Equality & diversity

The House of Commons Service recognises and values the diversity of its staff and is committed to developing working practices which will allow every member of staff to contribute his or her best, regardless of race, sex, marital status, pregnancy or maternity status, religion or belief, age, disability, sexual orientation, gender reassignment or any other irrelevant factor.
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<td>Additional Adoption Leave</td>
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<tr>
<td>ACL</td>
<td>Annual Compensatory Payment</td>
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<td>AML</td>
<td>Additional Maternity Leave</td>
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<tr>
<td>APL</td>
<td>Additional Paternity Leave</td>
</tr>
<tr>
<td>CES</td>
<td>Compulsory Early Severance</td>
</tr>
<tr>
<td>CML</td>
<td>Compulsory Maternity Leave</td>
</tr>
<tr>
<td>CRB</td>
<td>Criminal Records Bureau</td>
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<tr>
<td>CSBF</td>
<td>Civil Service Benevolence Fund</td>
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<td>CSCS</td>
<td>Civil Service Compensation Scheme</td>
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<tr>
<td>CSO</td>
<td>Countersigning Officer</td>
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<td>CSAB</td>
<td>Civil Service Appeal Board</td>
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<td>DCCS</td>
<td>Department of Chamber &amp; Committee Services</td>
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<tr>
<td>DDPR</td>
<td>Departmental Data Protection Representative</td>
</tr>
<tr>
<td>DFin</td>
<td>Department of Finance</td>
</tr>
<tr>
<td>DHRC</td>
<td>Department of HR and Change</td>
</tr>
<tr>
<td>DIS</td>
<td>Department of Information Services</td>
</tr>
<tr>
<td>DM</td>
<td>Diversity Manager</td>
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<tr>
<td>DRO</td>
<td>Departmental Records Officer</td>
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<tr>
<td>DSC</td>
<td>Departmental Safety Coordinator</td>
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<tr>
<td>DSE</td>
<td>Display Screen Equipment</td>
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<tr>
<td>DWP</td>
<td>Department of Works and Pension</td>
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<tr>
<td>EDC</td>
<td>Expected Date of Childbirth</td>
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<tr>
<td>EEA</td>
<td>European Economic Area</td>
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<tr>
<td>EHI</td>
<td>External Harassment Investigators</td>
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<tr>
<td>EWC</td>
<td>Expected Week of Childbirth</td>
</tr>
<tr>
<td>FPE</td>
<td>Final Pensionable Earnings</td>
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<tr>
<td>GMP</td>
<td>Guaranteed Minimum Pension</td>
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<td>GPSC</td>
<td>General Purposes Sub-Committee</td>
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<td>HAIS</td>
<td>House Administration Information System</td>
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<tr>
<td>HES</td>
<td>House Equality Scheme</td>
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<td>Abbreviation</td>
<td>Description</td>
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<tr>
<td>HMRC</td>
<td>Her Majesty’s Revenue and Customs</td>
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<td>HOCAC</td>
<td>House of Commons Additional Voluntary Contributions</td>
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<td>HOCCS</td>
<td>House of Commons Compensatory Scheme</td>
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<td>HOCSPC</td>
<td>House of Commons Staff Pension Scheme</td>
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<td>HR</td>
<td>Human Resources (see DHRC)</td>
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<td>HSO</td>
<td>Harassment Support Officer</td>
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<tr>
<td>IAS</td>
<td>Internal Audit Service</td>
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<tr>
<td>IDR</td>
<td>Internal Dispute Resolution</td>
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<tr>
<td>IIP</td>
<td>Investors in People</td>
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<tr>
<td>JCC</td>
<td>Joint Consultative Committee</td>
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<tr>
<td>JP</td>
<td>Justice of the Peace</td>
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<td>LDA</td>
<td>Learning and Development Adviser</td>
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<tr>
<td>LEL</td>
<td>Lower Earnings Limit</td>
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<tr>
<td>LEYF</td>
<td>London Early Years Foundation</td>
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<td>LSO</td>
<td>Legal Services Office</td>
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<td>MMA</td>
<td>Motor Mileage Allowance</td>
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<tr>
<td>NIC</td>
<td>National Insurance Contributions</td>
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<td>OAL</td>
<td>Ordinary Adoption Leave</td>
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<tr>
<td>OHM</td>
<td>Occupational Health Manager</td>
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<tr>
<td>OML</td>
<td>Ordinary Maternity Leave</td>
</tr>
<tr>
<td>OPL</td>
<td>Ordinary Paternity Leave</td>
</tr>
<tr>
<td>PDM</td>
<td>Performance Development Management</td>
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<tr>
<td>PED</td>
<td>Parliamentary Estates Directorate</td>
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<td>PEEP</td>
<td>Personal Emergency Evacuation Plan</td>
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<td>PICT</td>
<td>Parliamentary Information and Communications Technology</td>
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<td>PN</td>
<td>Parliamentary Network</td>
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<tr>
<td>QW</td>
<td>Qualifying Week</td>
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<td>S2P</td>
<td>State Second Pension</td>
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<td>SAP</td>
<td>Statutory Adoption Pay</td>
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<td>SAPP</td>
<td>Statutory Additional Paternity Pay</td>
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<td>SCS</td>
<td>Senior Commons Staff</td>
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<td>SHWS</td>
<td>Safety, Health and Wellbeing Service</td>
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**ABBREVIATIONS**

- **SMP**: Statutory Maternity Pay
- **SN**: Staff Notice
- **SPA**: State Pension Age
- **SSP**: Statutory Sick Pay
- **SPPR**: Sick Pay at Pension Rate
- **VE**: Voluntary Exit
- **WO**: Welfare Officer
- **WPS**: Widows’/Widowers’ Pension Scheme
- **WTR**: Working Time Regulations
Part 1: INTRODUCTION TO THE HOUSE OF COMMONS
CHAPTER 1:  
Introduction to the House of Commons

1.  About the House of Commons
1.1  Staff of the House of Commons are employed by the House of Commons Commission. The House of Commons is a separate employer from the House of Lords and the Parliamentary Information and Communications Technology (PICT).

2.  About this Handbook
2.1  The House of Commons Staff Handbook sets out essential information for staff and provides a guide to terms and conditions of employment. It should be read together with the letters of appointment, staff notices and other documents, and it may be amended from time to time.

2.2  The Handbook aims to give you an outline of what to expect from the House of Commons Commission as an employer, and what the House of Commons expects from you as an employee.

2.3  Taking time to become familiar with the Handbook’s contents will help you to understand the policies and procedures which operate within the House.

2.4  A glossary of abbreviations is at the back of this Handbook.

2.5  Where the Handbook refers to a particular post holder and they are unavailable another suitable post holder will be appointed.

Pay bands and salary scales
2.6  A list of the pay bands and associated salary ranges is on the Intranet at: http://intranet.parliament.uk/finances/pay/commons-staff-pay/

Senior Commons Structure (SCS)
2.7  If you are an SCS member of staff you will have some different terms and conditions of service. Principal differences are generally identified in this Handbook.

