right to appeal decisions made as part of a Change Management consultation outcome.</p> <p>Such an appeal must be submitted to the appointing manager within 10 working days following receipt of the outcome letter.</p>	<p>APPEAL Employee's appeal letter should include of their current role, what decision they are appealing and a summary of the grounds for their appeal</p>	<p>APPEAL PANEL The appeal panel will comprise an independent manager not previously involved in the change management case, equal to or above the appointing manager's grade, and a specialist HR advisor not previously involved in the change management process</p>	<p>APPEAL RESPONSE The appeal panel will set out their decision in writing and in a timely manner.</p> <p>An employee reserves the right to appeal against the application of any aspect of this Policy through the Combined Authority's Grievance Policy. Any Grievance Panel decision will be final.</p>
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DOMESTIC ABUSE POLICY

Authorship:	Strategic Director of HR & OD (Interim)
Committee Approved:	Executive Board
Approved date:	30/01/2026
Equality Impact Assessment:	01/2026
Target Audience:	Hull and East Yorkshire Combined Authority Employees
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The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

AMENDMENTS

Amendments to the policy may be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approving body	Approval date	Date published on website
1.1	Strategic Director of HR & OD (Interim)	New Policy	Executive Board	30/01/2026	N/A

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1 Introduction

Hull and East Yorkshire Combined Authority (the Combined Authority) recognises that its employees may be amongst those affected by domestic abuse; for example, as a survivor of domestic abuse, an individual who is currently living with domestic abuse, someone who has been impacted upon by domestic abuse or as an individual who perpetrates domestic abuse.

It is committed to developing a workplace culture in which there is a zero tolerance for abuse, and which recognises that the responsibility for domestic abuse lies with the perpetrator. By developing an effective domestic abuse policy and working to reduce the risks related to domestic abuse, a safer workplace will be created and a strong message sent that domestic abuse is unacceptable.

The Combined Authority recognises that domestic abuse is an equalities issue and undertakes not to discriminate against anyone who has been subjected to domestic abuse in terms of current employment or future development. The Health and Safety at Work Act (1974) and the Management of Health and Safety at Work Regulations (1992) also establish the legal responsibilities to promote the welfare and safety for all staff.

2 Purpose and Scope

The purpose of the Domestic Abuse Policy is to:

- Enable the support at work of members of staff experiencing problems arising from domestic violence and abuse
- Ensure confidentiality and sympathetic handling of situations at work arising from domestic violence and abuse
- Remove fears of stigmatisation at work for members of staff experiencing domestic violence and abuse
- Provide guidance for Line Managers supporting victims of domestic violence and abuse
- Provide guidance for Line Managers on how to deal with perpetrators of domestic violence and abuse
- Raise awareness and understanding amongst all members of staff in the workplace of the effects of domestic violence and abuse
- Support identification of any safeguarding issues for children, and adults (with care and support needs)
- Demonstrate the Combined Authority commitment to challenging the social issue of domestic abuse

This Domestic Abuse Policy is not a definitive document and should be read in conjunction with The Domestic Abuse Act 2021, Domestic Abuse: A Resource for Health Professionals (DHSC 2017), Working Together to Safeguard Children (DfE 2018), The Care Act 2014, Local Safeguarding Children Partnership's (LSCP) Guidelines and Procedures and Local Safeguarding Adult Board (LSAB) Guidelines and Procedures.

This Policy applies to all employees who are employed by the Combined Authority. This includes employees on temporary contracts and fixed term contracts. Staff who are seconded from other employing organisations, agency workers or contractors (workers engaged through 'employment intermediaries') should refer to their own employer policies.

3 Principles

The Combined Authority has a 'zero tolerance' approach to domestic abuse and is committed to ensuring that any employee who is the victim of domestic abuse has the right to raise the issue with their employer in the knowledge that they will receive appropriate understanding, support and assistance.

This Policy also covers the approach where there are concerns that an employee may be the alleged perpetrator of domestic abuse. The Combined Authority is committed to supporting any employee who is experiencing or surviving domestic abuse and recognises that anyone can experience or be a survivor of domestic violence or abuse regardless of their sex, gender identity or sexual orientation.

4 Definitions

4.1 Domestic Abuse is any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence, or abuse between those aged 16 or over who are or have been intimate partners or family members regardless of gender or sexuality. Domestic abuse is best understood as a pattern of behaviour characterised by the misuse of power and control which commonly includes:

- Psychological
- Physical
- Sexual
- Financial
- Emotional, or
- Coercive control

Domestic abuse occurs in all groups and sections of society. The impact may be experienced differently, due to, and compounded by; race, sexuality, disability, age, religion, culture, class, or mental health. It has a very high social and financial impact on society.

4.2 Controlling Behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape and regulating their everyday behaviour.

4.3 Coercive Behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish or frighten their victim. This definition includes so called 'honour' based violence, female genital mutilation (FGM) and forced marriage, and is clear that victims are not confined to one gender or ethnic group.

The Serious Crime Act (2015) created a new offence of controlling or coercive behaviour in intimate or familial relationships. The offence closes a gap in the law around patterns of controlling or coercive behaviour in an on-going relationship between intimate partners or family members.