Catering and Retail Services staff
2.8  If you are a member of Catering and Retail Services staff you will have some different terms and conditions of service. Any differences are usually identified in your letter of appointment.
3. Core Values

3.1 The Corporate Plan seeks to achieve its aims by having an effective, efficient and well informed workforce which is respected for the services it delivers. The House of Commons Corporate Plan is on the Intranet at:

http://intranet.parliament.uk/people-offices/administration/business-planning/business-plans/corporate-business-plan-201112/

3.2 The House of Commons Service’s core values are shown below:

<table>
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<tr>
<td><strong>Integrity</strong></td>
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<tr>
<td>We serve the House of Commons, its Committees and Members, and the public, with honesty, probity and political impartiality.</td>
</tr>
<tr>
<td><strong>Professionalism</strong></td>
</tr>
<tr>
<td>We strive for excellence, effectiveness, efficiency and accuracy, and better ways of delivering our services. We seek to be responsive to changing requirements, and to be outward looking.</td>
</tr>
<tr>
<td><strong>Teamwork</strong></td>
</tr>
<tr>
<td>We value a co-operative approach, based on mutual support, trust and respect.</td>
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<tr>
<td><strong>Recognition</strong></td>
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<tr>
<td>We are committed to maximising personal development, to valuing diversity and the contribution of all individuals, and to equality of opportunity.</td>
</tr>
<tr>
<td><strong>Commitment</strong></td>
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<tr>
<td>We seek to ensure that the House of Commons is a good place to work, recognising the importance of maintaining work-life balance, and seeking to get the most out of the jobs we do.</td>
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4. Contact Points for Further Information

4.1 If you need more information about anything in this Handbook or have any queries about your own conditions of service, you should contact your Line Manager or your HR Adviser.

Line Managers

4.2 Your Line Manager has delegated responsibility from the Clerk of the House and the Head of Department for a range of staff management issues.

HR Representatives

4.3 HR support for departments is provided by staff based in the Department of HR and Change (DHRC). Each department has designated HR representatives.
whose job it is to understand your department and provide appropriate HR support to help meet your department’s business needs.

4.4 Each department has a designated HR Business Partner who works with the department at a strategic level. They work closely with other members of the DHRC team to provide operational support to line managers and staff. Additional support, for corporate initiatives such as recruitment, policy development and pay negotiations are also provided by the DHRC.

**Department of Finance**

4.5 Payroll Services and the Pensions Unit are within the Department of Finance (DFin). Any query you may have relating to:

- pension entitlement should be made direct to the Pensions Unit on ext. 5759
- salary payments should be made direct to Payroll Services on ext. 4752.

4.6 The Department of HR and Change, and the Department of Finance, are on the 3rd floor of 7 Millbank.

**Departmental Safety Coordinators and Learning and Development Advisers**

4.7 Departmental Safety Coordinators (DSCs) may assist HR Business Partners on health and safety matters and Departmental Learning & Development Advisers (LDAs) on training issues.

**Trade Unions**

4.8 Recognised Trade Unions in the House of Commons are consulted by management before the introduction of changes to conditions of service.

4.9 Trade Unions play a part in developing policies, advising members who have concerns about their implementation, and monitoring their application. Management consult the Trade Unions and health and safety representatives as appropriate about particular issues which arise, and about the future development of policies.

4.10 The system for working with recognised Trade Unions is described in chapter 7.

4.11 Trade Unions provide advice to their members and represent them, on request, in their dealings with their employer. Staff are encouraged to join the appropriate Trade Union at the earliest opportunity.

4.12 The Trade Union Side Administrator (TUSA) is on ext. 5611 and email at tusa@parliament.uk.
CHAPTER 2:
The House of Commons as an Employer

1. About this Chapter
1.1 This chapter will explain:

- the legal basis of the administration of the House
- names and terminology.

2. Our Legal Status
2.1 Although staff of the House of Commons Service are not part of the Civil Service, the House of Commons Administration Act 1978 provides that the pay banding, pay and conditions of service of staff must be kept ‘broadly in line’ with the Home Civil Service. There is, however, scope for varying these to fit the requirements of the House.

2.2 In general, you have the same rights to Equal Opportunities under the Equality Act, employment protection under the Employment Rights Act 1996 and other legislation as other employees in the UK. However, Parliamentary staff are excluded from some aspects of employment legislation.

3. Management of the House of Commons Service
3.1 This section describes the main management groups and summarises their responsibilities, and those of the senior managers of the House.

House of Commons Commission
3.2 The House of Commons Commission is the statutory body responsible for the administration of the House of Commons. It is responsible for the overall staffing of the House including the number of people employed and their pay and conditions.

3.3 The Commission is made up of:

- the Speaker (Chair)
- the Leader of the House
- a Member of the House nominated by the Leader of the Opposition (normally the Shadow Leader of the House)
- three Back-Bench Members appointed by the House.
3.4 The Commission has appointed the Clerk of the House as Chief Executive and Accounting Officer. As Accounting Officer, the Clerk is responsible for ensuring that the money provided by Parliament for the service of the House is properly spent. The Clerk is also Corporate Officer for the purpose of holding property and entering into contracts. More information is available on the role of the Commission on the Intranet at:

http://intranet.parliament.uk/people-offices/offices-Departments/commons-Departments/oe/publications-guidance/members-handbook/house-of-commons-administration/house-of-commons-commission/

Management Board

3.5 The Management Board has delegated responsibility from the Commission for the management of the services provided for the House of Commons by the departments of the House; advising the Corporate Officer of the House of Commons on the nature and level of services that should be provided by joint departments of the two Houses; and giving advice on these services to the Commission and the Finance and Services Committee. The Commission has delegated to the Management Board most of its statutory functions related to the employment of staff including terms and conditions. It also maintains contact with the officially recognised Trade Unions through the Whitley Committee and its various sub-committees.

3.6 The Management Board consists of:

- the Clerk of the House, as Chief Executive and Chair
- the Directors General
- the Director of Finance
- the Director of the Parliamentary ICT Service
- up to three external members.

3.7 The Director of the Parliamentary ICT Service (PICT) attends the Management Board with executive responsibility for PICT, which is a joint department of the House of Commons and the House of Lords.

3.8 The following Intranet link gives the current Management Board membership:

http://intranet.parliament.uk/people-offices/administration/commons-administration/commons-management-board/about-the-board/
Departments of the House of Commons Service

3.9 The House of Commons Service is organised into a number of departments:

Chamber and Committee Services
Chamber and Committee Services provides advisory and other services that support the work of the Chamber and Committees (including security, official report and ceremonial).

- Director General: David Natzler: Clerk Assistant and Director General, Chamber & Committee Services
- Main Locations: Palace of Westminster and 7 Millbank.

Facilities
Facilities provides the accommodation, catering and other facilities required by the House and to maintain the fabric of the buildings.

- Director General: John Borley
- Main locations: Palace of Westminster, 7 Millbank, 1 Parliament Street Portcullis House, 1 Canon Row.

Finance
Finance provides financial and commercial advice and services.

- Director: Myfanwy Barrett
- Main locations: 3rd floor, 7 Millbank, 1 Canon Row.

HR and Change
HR and Change provides HR and Learning and Development services, HR pay and policy guidance, and the Safety, Health and Wellbeing Service to the House Service; and supports and facilitates change across the House.

- Director General: Andrew Walker
- Main Locations: 3rd and 4th floors of 7 Millbank.

Information Services
Information Services informs the work of the House and its Members; and provides information and access to the public.

- Director General: John Pullinger: Librarian and Director General Information Services.
- Main locations: Palace of Westminster, 1 Derby Gate, Norman Shaw and Portcullis House.
Office of the Chief Executive
Office of the Chief Executive supports the work of the Clerk of the House and Chief Executive as head of the House Service. Its core work includes providing secretariat support to the Management Board, Audit Committee and related groups; strategy, planning and management; internal audit function through the Internal Review Service; and responsibility for central communications to Members and their staff and House of Commons staff.

- Head of the Office of the Chief Executive: Matthew Hamlyn
- Main locations: Palace of Westminster and 7 Millbank.

3.10 There are also a number of functions that are provided on a shared basis for both Houses. These include:

Curator’s Office (Department of Information Services)
The Curator’s Office is responsible for conserving, developing and displaying the works of art collections of both Houses.

Education Service (Department of Information Services)
Parliament’s Education Service aims to inform, engage and empower young people to understand, and get involved in, the work of Parliament, politics and democracy.

Parliamentary Archives (Department of Information Services within the House of Lords administration)
The Parliamentary Archives is a shared service of Parliament, providing a records management and archives service to the administrations of the House of Commons and the House of Lords.

Parliamentary Estate Directorate (Department of Facilities)
The Parliamentary Estate Directorate (PED) maintains the heritage and integrity of the Palace and other buildings for the benefit of future generations. The team is responsible for ensuring that the Parliamentary Estate is a fully-functioning working environment, equipped for the demands of the 21st century.

Security Control team (Department of Facilities)
The security operation for the Parliamentary Estate is contracted to the Metropolitan Police (whose staff include police and security officers). This contract is managed by the Serjeant at Arms for the House of Commons and by Black Rod for the House of Lords.

For all emergencies reported from within the House please call security control on ext. 3333, and not 999.
Safety, Health and Wellbeing Service (SHWS) (Department of HR and Change)
The Houses of Parliament Safety, Health & Wellbeing Service supports Parliament in developing a healthy and safe working environment and encouraging people to have a positive attitude to health at work.

Visitor Services (Department of Information Services)
Visitor Services is a joint House section and aims to provide all visitors to Parliament with the information necessary to ensure their visit is productive and enjoyable. Visitor Services provides:
- Members’ tours
- Saturday and Summer Opening
- Clock Tower tours.

Web and Intranet Service (Department of Information Services)
The Web and Intranet Service is responsible for Parliament’s online communications and engagement using the Parliament website, the Parliamentary Intranet and other channels such as YouTube and flickr.

3.11 PICT (Parliamentary Information and Communications Technology)
PICT is a joint department, serving both Houses as the provider of ICT services. PICT works with the administrations of both Houses to build infrastructure and systems, which enable Parliament to work effectively and to connect with the public. It also provides training and IT support to Members, Members’ staff and staff of both Houses.
- Head of Service: Director of Parliamentary ICT (D-PICT): Joan Miller
- Main locations: 7 Millbank with other work areas throughout the Parliamentary Estate.
CHAPTER 3: Your Terms and Conditions of Service

1. About this Chapter
1.1 This chapter provides an overview of your terms and conditions of employment. These issues are also dealt with in more depth in further chapters of the Staff Handbook.

1.2 The second part of this chapter deals with security clearance and security passes, including Criminal Records Bureau (CRB) checks. Security clearance is essential for continued employment in the House of Commons.

2. Appointments to the House of Commons Service

Appointment policy
2.1 The House’s recruitment and promotion procedures are outlined in chapter 8 of this Handbook.

Nationality
2.2 Candidates must provide evidence of their right to work in the UK prior to appointment.

Immigration
2.3 If you are a national of Bulgaria or Romania you do not need to be registered with the Home Office but you may require an accession worker card and a work permit in order to take up employment in the UK. More details are available on the UK Border Agency website.

2.4 Non-European Economic Area (EEA) nationals will need to apply for the right to work in the UK via the UK Border Agency.

3. Your Terms and Conditions of Service
3.1 The terms and conditions of service are contained in your letter of appointment. This Staff Handbook serves as a guide to these terms and conditions, which can be varied from time to time. You will be informed of any variation either by Staff Notices (SNs) or in a variation to contract letter.
3.2 You may contact your HR Adviser for additional information or on the employment pages which may be found at the following Intranet link:

http://intranet.parliament.uk/employment/.

**Types of appointment**

3.3 Your appointment may be permanent, for a fixed period or temporary for a short period, and can be full or part-time.

3.4 The main types of appointment are:

**Permanent**: This appointment is of indefinite duration and can be terminated only by notice, retirement or dismissal. If you have a permanent contract you will normally have been selected through fair and open competition and have satisfied the requirements for fair and open competition, for example, qualifications, experience, health and character. Those with permanent appointments will be entered into the House of Commons Staff Pension Scheme (HOCSPS).

**Fixed-term appointments (FTAs)**: These appointments are made for a limited period and do not normally exceed four years. They are made either where the work is for a limited duration (usually more than three months) or where there is an exceptional reason for appointing someone to a continuing post for a limited period, for example, to cover maternity leave, or for specific projects of limited duration. Fixed-term appointments may usually only be converted to permanent status if this possibility was specified in the recruitment advertisement. Fixed-term appointments are pensionable. If the appointment is for 12 months or more, entry into the HOCSPS will be automatic. If the appointment is for less than 12 months entry into the HOCSPS will not be automatic, but there will be an option to join upon request.

**Casual or temporary appointments**: These appointments are usually for short periods of three months or less to cover a specific piece of work or short project. If your casual appointment is for less than 12 months, entry into the HOCSPS will not be automatic, but there will be an option to join upon request. Casual appointments can be made without the need for fair and open competition. However, these appointments do not usually lead to permanent employment with the House.

**Zero hours appointments**: Staff on these terms can be called in as and when required and are not obliged to accept an offer of work, nor is the House obliged to offer any work. If your appointment is for 12 months or more, entry into the HOCSPS will be automatic. If the appointment is for less than 12 months entry into the HOCSPS will not be automatic, but there will be an option to join upon request. There are two types of zero hours appointments:
Some people are kept on a contact list and contacted if and when work is available. These staff are provided with a separate contract for each period of work.

Where work is more regular and therefore issuing a separate contract for each period of work would be impractical a ‘zero hours’ contract is issued. These contracts are usually permanent, part-time appointments but on variable hours, including zero hours.

Inward secondments: Individuals who are seconded in from other organisations are not House employees. They are subject to our rules, although they also continue to be subject to the terms and conditions of their employer and are usually paid directly by them.

Outward secondments: House of Commons employees who are seconded out to other organisations continue to be subject to the House of Commons terms and conditions of service and continue to be paid by the House.

4. Probationary Period

4.1 Your employment at the House of Commons is subject to a probationary period, the length of which will be stated in your letter of appointment.

4.2 The purpose of a probation period is the positive development and encouragement of new recruits while, at the same time, providing the House of Commons with an opportunity to test their suitability for continued appointment.

4.3 During your probation period your performance, conduct and attendance record are assessed formally at intervals of six and nine months to ensure that you are suitable for continued employment. You will be given advice and guidance to help enable you to meet the job requirements.

4.4 You do not have to serve another probationary period if you transfer to another department within the House, or are promoted. If you are on a fixed-term or temporary appointment and are subsequently employed on a permanent basis by the House without a break in service, you do not necessarily need to complete the full probation period, depending on the length of your previous appointment and if you have already successfully completed part or all of the probation period. See chapter 8 for information on applying for internal posts in relation to probation.