The Crown Prosecution Service (2019) definition of "honour" based abuse is *“an incident or crime involving violence, threats of violence, intimidation coercion or abuse (including psychological, physical, sexual, financial or emotional abuse) which has or may have been committed to protect or defend the honour of an individual, family and/or community for alleged or perceived breaches of the family and/or community’s code of behaviour.”*

5 Roles and Responsibilities

5.1 Chief Executive (Head of Paid Service)

The Chief Executive (Head of Paid Service) is responsible for:

- Establishing and maintaining this Policy
- Ensuring the fair and equitable application of this policy
- Co-operate with any request from the Domestic Abuse Commissioner in accordance with the Domestic Abuse Act 2021

5.2 Executive Directors and Other Directors

Executive Directors and other directors have responsibility for embedding this policy within their respective areas, promoting a fair and equitable working environment and supporting awareness and engagement with all employees in relation to domestic abuse.

They will collectively also ensure that:

- All staff are aware of their responsibility to safeguard domestic abuse victims/survivors and associated children and adults and they also have access to domestic abuse support and advice, where needed
- There is a robust process maintained for escalating concerns confidentially and sensitively where this is not possible through a Line Manager

5.3 Line Managers

Line managers are expected to be familiar with this Policy and follow the steps set out when they are either approached by a member of staff directly or otherwise suspect or have identified that a member of staff is suffering from domestic abuse, including matters escalated to them from other sources.

The role of a Line Manager is not to deal with the abuse itself but to make it clear that employees will be supported and to outline what help is available and from where, and to escalate the concern as appropriate.

Line Managers are strongly advised to seek specialist HR advice and support regarding disclosures, whilst maintaining appropriate confidentiality for their member of staff. They must maintain the confidentiality of any information relayed to them concerning cases of domestic violence and abuse.

5.4 Employees

All employees are expected to:

- Be aware of this policy, and know how to escalate appropriately or seek advice, guidance and specialist support, where appropriate
- Seek advice from their Line Manager should they have concerns of domestic abuse or any other type of abuse in relation to a colleague or someone else
- Maintain compliance with statutory or mandatory training
- Access managerial and occupational health support and/or counselling, as appropriate, should they be the victim of domestic abuse

5.5 Specialist HR Advice

The Combined Authority's specialist HR advisor(s) will act to:

- Advise staff and Line Managers regarding the support available for staff experiencing domestic abuse within the organisation
- Provide advice to Line Managers on formal HR action under organisational policies, for instance disciplinary and flexibilities to support victims under special leave policies, as appropriate

6 Responding to Staff Who May Be Victims of Domestic Abuse

6.1 Identification

Whilst it is for the individual themselves to recognise that they are a victim of domestic abuse, there are signs which could indicate an employee may be a victim. These may include:

- The individual confiding directly with a colleague or their Line Manager that they are the victim of domestic abuse
- A colleague advising that they suspect a colleague is suffering from domestic abuse
- The apparent presence of the physical effects of domestic abuse*
- An otherwise unexplained drop in performance, significant change in behaviour or poor attendance record by a member of staff*

* It is important to recognise that any of these factors may also arise from a range of

other circumstances unrelated to domestic abuse. It is therefore essential that Line Managers investigate promptly and sensitively as soon as they become aware of such concerns. They should create a safe and confidential space to allow for the discussion of sensitive issues, including domestic violence or abuse.

6.2 Confidentiality and the Right to Privacy

The Combined Authority respects employees' right to privacy. Whilst it strongly encourages and will support victims of domestic abuse in making such disclosures for the safety of themselves and all those in the workplace, it does not compel them to do so should they not wish to.

It will only involve other agencies or disclose information internally or externally with the consent of the person concerned, unless otherwise required to do so by law or duty. For example, should there be a concern that a child is living in a household where there is domestic abuse, or there is disclosure of violence and abuse towards a child or adult with care and support needs. Specialist HR advice must be sought in advance where any such disclosure is being considered, including where a staff member is the alleged perpetrator of domestic abuse.

Where, having received appropriate specialist advice, the Combined Authority determines that such disclosures are necessary it will do so only after having explained to the employee the legal basis for doing so and having gained their agreement on this basis, wherever possible.

Sensitive or personal information will be shared on a strict need-to-know basis and all records concerning domestic abuse will be kept strictly confidential. No local records will be kept of absences related to domestic abuse and there will be no adverse impact on the employment records of victims of domestic abuse.

Improper or unauthorised disclosures of information, such as breaches of confidentiality by any member of staff, will be taken seriously and may be subject to disciplinary action.

6.3 Support for Individuals

The Combined Authority recognises that developing a life free from domestic abuse is a continuous process, not a one-off event, and will therefore provide ongoing support for employees who disclose abuse.

It will work collaboratively with recognised Trade Unions to support staff experiencing domestic abuse and will respond sympathetically, confidentially and effectively to any member of staff who discloses that they are experiencing domestic abuse.

Line Managers will treat unplanned absences or temporary poor timekeeping related to domestic abuse sympathetically. A broad range of support is available to victims of domestic abuse. This may include, but is not limited to consideration of:

- Special paid leave for relevant appointments, including with support agencies, solicitors, to rearrange housing or childcare or for court appointments
- Temporary or permanent changes to working times and patterns
- Changes to specific duties, for example to avoid potential contact with an abuser in a customer facing role
- Redeployment or relocation
- Measures to ensure a safe working environment, for example changing a telephone number to avoid harassing phone calls
- Use of other Combined Authority policies, such as flexible working.
- Access to counselling/support services in paid time
- Other existing provisions (including occupational health, independent counselling service & others) may also be signposted as a means of support.