Completing the probation period

4.5 In order to complete the probation period satisfactorily you must demonstrate that you are capable of meeting the requirements of the post and pay band to which you have been recruited. It is also important that your attendance record and conduct are satisfactory.
4.6 If at any time during your probation period it becomes apparent that you are not making satisfactory progress your Line Manager will explain how your performance, attendance, or conduct is unsatisfactory, and set out what you need to do to improve to a satisfactory level. If you do not improve to a satisfactory level in the timescale you have been given, then your appointment will not be confirmed and can be terminated before the end of your probation period (see paragraph 4.9 below). You may wish to seek advice from your Trade Union Representative.

4.7 After six months’ service your Line Manager will hold a formal meeting with you to discuss your progress and where you may need additional help. After nine months you will have a further meeting to discuss the outcome of your probation. If your performance, conduct and attendance have been satisfactory, your appointment will be confirmed by your Line Manager.

4.8 In exceptional circumstances, for example if you have not been able to complete your probation due to maternity leave, unexpected severe illness or accident, and if your Line Manager considers that improvement is likely, they may recommend that an extension to your probation is appropriate to assess whether your performance, conduct and attendance meet a satisfactory level.

**Termination of appointment during the probation period**

4.9 The House of Commons reserves the right to terminate your appointment at any time during your probation period if it is clear that you are not suitable for permanent appointment.

**Fixed-term and temporary appointments**

4.10 Fixed-term and temporary staff of less than nine months will not be managed under the formal probation procedures. However, Line Managers will monitor your performance, conduct and attendance records and can take appropriate action to terminate your appointment without notice during your probationary period where you do not meet a satisfactory standard.

5. **Hours of Work and Pay**

5.1 Your hours of work and pay are set out in your letter of appointment. See chapter 9 for more information on pay and overtime or on the Intranet at:

http://intranet.parliament.uk/finances/pay/commons-staff-pay/
6. **Staff with a Disability**

**6.1** If you have a disability you should discuss this with your Line Manager so that appropriate reasonable adjustments can be made. If your Line Manager is not informed, they will expect you to carry out the normal duties of the role without any adjustments.

**6.2** If during your employment you incur a disability which is either temporary or permanent or you have a disability which worsens, you should talk to your Line Manager about any reasonable adjustments you may need either in the short or long term.

**6.3** More information may be found in chapter 6 or on the Intranet at:


7. **Change of Personal Details**

**7.1** If at any time during your employment your personal details change, for example, your name, address, marital status or bank details, you must notify:

- HR of a change in your personal details using the HAIS system which can be accessed using the HAIS Web Services icon on your desktop. If you do not have the HAIS Web Services icon on your desktop, please contact PICT Service Desk. A short e-learning course and a quick guide are available to guide you on how to update your personnel details.

  http://hcl1.hclibrary.parliament.uk/elearning/personneldetails/welcome.htm

  http://intranet.parliament.uk/Documents/finances/HAIS/QGs/Web-Services/11Updatingpersonneldetails.pdf

- Payroll Services of a change in your bank details in writing (an email is not sufficient in this case).

- Capita to update your pension details by emailing Capita directly on hoc.enquiries@capita.co.uk. This includes a request to change your death benefit nominee.

**7.2** Failure to notify the House of a change may affect our ability to contact you or successfully process your pay and benefits.

8. **Bank References**

**8.1** If you need a reference, for example, for mortgage applications, personal loans or tenancy agreements, you should contact your HR Adviser.
9. **Security Clearance**

9.1 All staff must be security cleared to work on the Parliamentary Estate prior to appointment. It is a condition of your employment with the House of Commons that you have security clearance. If for any reason you do not get security clearance your offer of employment will be withdrawn.

9.2 Periodically the House of Commons will require you to be re-vetted in order for your security clearance to be maintained. Re-vetting is conducted by the Parliamentary Pass Office who will require you to complete a security form. Any information that you provide for the purpose of conducting the vetting process will be held in accordance with the Data Protection Act 1998 and the Rehabilitation of Offenders Act 1974. If it proves necessary for your security clearance to be withdrawn, this will render you liable to dismissal.

9.3 You must let your Line Manager, HR or Head of Department know as soon as practicable if you are arrested and refused bail or convicted by a court of any criminal offence. This does not apply to a traffic offence unless the penalty includes imprisonment or the requirement to drive is an integral part of your job. Failure to report an unspent criminal conviction may result in disciplinary action being taken against you (see chapters 18 and 20).

**Security passes**

9.4 All permanent and temporary staff of the House are given a photo security identity pass. You will be required to have a photograph taken for your pass. These photographs must be taken with no part of the face obscured or covered by anything which might impede immediate recognition, for example, dark glasses, veils or head-dresses.

**Wearing of security passes**

9.5 Your photo security identity pass must be worn prominently with the photograph clearly visible at all times while you are on the Parliamentary Estate. It may be checked at any time and security staff must be able to match the photo security identity pass to the bearer with ease and without delay. You must not wear your pass off the Parliamentary Estate.

9.6 You must not wear anything that conceals your facial features or makes comparison with the photograph difficult. Therefore, if a member of staff is wearing anything which obscures their features such as a crash helmet, veil or balaclava, they will be asked to remove it. Where possible, a female officer will be available to check female members of staff, but your face will be required to be exposed even if a female officer is unavailable.
Facial coverings

9.7 While the House encourages everyone to be comfortable in their working environment, there are certain circumstances in which you may be required to remove any covering which obscures your face. Circumstances might include for reasons of health and safety or food hygiene, in interviews, in meetings and when working in customer-facing roles. You will be required to comply with such a request.

Restrictions for temporary staff

9.8 Photo security identity passes for temporary staff are marked ‘TEMP’. Any staff who do not have a full grey photographic security pass are not entitled to:

- show visitors the Visitors Route (formerly the Line of Route)
- take guests to the Terrace cafeteria or to the 1 Parliament Street cafeteria
- use the Terrace cafeteria on sitting days between 12 noon and 3 pm
- park their cars in the precincts.

Losing your security pass or car parking permit

9.9 If you lose your photo security identity pass or car parking permit you should report the loss without delay to Security Control on ext. 5311.

Returning your security pass

9.10 When you leave the House, you must hand your pass to your Line Manager on your last day of service.

10. Safeguarding Children and Vulnerable Adults

10.1 If your role requires you to work with children or vulnerable adults you may be required to undergo an enhanced Criminal Records Bureau (CRB) check. The requirement for you to undergo this check will be dependent on the nature and frequency of your contact with these groups. Your post is likely to be covered if you conduct any of the following activities at least once per month or for greater than two days in a 30-day period:

- caring for or supervising any children or vulnerable adults
- teaching, training or instructing children or vulnerable adults
- providing advice or guidance wholly or mainly for children, if the advice or guidance relates to their physical, emotional or educational wellbeing
- moderating a public electronic interactive communication service which is likely to be used wholly or mainly by children or vulnerable adults.
10.2 The above list is not exhaustive but covers most cases where House of Commons staff may be required to undergo a check. If you believe your post or that of any staff for whom you are responsible as Line Manager falls under the provisions of the Safeguarding Vulnerable Groups Act 2006, you should contact your HR Adviser for clarification. HR will maintain a list of all posts requiring an enhanced CRB check and will ensure that checks are carried out as and when required. If you require clarification at any time you should contact your HR Adviser in the first instance.

10.3 If you are working in a role that requires you to undergo an enhanced CRB check, and you are subsequently convicted of a crime following your employment in that post, you must notify your Line Manager or HR. Failure to report an unspent criminal conviction may result in disciplinary action against you (see chapters 18 and 20).
Chapter 4:

Facilities for Staff

About this Chapter

1.1 This chapter covers the main staff facilities on the Parliamentary Estate. It explains:

- catering and retail facilities
- the gym and other sports and social facilities
- church and quiet room facilities
- cash dispensers, post office, travel office and souvenir shops
- how to gain access to the Visitor Route and the Terrace
- lost property, car parking, late night transport service and sleeping accommodation.

2. Catering and Retail Services

2.1 The Catering and Retail Services in the Department of Facilities have pages on the Parliamentary Intranet. Those pages contain a description of the services on offer, the weekly menus, access arrangements, opening times and a ‘what’s new’ section. If you do not have access to the Intranet you may obtain an explanatory booklet from reception desks throughout the Estate or by contacting Catering and Retail Services general enquiries on ext. 3686. The Catering and Retail Services pages on the Parliamentary Intranet are on the Intranet at:

http://intranet.parliament.uk/catering-outlets/commons-restaurants/

2.2 Members of Parliament and Officers of the House of Commons are entitled to host private functions. For further details contact Catering and Retail Services Banqueting Office on ext. 4804, 2275 or 3677.

2.3 Should you have any queries regarding Catering and Retail Services call ext. 3686 or 5303.

3. Sports and Social Facilities

Westminster Gymnasium

3.1 The Westminster Gym, which is run by the Jubilee Hall Trust, provides an extensive range of fitness activities, including a gym, exercise classes, saunas and steam room, therapies and refreshments for Palace of Westminster pass holders. The Westminster Gym is situated in the basement of No 1 Canon Row, Derby Gate.
3.2 Opening hours are:

- Monday to Thursday: 7.30 am to 9 pm
- Friday: 7.30 am to 6 pm

For further details on facilities offered and the cost of membership etc, call ext. 5546. More information about the Westminster Gym is on the Intranet at:

http://intranet.parliament.uk/employment/health-safety-welfare/information-for-members-of-both-houses/westminster-gym/

Sports and Social Club

3.3 Membership of the Houses of Parliament Sports and Social Club is open to staff of both Houses. This also applies to agency staff who have been working in either House for 12 weeks or more and have a valid security pass.

3.4 There is a small annual subscription and application forms for club membership are available in the bars. The facilities in the accommodation used by the club include two bars (open Monday through Friday, 12 noon to 11 pm) and two games rooms for darts and pool. Private functions may be booked by arrangement with the bar staff. The club organises a range of sporting and social activities throughout the year, including golf, darts and pool tournaments, free prize draws, karaoke evenings and other events.

Other organisations

3.5 Staff of the House of Commons are also eligible to join the following organisations:

Civil Service Benevolent Fund (CSBF): This is the principal charity of the Civil Service and has been in existence since 1886. The Fund provides a professional help and advisory service to serving and former civil servants, and their dependents, facing hardship in the UK. More information is on the following website:

http://www.csbf.org.uk/

Civil Service Club: This club has dining and drinking facilities and some overnight accommodation. It is situated at 13 Great Scotland Yard. For further details call 020 7930 4881.

Civil Service Sports Council: This organisation’s facilities include extensive sports grounds at Duke Meadows, Chiswick and a recreation centre for indoor games such as snooker and table tennis at Monck Street, Westminster. For further details call 020 8930 4881.
Civil Service Motoring Association: This organisation provides a wide range of facilities and services including recreational accommodation and a motor vehicle breakdown service. For further details call ext. 2159.

Jacoby Trust

3.6 This fund can provide financial assistance to staff in Catering and Retail Services, Department of Facilities who are facing financial hardship or some other difficulty such as long-term illness. Any assistance provided is non-refundable.

3.7 Applications for assistance from Catering and Retail Services staff must be made in writing to the Director of Catering and Retail Services stating the reason why help is required. The HR adviser, Welfare Officer or any Catering and Retail Services manager can assist with applications.

4. Church Facilities

St Margaret’s Church

4.1 St Margaret’s Church has been associated with both Houses of Parliament for more than 300 years. You are welcome to attend its regular services, and the church is available for baptisms, weddings and memorial services. Please contact the Rector if you would like more details.

Chapel of St Mary Undercroft (Crypt Chapel)

4.2 The Speaker’s Chaplain celebrates Holy Communion in the Chapel on Wednesdays at 12.45 pm. Members of all denominations are welcome. The entrance to the chapel is in Westminster Hall, at the south end on the west side of the main steps.

4.3 The Speaker’s Chaplain is normally available for spiritual guidance or to offer support and may be contacted on ext. 3768 or 020 7654 4847.

4.4 There is an active Parliamentary Christian fellowship which is open to all staff. For further details please contact the Speaker’s Chaplain or visit their website on the Parliamentary Intranet.

4.5 The Chapel is available to Officers for family weddings and baptisms. For more details call ext. 3768.

Quiet room

4.6 All staff of the House are entitled to use the quiet room. The room, G42, is on
the ground floor of 7 Millbank and is open at all times. It is non-denominational and therefore welcomes the use of, and is accessible to staff of all faiths and no faith. The quiet room is for individual contemplation and/or prayer and therefore congregational prayer is not permitted. Staff using the facilities are asked to refrain from eating or drinking in the room and to respect other users by switching off mobile phones.

4.7 Use of the quiet room during your normal working hours should be planned in advance with your Line Manager.

4.8 If you have any queries or require more information, please contact the Diversity and Inclusion team on ext. 1412 or 4961.

5. Access to Parts of the Palace

Access to catering facilities

5.1 Access to the Terrace is limited to prevent overcrowding. If you are an Officer of the House you have the same access as a Member. Further information regarding access may be found on the Intranet link listed in the paragraph below.

5.2 Full details of all catering facilities on the Parliamentary Estate are on the Intranet at:

http://intranet.parliament.uk/catering-outlets/commons-restaurants/

Visitor Route

5.3 If you have a full Palace of Westminster photo identity pass you may take up to six personal friends along the Visitor Route (formerly Line of Route) when it is open. You must accompany your guests at all times. This facility is not open to temporary pass holders. For further details call ext. 3070.

Tickets for the Public Gallery

5.4 A maximum of nine tickets (Admission Orders) are available for members of staff on each sitting day (except for Prime Minister’s question time on Wednesdays). If you wish to visit the Strangers Gallery you need to apply, in person, to the Admission Order Office six days before you want to visit. Requests are accepted daily from 2 pm on a first come, first served basis. Tickets are issued for your personal use or for use by your friends and relatives. Tickets are limited to two per person per month for those days. The office is next to the Central Lobby directly behind the statue of Gladstone.
Special occasions

5.5 Pavement tickets for occasions such as the State Opening of Parliament are allocated through Heads of Department.

Disabled access

5.6 If you or your visitors have a disability which requires you to use alternative access routes, then you may find information in the leaflet 'Facilities for Visitors with Disabilities in the Palace of Westminster'. The leaflet may be obtained by contacting your Departmental Safety Coordinator or may be found on the Intranet at:

http://intranet.parliament.uk/access-buildings/access-security/disabled-access/

6. Other Facilities

Cash dispensers

6.1 There are three cash dispensers:

- in the corridor, off Cloister Court, near the Terrace Cafeteria (National Westminster, Barclays and Alliance and Leicester/Link dispensers)
- near the House of Lords staff restaurant (National Westminster, Barclays and Co-op Bank/Link dispensers)
- Post Office in Portcullis House (Link dispenser).