Line Managers will respect the right of an employee to make their own decision on the course of action at every stage, acknowledging the importance for the victim to reassert control over their own life.

The Combined Authority will prioritise the safety of employees when it is aware they are victims of domestic abuse. It will encourage them to contact a specialist support agency (or suitably trained specialist member of staff) who can undertake a Domestic Abuse Stalking and Harassment (DASH) risk assessment and make appropriate referrals where necessary.

It will work with the employee and a specialist agency (with the employee's consent) to identify what actions can be taken to increase their personal safety at work and at home as well as address any risks there may be to colleagues.

7 Responding Appropriately to Employees Who Are Alleged to Have Perpetrated Domestic Violence

7.1 General Position

Harassment and intimidation by a Combined Authority employee, whether of a partner or ex- partner, will be viewed seriously and may lead to disciplinary action being taken in accordance with the Combined Authority's Disciplinary Policy.

Conduct outside of work (whether or not it leads to a criminal conviction) may also lead to disciplinary action being taken against an employee due to the impact it may have on the employee's suitability to carry out their role and/or because it undermines public confidence in the Combined Authority.

Factors that will be considered when considering appropriate action include:

- The nature of the conduct and the nature of the employee's work
- The extent to which the employee's role involves contact with other employees or the general public
- Whether the employee is considered to pose a risk to other members of staff or the public

Specialist HR advice must be sought in all such assessments.

Domestic abuse found to have been perpetrated by an employee will not be condoned under any circumstances nor will it be treated as a purely private matter. The Combined Authority recognises its crucial role in promoting zero tolerance to domestic abuse and supporting effectively and sensitively employees who are victims of it. It will treat any allegation, disclosure or subsequent conviction of a domestic abuse related offence on a case-by-case basis, but with the aim of reducing risk and supporting change.

7.2 Risks to Children or Adults with Care or Support Needs

Where the behaviour of a member of staff indicates that they may pose a risk to children or an adult with care or support needs, the Combined Authority will ensure that this will be managed in accordance with the relevant locality Safeguarding Children Partnership or Safeguarding Adult Board procedures, as appropriate.

7.3 Particular Considerations Where the Victim and Alleged Perpetrator Are Both Employees of the Combined Authority

Particular attention should be given to the following in circumstances where the victim and alleged perpetrator both work for the Combined Authority:

- In addition to considering disciplinary action against the employee who is alleged to have perpetrated the abuse, action may need to be taken to ensure that the victim and alleged perpetrator do not come into contact in the workplace. Due regard may also be needed to conditions imposed upon the alleged perpetrator during or following any criminal proceedings
- Action may also be taken to minimise the potential for the alleged perpetrator to use their position or work resources to find out further details of the victim, including their whereabouts. This may include a change of duties for one or both employees or withdrawing the alleged perpetrator's access to electronic systems or offices

8 Other Sources of Advice and Assistance

East Riding Domestic Violence and Abuse Partnership (DVAP)

<https://www.eastriding.gov.uk/living/crime-and-community-safety/domestic-abuse/domestic-abuse-adults/supporting-adults/>

Hull Domestic Abuse Partnership (DAP)

<https://www.hull.gov.uk/domestic-abuse/domestic-abuse-1/4>

REFUGE – the National Domestic Abuse Helpline/Live chat

<https://www.nationaldahelpline.org.uk/>

0808 2000 247

East Riding Safeguarding Adults Board

<https://www.ersab.org.uk/>

9 Impact Assessments

9.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others. It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

APPENDIX 1

ADVICE TO THOSE SUPPORTING SOMEONE WHO IS A VICTIM OF DOMESTIC ABUSE

You should:

- Listen carefully and provide a safe and private space to talk. Assure them of your confidentiality unless there are safeguarding issues or other legal duties which must be followed
- Ask them what they want to do, if anything, and respect their decision
- Ask them whether they want to report it to the police and/or need to see their General Practitioner for medical attention - again this is their choice. If the person is injured, they should be encouraged to see their GP or to access Accident and Emergency to have any injuries assessed and documented with their consent
- Check whether there are any safety concerns at work – this may involve things such as the alleged perpetrator having access to information or them waiting for them outside the workplace in order to do harm. In this instance, discuss with them what will help them be safe and feel safe and take the appropriate action
- Give information (not advice) about local domestic abuse support services or help line. It is also important to recognise that inaccurate or bad information is worse than no information at all.
- Give information to them about Counselling Services or Occupational Health services
- Support can be accessed via Occupational Health Department; this can be either self- referral or referral by their Line Manager
- Be prepared to offer the same standard of support on all occasions, no matter how many times the same member of staff comes forward. Victims often find it very difficult to leave abusive relationships owing to the nature of persistent domestic violence and abuse
- Assist them in making contact with agencies who may be able to help
- Work with them to establish a personal safety plan at work.

Please Remember:

Offering basic information about services is very helpful whether they are used immediately or not. Victims need a link to the larger community and may be unaware that they need or deserve the services because they may be minimising the abuse.

Pressuring victims to leave the abuser is NOT helpful. Violence usually escalates after an attempt to leave. Leaving the situation is a step that should be carefully planned after support and must be taken at the victim's pace.

APPENDIX 2

SAFETY PLANNING CONSIDERATIONS FOR LINE MANAGERS

(Specialist HR advice MUST always be sought in all such assessments)

ACTION CONSIDERATIONS	Please tick when completed
Review security, changing keypad numbers or reminding relevant staff (on a strict need-to-know basis) of any restricted access arrangements which may apply	
Remind members of staff not to divulge any information about any members of staff, especially personal details such as telephone numbers, addresses or shift patterns	
Review duty arrangements, such as reception or answering the phone. Review the layout of the room/office, in order that the individual cannot be seen from reception / entrances or through a window	
Provide colleagues with a photograph and other relevant details of the abuser e.g., car make and registration, where this is judged necessary on a safeguarding basis	
Review adequacy of measures for recording staff's whereabouts and minimising risks when working / travelling out of the office environment	
Consider special arrangements for when a member of staff has to leave work at the end of their working day e.g., being given a parking space close to their work venue or arranging for the member of staff to be accompanied to their car.	
Ensuring that any incidents are recorded using the organisation's risk incident reporting mechanisms. Bear in mind that these reports may be used in court or civil proceedings. Details of all witnesses should be recorded.	
Ensuring that staff are aware of procedures for dealing with violence/threatening incidents.	
Ensure that security arrangements have been considered for members of staff working alone.	
Review work arrangements to accommodate individual circumstances which may include working at a different work base in the area where appropriate, a change in working hours or other temporary measures.	
Arrange safety for the member of staff outside of work; contacting them at home may not be appropriate.	

RELOCATION POLICY

Authorship:	Strategic Director of HR & OD (Interim)
Committee Approved:	Executive Board
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Equality Impact Assessment:	01/2026
Target Audience:	Hull and East Yorkshire Combined Authority Employees
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The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

AMENDMENTS

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New Version Number	Issued by	Nature of Amendment	Approving body	Approval date	Date published on website
1.1	Strategic Director of HR & OD (Interim)	New Policy	Executive Board	30/01/2026	N/A

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1 Introduction

Hull and East Yorkshire Combined Authority (the Combined Authority) is committed to providing a high quality and productive work environment that supports the delivery of its principles and promotes the wellbeing of its staff. This includes adopting and maintaining a comprehensive suite of staff and human resource policies.

The Combined Authority recognises the value of employees having first hand insight and lived experience of the local areas it serves and has established a Relocation Policy as part of its encouragement for new employees to reside within its boundaries (subject to explicit conditions being met, as set out below).

2 Purpose and Scope

The purpose of the Policy is to establish the eligibility criteria and rates of reimbursement the Combined Authority may consider for relocation costs or expenses incurred by newly appointed employees who move into the Hull or East Riding areas.

Specifically, to offer suitable and proportionate incentives to prospective employees by providing financial assistance, in the most tax efficient manner, who incur legitimate expenses when relocating to within the Combined Authority's boundaries (upon appointment to the organisation)

The Policy applies to all new employees of the Combined Authority who relocate to within the boundaries of the Combined Authority within 12 months of the date of their appointment. It does not apply to existing employees or new appointees who currently reside within of the Combined Authority's boundaries.

3 Eligibility Criteria

The following criteria must be met in order for a new employee to be eligible for consideration under the terms of the Policy. They must:

- Have changed their main residence within 12 months of the first day of employment with the Combined Authority
- Not exceed the maximum sums defined within this Policy
- Agree to securely retain all invoices/ receipts/proof of payment for six years, should they be required for audit purposes.
- Provide written consent for the recovery of any monies received under this Policy should they subsequently trigger any of the recovery conditions set out in this Policy (see Section 7 – Recovery Criteria)

4 Exceptions

New employees are not eligible to apply for reimbursement in the following circumstances:

- Their current main residence is already within the Combined Authority's boundaries, or within 50 miles of them
- Their spouse or partner, with whom they cohabit, has already secured employment or works within the Combined Authority's boundaries, or within 50 miles of them, and would therefore be moving anyway
- It was already the employee's intention (or that of their spouse or partner) to move to the area prior to gaining employment at the Combined Authority.
- Any costs or expenses incurred outside of the 12 months following the date of their appointment to the Combined Authority
- Any cost or expense under this Policy not approved for reimbursement in advance by the authorising Line Manager

5 Allowances

Relevant cost or expenses under this Policy will be reimbursable to a maximum of £8,000 (or £5,000 in the event of not having a property to sell), payable on a staged basis.