Post Office

6.2 There has been a Post Office presence in the House of Commons since 1698. There are currently three Post Offices:

- Members’ Lobby for the use of Members and Officers
- Central Lobby: open to all staff
- Portcullis House: open to all staff.

Travel Office

6.3 The Travel Office provides services to Members and staff, including discounted air and rail travel and commission free foreign exchange. Personal travel is subject to an 8% administration charge and should, where possible, be booked on less busy days (Mondays, Tuesdays or Fridays). The Travel Office is situated in the basement of Star Chamber Court and may be reached on ext. 4232. Further details are on the Intranet at:

http://intranet.parliament.uk/catering-outlets/outlets/travel-office/
7. **Lost Property**

7.1 Please hand in all unidentified property found in common areas to the Hall Keeper’s Lodge as soon as possible. The Hall Keeper looks after lost property. There may be departmental rules about the receipt of lost property. The Hall Keeper’s lodge is situated through St Stephen’s entrance behind the souvenir kiosk and is on ext. 4626.

8. **Car Parking**

8.1 A limited amount of space is available in the underground car park and outside the Norman Shaw buildings. Priority in the allocation of space is given to staff on regular night duty. Permits for other staff are normally limited to (i) Officers of the House and (ii) other staff with at least 15 years’ service. Please see chapter 10 for more information about car parking arrangements during transport emergencies.

9. **Late Night Transport Service**

9.1 Staff of the House are expected to make their own arrangements for travel to and from work. Official journeys are normally made on public transport and use of the late night transport service at the House’s expense is not an entitlement. The House Service will only pay for late night transport for a member of staff to work to a late hour and it is not reasonable for them to use public transport to get home.

9.2 The Late Night Transport Service is a centrally managed service provided for eligible staff in all departments of the House. It provides transport from the Palace of Westminster to the home of a member of staff using shared taxis. The late night transport service must represent good value for money. It is expected that the late night transport service will be shared wherever possible. The Late Night Transport Service policy may be found on the Intranet at:

http://intranet.parliament.uk/finances/allowances/commons-staff/transport-service/

9.3 The House of Commons Service has a severe transport disruption policy. If there is a major disruption to public transport, the late night transport service will be available to staff on duty after 10 pm irrespective of what time the House rises. Exceptionally the service may also be provided earlier at management discretion, for example, where there is very severe transport disruption. The severe transport disruption policy may be found in chapter 11 and on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/severe-transport-disruption/
10. Sleeping Accommodation

10.1 The House provides limited sleeping accommodation in John Islip Street for staff who undertake occasional late duties, as authorised by Departmental Business Management Directors. This is bookable through the Department of Facilities Service Centre on ext. 4226. If there is a greater requirement for sleeping accommodation than the capacity of 22 John Islip Street (17 rooms), hotel accommodation will be arranged within reasonable access to the House. More information may be found on the Intranet at:

http://intranet.parliament.uk/access-buildings/offices-rooms/overnight-accommodation/

10.2 Staff using the above facilities may be entitled to use the late night taxi service. More information on the Late Night Transport Service policy may be found on the Intranet at:

http://intranet.parliament.uk/finances/allowances/commons-staff/transport-service/
CHAPTER 5: 
Safety, Health and Wellbeing

About this Chapter

1.1 This chapter sets out the roles and responsibilities in delivering health, safety and wellbeing in the House of Commons, including the Safety, Health, and Welfare Services. It covers:

- general security arrangements in the House to keep yourself and others safe
- fire safety procedures and what to do in an emergency
- welfare service policy and facilities
- health and wellbeing policies and assessments
- how to report an accident or incident at work
- medical facilities and first aid
- the Working Time Regulations.

1.2 The formal policy for employee health and safety, codes of practice, training prospectus and other useful information are available on the Intranet at:


2. Roles and Responsibilities

Security

2.1 Responsibility for physical security within the House of Commons Estate rests primarily with the Serjeant at Arms, the police and security officers, but you are also expected to be vigilant. In particular, you are responsible for any visitors you bring into the Palace. You should take care of personal property and official property in your care. If you behave negligently and proven negligent behaviour results in the loss or damage of official property you may be called upon to make good the loss or damage.

2.2 Information on responsibilities for data security is in chapter 22 and on the Intranet at:

http://intranet.parliament.uk/employment/data-protection-security/information-security1/
Health and safety

2.3 All employers are required by law to provide a safe and healthy working environment for their staff. Although the provisions of the Health and Safety at Work, etc. Act 1974 are not legally binding on the House, the Commission has agreed to apply the Act as if it were binding.

2.4 The Clerk of the House is ultimately responsible for the health and safety of employees. As an employee of the House, you must follow the House’s health and safety policy. Your own department may have additional arrangements to cover any specific requirements (for instance in Estates or Catering). On a day-to-day level, responsibility for health and safety lies with the Heads of Departments. They, in turn, appoint Departmental Safety Coordinators (DSC) to help managers in carrying out their responsibilities. The health and safety policy may be found on the Intranet at:


2.5 All managers are responsible for managing health and safety within their areas of responsibility.

The House of Commons Health and Safety Committee

2.6 The House of Commons Health and Safety Committee regularly reviews the measures taken to ensure the health and safety of staff employed at the House. The Committee includes:

- management representatives
- Safety, Health and Wellbeing Representatives
- Departmental Safety Coordinators
- Trade Union Health and Safety Representatives.

2.7 The objectives, terms of reference, procedure and functions of the House of Commons Health and Safety Committee are available from the Safety, Health and Wellbeing Service (SHWS). The minutes of its meetings are widely distributed throughout the House and to the Trade Unions. They are available on request from the Secretary to the House of Commons SHWS Committee and may be found on the Intranet at:

http://intranet.parliament.uk/people-offices/groups-associations/commons-groups/health-safety-committee/
Safety Representatives
2.8 The Trade Union Health and Safety Representatives, also known as Safety Representatives, have a formal role in various aspects of health and safety in the workplace, although the legal responsibility remains with the employer.

2.9 The names of Trade Union Health and Safety Representatives can be obtained from the Branch Secretary of your Trade Union or from the Trade Union Side Administrator (TUSA) at ext. 5611.

Fire Safety Committee
2.10 This committee is chaired by Director General of Facilities and consists of the Fire Safety Team Manager, Deputy, Fire Safety Manager (prevention) and Assistant Fire Safety Manager (protection).

Fire Evacuation Marshals
2.11 Fire Evacuation Marshals are members of staff who are trained by the Fire Risk Management Team to assist with the full evacuation of all premises on the Parliamentary Estate. All staff with caretaking responsibilities for visitors and staff will be trained as Fire Evacuation Marshals. For those staff who do not have caretaking responsibilities volunteers will be sought. If insufficient volunteers come forward, the most senior member of staff in the particular area will take on the role of Fire Evacuation Marshal.

Safety, Health and Wellbeing Service (SHWS)
2.12 The management of both Houses recognise the importance of providing a healthy and safe working environment to help employees work to their full potential. The SHWS offers specialist advice on all aspects of occupational health, safety and welfare in the workplace.