6 Qualifying Costs and Expenses

Certain relocation costs or expenses are exempt from tax and National Insurance. These are known as Qualifying Expenses and can be summarised as follows:

- Disposal or intended disposal of old residence, including:
 - Legal fees
 - Estate agent's or auctioneer's fees
 - Advertising
 - Disconnection fees (gas, water, electricity or phone services)
- Acquisition or intended acquisition of new residence, including:
 - Legal fees
 - Arrangement fees
 - Land Registry fees
 - Rent
 - Stamp Duty
 - Connection fees (gas, water, electricity or phone services)

- Transporting belongings, including:
 - Packing and unpacking
 - Temporary storage, where required
 - Taking down domestic fittings in the old residence and reattaching them on arrival

- Travelling and subsistence, including:
 - Preliminary visits to new location
 - Travelling between old home and new work location
 - Travelling between new home and old work location (where the house move takes place before the job transfer)

- Domestic goods for the new residence, intended to replace items used at the old home which are not suitable for use in the new home

- Bridging loans, relief is available where bridging loan interest is reimbursed to the employee

- Temporary lodging allowance may be reimbursable for up to three months where the new member of staff is actively looking for a new residence within the Combined Authority's boundaries and they are either:
 - Maintaining a home outside the Combined Authority's boundaries which is in the process of being sold and they are living in temporary rented accommodation/lodgings.
 - Not a home owner but living in temporary rented accommodation/lodging within the Combined Authority's boundaries prior to obtaining permanent accommodation, which may be rental or home ownership.

The above list is not exhaustive and employees may request consideration of other relevant expenses for reimbursement, having regard for HMRC guidance, as set out at: <http://www.hmrc.gov.uk/guidance/relocation.htm>

Expenses claimed that are not exempt from tax and National Insurance will be paid and taxed in the normal manner but will still count towards the maximum total of £8,000 or £5,000, as appropriate.

7 Recovery Criteria

Any reimbursements made under the terms of this Policy will be subject to recovery should the new employee resign, or be dismissed on grounds of misconduct or performance, within two years of the date of their appointment – in accordance with the following scales:

Within 12 months of the date of appointment	Full recovery of all payments received
Between 12 months and two years of appointment	The amount recovered will be reduced by 1/12th for each complete calendar month of service in excess of one year.

8 Impact Assessments

8.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others.

It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

RETIREMENT POLICY

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1 Introduction and Purpose

Hull and East Yorkshire Combined Authority (the Combined Authority) is committed to providing a high quality and productive work environment that supports the delivery of its principles and promotes the wellbeing of its staff. This includes adopting and maintaining a comprehensive suite of staff and human resource policies, including with regards to optional membership of the Combined Authority's Pension Scheme.

2 Purpose and Scope

The Combined Authority participates in the Local Government Pension Scheme (LGPS) and this Policy supports and supplements the particulars of that Scheme.

The Combined Authority does not operate a compulsory retirement age and the purpose of this Policy is therefore to:

- Signpost staff who are considering retirement in the short or medium term
- Support Line Managers to help them assist employees considering retirement
- Set out options for flexible retirement for employees to consider
- Facilitate the change from working to not working over a period of time to suit individual needs, whilst helping the Combined Authority retain valuable skills and experience
- Encourage staff to consider their work-life balance when nearing the time they may wish to retire

This Policy applies to all staff who are employed by the Combined Authority and who are members of the LGPS. This includes employees on temporary contracts and fixed term contracts who may opt into the Scheme. Staff who do not participate in the Scheme should refer to the State Pension Scheme particulars, as follows:

<https://www.gov.uk/government/publications/your-new-state-pension-explained/your-state-pension-explained>

Staff who are seconded from other employing organisations, agency workers or contractors (workers engaged through 'employment intermediaries') should refer to their own employer policies.

This Policy does not currently apply to Members of the Combined Authority but may do so in the future, subject to change in legislation.

3 Principles

The principal elements of the Local Government Pension Scheme are as follows:

- A statutory, funded, defined benefit (DB) pension scheme for local government and other participating employers
- Pension benefits calculated (since 2014) on the basis of Care Averaged Revalued Earnings (CARE)
- Guaranteed pension for life

- Tax relief on employee contributions

Further details of the LGPS can be found at <https://www.lgpsmember.org/your-pension/the-essentials/>

4 Roles and Responsibilities

- **Chief Executive (Head of Paid Service)**

The Chief Executive (Head of Paid Service) is responsible for establishing and maintaining this Policy and ensuring its fair and equitable application.

- **Executive Directors and Other Directors**

Executive Directors and other directors have responsibility for embedding this policy and procedure within their respective areas, ensuring its implementation and enactment.

- **Line Managers**

Line Managers are responsible for ensuring this policy is applied fairly to all, and to have discussions with staff concerning retirement, in line with the guidance in the policy.

- **Employees**

All employees of the Combined Authority are responsible for ensuring they are aware of the Policy and engage in discussion with their Line Manager regarding retirement intentions at the earliest opportunity and, in any case, no less than 6 months before a retirement date.

5 Retirement and Early Retirement

When considering retirement options, the Combined Authority advises all employees to fully consider the potential impact on their pension.

The Normal Pension Age is the age an individual can retire from Combined Authority employment and have their pension paid without reduction for early payment. Under the LGPS, for benefits built up from 2014 the Normal Pension Age is linked to the State Pension Age. Further information regarding benefits built up prior to 2014 is available at <https://www.lgpsmember.org/your-pension/the-essentials>

An employee may choose to retire from work early and before their Normal Pension Age but on or after the minimum pension age. Should an employee choose to retire early and access their pension, their benefits in most cases will be reduced on the basis that their pension will be paid earlier and for a longer period than expected. All employees considering this option are strongly encouraged to seek specialist pension advice

A Combined Authority employee with at least 2 years membership of the Local Government Pension Scheme can opt to retire voluntarily from the age of 55. Employees considering retirement, particularly flexible retirement, should engage with their Line Manager, in the first instance, at the earliest opportunity, and in any case not less than 6 months from the proposed date of retirement. Flexible retirement requests will be considered in line with the procedure set out in any Flexible Working Policy that may be established by the Combined Authority. Retirees

will be required to serve their contractual notice, save for in cases of retirement on grounds of ill-health, where notice periods will be considered on a case-by-case basis.

An employee may be eligible to receive their pension benefits immediately if they have at least 2 years total membership in the scheme and an independent doctor (qualified in occupational health) declares them unable to do their job, or any other comparable job, efficiently due to ill-health. This medical assessment is made in accordance with the LGPS tiered system. To reflect the fact that the employee has to retire early they may receive additional membership, and this will be calculated based on the length of your total membership of the pension scheme.

6 Impact Assessments

6.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others.

It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

SUBSTANCE MISUSE POLICY

Authorship:	Strategic Director of HR & OD (Interim)
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1 Introduction

Hull and East Yorkshire Combined Authority (the Combined Authority) is committed to providing a high quality and productive work environment that supports the delivery of its principles and promotes the wellbeing of its staff. This includes adopting and maintaining a comprehensive suite of staff and human resource policies.

The Substance Misuse Policy aims to promote a safe, healthy and productive working environment by setting out clear rules for staff regarding the consumption of alcohol, other intoxicating substances, medications or drugs while working or otherwise present in the work environment (including remote working), as well as when representing the Combined Authority in any other official capacity. It also describes the support available where substance misuse is identified or suspected.

2 Purpose and Scope

The purpose of the Substance Misuse Policy is to:

- Set clear expectations for being fit for work, free from the impairment effects of alcohol, illegal drugs, psychoactive substances or misused prescription/over-the-counter medication
- Provide a supportive framework for early help, rehabilitation and reasonable adjustments, where appropriate
- Confirm Line Manager responsibilities and procedural steps where there are concerns about substance misuse affecting performance, conduct, safety or reputation
- Ensure compliance with relevant legislation and guidance, including Health and Safety, Equality and Data Protection requirements

This Policy applies to all employees who are employed by the Combined Authority. This includes employees on temporary contracts and fixed term contracts. Staff who are seconded from other employing organisations, agency workers or contractors (workers engaged through 'employment intermediaries') should refer to their own employer policies.

3 Principles

The Combined Authority is guided by the following principles with respect to substance misuse:

- Employees must report for and be capable of work, whether onsite or elsewhere, fit for duty and not impaired by alcohol, drugs or other substances
- Prevention and early intervention is supported, encouraging self-disclosure without stigma and with access to confidential help, as appropriate
- Risk to safety will be assessed promptly and fairly, having due regard to all circumstances, including temporary removal from duties where this is judged necessary
- Disciplinary procedures may be considered where conduct breaches policy or law, while balancing support and rehabilitation options.
- Any personal data will be processed in adherence to Data Protection principles and legislation, ensuring confidentiality

4 Definitions

4.1 Substance Misuse

For the purposes of this Policy, substance misuse is defined as:

Misuse of alcohol, drugs of any form (both legal or illegal) or other substances which harm, or have the potential to harm, the individual or other people (both physically or mentally) or in a way that impairs health, safety or performance at work.

Misuse can be divided into three broad aspects:

- *Inappropriate use* - where use may aggravate an existing condition or situation, or is done in potentially dangerous or inappropriate circumstances
- *Habitual use* - where an individual becomes dependent on the effects of the substance to the extent that the desire for these effects becomes a dominant concern, to the detriment of other aspects of their lives
- *Excessive use* - which can lead to short or long-term physical and mental impairment, illness or anti-social behaviour

It includes the misuse of alcohol, legal or illegal drugs, prescription medicines (such as anti-depressants), solvents or psychoactive substances or any other form of "legal highs").

4.2 Fit for Work

Able to safely and effectively perform duties without impairment

4.3 Impairment

Reduced capacity to perform tasks safely, including, but not limited to:

- slowed reaction
- poor coordination or judgment
- drowsiness
- aggressiveness, because of suspected substance misuse

4.4 Safety-Critical Role

A role where impairment could foreseeably cause significant harm (for instance, using Combined Authority vehicles or equipment or lone working in high-risk environments).

5 Roles and Responsibilities

5.1 Chief Executive (Head of Paid Service)

The Chief Executive (Head of Paid Service) is responsible for:

- Establishing and maintaining this Policy
- Ensuring the fair and equitable application of this policy

5.2 Executive Directors and Other Directors

Executive Directors and other directors have responsibility for embedding this policy within their respective areas, promoting a fair and equitable working environment and supporting awareness and engagement with all employees in relation to substance misuse.