2.13 The aim of the SHWS team is to provide a professional, independent, advisory service to management and staff in order to support the development of a healthy and safe working environment and to encourage a positive attitude to individual health and fitness for staff. The service is provided to directly employed staff of both Houses. In addition, medical screening services are provided to Members of Parliament and to Peers.

2.14 You can make an appointment to see a member of the Safety, Health and Wellbeing Service team at any time either directly or by referral by your Line Manager. The practice nurse provides a routine walk in treatment and advisory service.
2.15 To ensure best practice and continuity of individual occupational health care management you will normally be seen, except in an emergency, by the same occupational physician, occupational health adviser or nurse. Should you wish to be seen by any other member of the team you will normally be required to put your reason for this in writing to the Occupational Health and Welfare Manager, who will make the final decision. The outcome of this decision will be based on clinical best practice and will be confirmed to you in writing.

2.16 Information regarding the details of anyone’s health or circumstances is confidential to the SHWS unless waived by express consent or contract with the client. The exception is if it includes information which represents a threat or a duty of care under Health and Safety.

2.17 The SWHS is located in room 414, 7 Millbank. For information or to make an appointment, call ext. 4782.

2.18 The practice nurse is located in the Lower Waiting Hall, Palace of Westminster, ext. 5103.

3. Welfare

3.1 Most people encounter problems at some time or another. Such problems, whether they are at home or at work, can affect your performance in the workplace and your colleagues. A welfare service is provided which offers confidential counselling and support to staff.

3.2 The Welfare Officers have access to a wide range of specialist help and information services. You can make an appointment to see a Welfare Officer in confidence either during working hours or at another mutually convenient time. If you want to be seen during working hours it will be necessary to inform your Line Manager. You do not, of course, need to tell them the reason for the visit. To make an appointment call ext. 4789 or 6542.

Welfare Fund

3.3 In emergencies, the Welfare Officers are able to provide short-term financial support to staff. Payments from the fund are loans not gifts. Information is available from the Welfare Officer on ext. 4789 or 6542.

Civil Service Benevolent Fund

3.4 The benefits of the Civil Service Benevolent Fund are available to all serving and retired members of staff and their dependants, whether or not they contribute. The fund provides residential nursing home care, convalescent facilities and financial
assistance to those in need. Further information about the fund is available from the Welfare Office on ext. 4789 or 6542.

**Other organisations**

3.5 Other societies and associations which provide services from which staff may benefit include:

- Benenden Healthcare
- Westfield Healthcare
- Civil Service Healthcare
- The Civil Service Insurance Society.

3.6 Further details about these societies and organisations may be obtained from the Welfare Officer on ext. 4789 or 6542.

**Jacoby Trust**

3.7 This fund can provide financial assistance to staff in Catering and Retail Services, Department of Facilities who are facing financial hardship or some other difficulty such as long-term illness. Any assistance provided is non-refundable.

3.8 Applications for assistance from Catering and Retail Services staff must be made in writing to the Director of Catering and Retail Services stating the reason why help is required. The Catering and Retail HR Adviser, Welfare Officer or any Catering and Retail Services manager can assist with applications.

4. **Security Alerts and Fire Alarms**

**Voice alarms**

4.1 A voice alarm system is normally used to convey information about fire and security incidents and there are procedures in place covering the action to be taken if it becomes necessary to evacuate a building and proceed to a safe area. However, check with your Line Manager to make sure that you have full up-to-date details for the building in which you work as not all areas have a voice alarm system.

4.2 See Section 5 of this chapter for details of the action to be taken if you suspect that a fire has started and for other matters connected with fire safety.

**Suspicious packages/postal bombs**

4.3 If you receive a suspicious letter or parcel you must:
4.4 If you have to deal with large quantities of incoming mail you will be provided with more detailed advice and training. Information about this can be obtained from your Line Manager. More information is on the Intranet at:

http://intranet.parliament.uk/access-buildings/evacuation-emergencies/emergencies/

5. Fire Safety

Fire safety procedure

5.1 When you join the House or move to a new work area, you should make yourself aware of the emergency escape routes. Mandatory fire safety awareness training covers these points.

5.2 If you are likely to have difficulties in evacuating a building due to a permanent or temporary disability, please see paragraphs 5.12 to 5.14 below about developing a personal emergency evacuation plan (PEEP).

5.3 The fire safety arrangements in the Parliamentary Estate are inspected by the Crown Premises Inspection Group. A programme of fire risk assessments ensures that the correct standards are maintained.

5.4 Everybody has a responsibility to ensure that fire safety is properly observed in their work areas and should inform their Line Manager or the Fire Risk Management team if anything is concerning them.

5.5 The following fire safety requirements must be adhered to. You must:

- inform security when working outside normal departmental hours
- not misuse fire safety equipment
- not prop open fire doors
- smoke only in designated areas and use the disposal facilities provided
- not have naked flames (for example, candles) on the Estate
- use only officially issued and tested electrical equipment on site
- use toasters only in official kitchen areas and ensure they are not left unattended when in use
use and store equipment and materials appropriately, keeping them away from combustibles and ignition sources.

**Fire alarm system**

5.6 Fire alarms on the Parliamentary Estate consist of voice messages transmitted over a public address system. All messages are preceded by a tone signal and are tested and demonstrated regularly. All staff should know what the sounds mean and follow the instructions given. If you do not hear such a test clearly you should report the matter to your Departmental Safety Coordinator. (DSC)

5.7 Please note that the Houses of Parliament have a system of Division bells to alert Members and Peers when their attendance is required in the Chambers to vote. These should not be confused with the fire alarm system.

**Action in the event of a fire or if a fire is suspected**

5.8 In the event of fire:

- break the glass of the nearest fire alarm call point and call ext. 3333
- if there is time, close the windows and doors in the immediate vicinity
- always close the door of the affected room
- ensure that everybody has heard the alarm and is leaving the area
- fight the fire if it is small and it is safe to do so
- leave the building by the nearest available escape route
- do not use the lifts
- inform responding fire officers of the location and nature of the fire.

5.9 Further details for the procedure to be followed are given in the Fire Safety Manual and is on the Intranet at:


**Fire training**

5.10 Under the Regulatory Reform (Fire Safety) Order 2005 staff must receive regular fire awareness training. All staff must attend one of the sessions arranged through their department or log onto the Parliamentary Intranet and access the online fire training which consists of a general introduction and building specific instructions. Fire awareness training can be viewed on the Intranet at:

http://intranet.parliament.uk/access-buildings/evacuation-emergencies/fire/
**Fire drills and exercises**

5.11 You are required to take part in periodic fire drills and exercises organised by the House, to evacuate the building and to assemble in their pre-arranged assembly points.

**Personal Emergency Evacuation Plan (PEEP)**

5.12 If during your employment with the House you have or incur a permanent or temporary disability that might affect your evacuation or the evacuation of anyone else, you must tell your Line Manager and Departmental Safety Co-ordinator. Your Line Manager must make sure that a personal emergency evacuation plan (PEEP) is developed in conjunction with the Fire Safety team, and that colleagues in the locality are aware of the contents.

5.13 Each person, each building and each workplace is different. A PEEP which is adequate for one building or work area is not necessarily suitable for another and this should be taken into account when developing the PEEP in line with the individual’s work activities and movements.