5.3 Line Managers

Line managers are expected to:

- Familiarise themselves with the signs and symptoms of substance misuse and best practice guides for managers
- Approach conversations promptly, proactively, sensitively and confidentially
- Foster a supportive environment, encouraging early help and intervention and referral to specialist support – such as Occupational Health – as appropriate
- Act promptly on concerns about impairment or risk, undertaking a risk assessment which may result in temporary removal from duties, where necessary
- Consider and implement any reasonable adjustments which would help support the employee at work

5.4 Employees

All employees are expected to:

- Report for duty fit for work and undertake their work without impairment, taking responsibility for their own health and safety, as well as for their consumption of alcohol or other substances set out in this Policy
- Seek prompt and confidential help should they have, or suspect they have, an alcohol or other dependency of any substance which is causing impairment or affecting their fitness to work. Help and advice could include that from:
 - Their Line Manager
 - Occupational Health (either directly or via their Line Manager)
 - Their GP
 - A local alcohol or substance misuse agency, or
 - A national helpline
- Follow medical advice on prescribed medication and inform their Line Manager where medication may impair fitness or safety (confidentially and proportionately)
- Comply with any support plan, reasonable adjustments or safety actions that are agreed

6 Support in Cases of Substance Misuse or Suspected Substance Misuse

The Combined Authority encourages and supports employees who may have an alcohol and / or substance misuse dependency or problem by assisting them in seeking help and supporting them in overcoming their dependency related problems. Where these are suspected, the Line Manager will arrange a confidential, informal meeting to discuss their concerns. Guidance on conducting this meeting can be found in Appendix 2.

Specialist HR support should be sought in all such cases and further advice may also be sought from Occupational Health, the employee's GP or elsewhere, where appropriate. The consent of the member of staff should normally be obtained, however, should serious

concern exist and they refuse to give their consent a Line Manager may determine it necessary to still seek specialist advice in the absence of employee consent having due regard to the health, safety and wellbeing of the employee or others.

All such cases will be treated in the strictest of confidence.

7 Rehabilitation

Should an employee be required to complete a rehabilitation period in line with the Attendance Management Policy, then normal arrangements (as outlined in that Policy) will apply. Where a rehabilitation period is attached as a sanction to a formal warning (for example reduced hours) the employee will be responsible for complying with this condition.

Every effort will be made to ensure the employee returns to their job on completion of the rehabilitation programme. In cases where the employee is not considered fit to return to the same job, or where doing so may undermine recovery, redeployment may be considered in line with the Attendance Management and Redeployment Policies. Should a programme of rehabilitation be agreed, the employee is able to take sick leave whilst seeking support and will therefore be entitled to the benefits that accrue.

8 Involvement of the Police or other external / regulatory bodies

The possession of illegal drugs or other illegal substances with the intent to distribute, use or supply is a criminal offence, and the Combined Authority has a duty to report this to the police immediately. Where an internal or police investigation shows that illegal drugs or other illegal substances have been on Combined Authority premises, or in the possession of Combined Authority staff, this will be dealt with as potential gross misconduct in accordance with the Combined Authority's Disciplinary Policy and may lead to termination of employment. This includes any external premises at which the individual is working, based or visiting.

An employee who is charged with, or convicted of, a criminal offence (including but not limited to receipt of a summons or a drink/drug driving offence) must inform their Line Manager immediately. In such circumstances, the manager should seek specialist HR advice as to what course of action may be appropriate. Notification of criminal proceedings or a conviction will not necessarily lead to disciplinary action being taken and the Combined Authority will determine what, if any, action will be taken after considering the facts of the case and the relevance of the charge or conviction to the job undertaken.

9 Corporate Hospitality and Work-Related Social Functions

Work related social functions help build personal connections beyond work tasks and they can support a positive, inclusive and valued culture where staff feel motivated and engaged.

Staff are expected to demonstrate responsible behaviour at such events and to act in a manner that does not have a detrimental effect or impact negatively on the Combined Authority's reputation. Employees must be mindful of their behaviour when attending all work-related social events, even if they occur outside of normal working hours; ensuring they are respectful to colleagues and avoid offense and abuse.

The provision of a moderate amount of alcohol may be considered for a Combined Authority sponsored social function, subject to the advanced approval of the Chief Executive (Head of Paid Service) or another Executive Director.

10 Performance and Conduct

Alcohol and/or other forms of substance misuse can affect the performance of staff in a number of ways, and the Combined Authority response will be judged on a case-by-case basis and having due regard to all relevant circumstances. There may be an immediate situation requiring resolution or an ongoing performance issue to be managed.

Ongoing or repeated performance or absence capability issues should be managed under the Managing Work Performance and/or Absence Management Policies respectively. The Combined Authority will always seek to follow the informal stages of these Policies, where appropriate. A member of staff who has a substance misuse issue will be supported; however, it is also the responsibility of the employee to accept this help and assistance to improve their condition.

Episodes of alleged misconduct will be managed in accordance with the Combined Authority's Disciplinary Procedure. Some acts of misconduct while under the influence of any substance may be so serious that they must be considered as acts of gross misconduct, rendering the employee liable to dismissal. This will include endangering the health and safety of themselves, colleagues or anyone else.

In circumstances where the employee denies having an alcohol or other substance misuse problem, the matter should be addressed sensitively while making clear the performance, behaviour or absence improvements that are needed within a stated timescale, and in accordance with relevant Combined Authority policies. The member of staff should also be signposted to sources of support and/or offered an alternative contact for confidential help and advice. Specialist HR advice should be sought in all such instances.

11 Impact Assessments

11.1 Equality

Hull and East Yorkshire Combined Authority is committed to creating an environment where everyone is treated equitably and the potential for discrimination is identified and mitigated. It aims to design and implement services, policies and measures that meet the

diverse needs of our service, population, and workforce, ensuring that none are placed at a disadvantage over others. It is required that an assessment be carried out on a new policy that is likely to impact on staff, visitors, contractors, citizens or anyone else involved in the business of the Combined Authority.

Potential adverse impact on any protected group identified through such assessment will be monitored as part of the routine work to monitor compliance with the policy.

APPENDIX 1

SIGNS AND EFFECTS OF ALCOHOL OR OTHER SUBSTANCE MISUSE

The following symptoms and indicators may be evident if an individual has an alcohol or other substance misuse problem:

- Frequent, short-term absence
- Poor timekeeping
- Unexplained absences from work area
- Impaired job performance
- Deterioration in relationships with colleagues or management
- Sudden mood changes
- Unusual irritability or aggression
- Unusually or suddenly carefree
- Repeated accidents or mishaps
- Difficulty in recalling instructions or details
- Appearing withdrawn or preoccupied
- Poor judgement
- Loud talking
- Deterioration of hygiene or physical health
- Clumsiness
- Difficulty walking
- Slurred speech
- Sleepiness
- Dilated pupils
- Glassy, red or watery eyes
- Runny nose

* Please note - this list is not exhaustive and it is important to remember that the above symptoms may also signify other problems.

APPENDIX 2

PROCEDURE FOR LINE MANAGERS IN CASES OF, OR SUSPECTED CASES OF, ALCOHOL OR OTHER SUBSTANCE MISUSE

The following steps should be taken by the employee's Line Manger in the above circumstances: -

DO

- Arrange to meet the employee in private
- Confirm that the meeting is informal
- Consider offering the employee the opportunity to be accompanied by a Trade Union representative (where recognised) or Combined Authority colleague at the meeting*
- Discuss this policy and the help available
- Focus on work performance, attendance at work, relationships with colleagues and the help available
- Be objective, factual, consistent and specific
- Show concern for the employee
- Listen to what is said about personal problems
- Offer the opportunity of specialist help and advice if you feel there is a need
- Keep clear records of discussions and agreed future action
- Arrange regular meetings to monitor progress
- Refer the employee to Occupational Health or other specialist support, as appropriate, giving time off for appointments

If at any point during the discussion clarity is required seek further specialist HR advice.

DON'T

- Comment on the employee's private life
- Rely on impressions or rumours for which documented evidence is lacking
- Be judgemental or make vague accusations
- Argue about the employee's problems
- Leave any ambiguity about the employee's situation and what needs to be done to rectify it.

* *Right to representation from a trade union or Combined Authority work colleague should be discussed with an employee prior to all formal meetings. This right does not apply to informal meetings; however, consideration should be given in matters related to this policy as to whether this may be helpful both to the employee and to support the purpose of the meeting.*

APPENDIX 3

CONFIDENTIAL SOURCES OF EXTERNAL HELP AND ADVICE

Occupational Health

TBC

Addiction Helpline

Tel: 0808 163 9632

Better Health – Let's Do This

Online Tool - Tips and Advice for cutting down on alcohol.

<https://www.nhs.uk/better-health/drink-less/>

Alcoholics Anonymous

Self-help fellowship, offering support and advice to people with alcohol problems or concerns.

Tel: 0800 9177 650 (free helpline)

Email: help@aamail.org

Website: <http://www.alcoholics-anonymous.org.uk/>

AdFam (Families, drugs and alcohol)

Improving support for families affected by Drugs and Alcohol Website:

<https://www.adfam.org.uk/>

FRANK (National Drugs Helpline)

Helps you find out everything you might want to know about drugs (and some stuff you don't). For friendly, confidential advice, Talk To FRANK.

Tel: 0300 123 6600

Email: frank@talktofrank.com

Website: <http://www.talktofrank.com/>

Drink Aware

An independent charity working to reduce alcohol misuse and harm in the UK. Their aim is to reduce alcohol-related harm by helping people make better choices about drinking. Information, advice and self-help materials including drink tracker and tools.

www.drinkaware.co.uk

Drinkline

A free and confidential helpline for people who are concerned about their drinking, or someone else's.

Tel: 0300 123 1110

Narcotics Anonymous

N.A. is a non-profit fellowship or society of men and women for whom drugs had become a major problem. We are recovering addicts who meet regularly to help each other stay clean.

Tel: 0300 999 1212 13

Email: meetings@ukna.org

Website: <http://ukna.org/>

East Riding Partnership

The ERP provides a range of substance misuse services to adults across the East Riding of Yorkshire that delivered through the Open Access Service, the Shared Care service and the Community Drug and Alcohol teams (CDAT).

Tel: 01482 344690 (Open Access Service)

Website: <http://www.humber.nhs.uk/services/east-riding-partnership.htm>

Change Grow Live (CGL) ReNew - Hull

CGL ReNew is a free and confidential drug and alcohol service for adults (including offenders), families, carers and affected others in Hull.

Tel: 01482 620013

Email: Earlyhelp.hull@cgl.org.uk

Website: <https://www.changegrowlive.org/content/cgl-renew-hull>