5.14 It is important that colleagues are told of the plan and it is clearly explained to them as part of induction for new entrants and to those who may develop a disability during their employment. Further information on developing such evacuation plans is available in the Fire Safety Manual, paragraph 3.2., and is on the Intranet at:


**The Fire Safety Manual**

5.15 The Fire Safety Manual sets out Parliament’s fire safety commitments (including fire precautions, dealing with fire incidents, fire drills, training and incident evacuation) and the arrangements for meeting those commitments. It is authorised by the Clerk of the House and Clerk of the Parliaments and is overseen by the Fire Safety Committee. The manual consists of the Fire Safety Policy Statement and is on the Intranet at:


5.16 The Fire Safety Management Strategy, Schedule of Premises and location of Muster Points is on the Intranet at:

http://intranet.parliament.uk/evacuation-emergencies/fire
Fire Safety Manager

5.17 The Fire Safety Manager and Deputy Fire Safety Manager in the Department of Facilities act as the House’s competent fire safety persons as delegated by the Clerk of the House. They are responsible for the planning, discharge and monitoring of the fire strategy for both Houses and providing competent advice and training.


Risk assessments

6.1 General workplace risk assessments of each department’s activities should be carried out on a periodic basis. It is a management responsibility to ensure that these assessments are undertaken and that appropriate control measures are identified and put into place. Trade Union Health and Safety Representatives have the right to be involved in risk assessments and are informed of the results. Specialist advisers are also involved if the department considers it necessary.

6.2 The Risk Assessment Policy may be obtained upon request to your Line Manager or is on the Intranet at:


Protecting new & expectant mothers

6.3 If you become pregnant and let your Line Manager know, they must review any risk assessments to identify any changes that are necessary to protect your health and that of your unborn baby. Risks to consider are:

- lifting and carrying heavy loads
- standing or sitting for long periods
- long working hours
- working at night (a note from your doctor would need to be provided explaining that night work may affect your health and safety).

6.4 The assessment will be reviewed by you and your Line Manager as the pregnancy progresses to check if any further adjustments are necessary. If you have any concerns after completing the risk assessment, you should contact the SHWS team on ext. 4782 for guidance.
Display screen equipment

6.5 The House of Commons Service aims to reduce risks of using display screen equipment. There are arrangements in place to ensure work station assessments are completed and that everybody has suitable training. Eyesight tests are also available on request. Everyone who works with display screen equipment (DSE) should read the relevant SHWS web pages, which contain information about ergonomics/environment, posture, eyesight tests and work patterns and explain how DSE risk assessments should be completed. The SWHS web pages concerning display screen equipment are on the Intranet at:

http://intranet.parliament.uk/Documents/intranet/offices-departments/assets/dseguide.pdf


6.6 If you experience any symptoms relating to keyboard work, report them to your Line Manager and the Safety, Health and Wellbeing Service on ext. 4782 immediately. An incident report form should be completed and submitted appropriately and is on the Intranet at:

https://portal.assessweb.co.uk/portal_login.asp?c=039605&r=aJy5vk-4OwsX0dF1EbmI&f=h5Fd3VH6&i=6&a=5GYjhcxTaEf6nhp&d=&m=222

DSE User awareness training

6.7 DSE User awareness training is compulsory for all users. Details of training are available. A template form is on the Intranet at:


Eyesight tests

6.8 If you operate display screen equipment you are entitled to an eyesight test from a qualified optometrist. The SHWS Intranet pages give details of the way in which you can get an eyesight test. If the optometrist recommends glasses for DSE use or with a special prescription for DSE use, the House will cover the cost of a basic frame and lenses. If you do not follow the correct procedures, the House will not meet the costs of any eyesight tests or glasses or reimburse you for any costs incurred. Details are on the Intranet at:

Smoking policy

6.9 Smoking is not permitted on the Parliamentary Estate except in the following designated areas:

- The Terrace
- Commons Court (North West corner, Commons Court)
- North Terrace (between Portcullis House and Norman Shaw South)
- A designated area on the west side of Canon Row courtyard.

6.10 Ashtrays will be provided in these areas. You may find the following Intranet link helpful in finding these locations:

http://intranet.parliament.uk/access-buildings/access-security/maps/

6.11 It is your responsibility to ensure that you smoke only in the designated areas. If you do smoke in a no smoking area (on either the Commons or Lords Estate) disciplinary action may be taken.

6.12 A scheme is in place, via the Safety, Health and Wellbeing Service, to provide support, encouragement and assistance to staff who wish to give up smoking.

Alcohol and drug misuse policy

6.13 Excessive drinking during working hours is not permitted. Where drinking results in deterioration in performance or conduct or jeopardises personal safety or the safety and wellbeing of others, it is likely to result in disciplinary action which may lead to your dismissal.

6.14 Alcoholism (alcohol-related illness) will be treated sympathetically, like any other illness, subject to the co-operation of the member of staff concerned in receiving appropriate treatment. However, if help is refused and if performance or conduct is unsatisfactory, inefficiency or disciplinary procedures may be initiated.

6.15 Staff who work in a hazardous occupation, including driving duties, working at heights or on electrical installation, must not consume alcohol at all while on duty and should not attend for duty with their ability to perform their duties adversely affected. You should check with your Line Manager if you are unsure if your work is classed as hazardous.

6.16 This policy also applies to misuse of drugs. The taking of illegal drugs during working hours will be viewed as a serious disciplinary matter. The buying, selling or distribution of drugs is not only a serious disciplinary matter but a criminal offence and, without exception, will be reported to the authorities.
6.17 If you are experiencing problems, irrespective of their nature, which may be affecting your work it is advisable to discuss these with your Line Manager and/or the Welfare Officer at an early stage so you can be given appropriate advice and assistance before the matter becomes more serious. You may reach the Welfare Office on ext. 4789.

6.18 The Alcohol Consumption Code of Practice is available from your Line Manager or is on the Intranet at:


Hazardous substances policy

6.19 It is important that the use and handling of potentially hazardous substances is properly controlled to minimise any risk to employee health and safety.

6.20 House policy, standards and guidance are contained within the COSHH Policy documents and guidance. It is available from your Line Manager or is on the Intranet at:


Manual handling policy

6.21 Lifting and carrying of heavy or awkward objects can be hazardous and, if done in an unsafe or uncontrolled manner, may result in ill health, particularly back pain. The House is committed to reducing the risk of such manual handling activities through risk assessment and implementation of sensible risk control measures.

6.22 House policy, standards and guidance are contained within the Manual Handling Policy and Guidance document. It is available from your Line Manager or is on the Intranet at:


Workplace stress and wellbeing policy

6.23 The House is committed to safeguarding the wellbeing of its staff and ensuring that appropriate measures are in place to identify, reduce and manage potential workplace stressors and provide a healthy working environment. House policy, standards and guidance are contained within the Workplace Stress and Wellbeing Code of Practice. It is available from your Line Manager or is on the Intranet at:
Personal protective equipment

6.24 Personal protective equipment describes all clothes and equipment that are provided to be worn or held by an employee so as to protect them from one or more risks to their health and safety, for example, safety helmets, gloves, eye protection, high visibility clothing, safety footwear and safety harnesses.

6.25 The risk assessments related to your work will identify what you need to wear to make sure that you remain safe and healthy while you are doing your work. Your Line Manager should explain to you what you need to wear and when you need to wear it. General guidance and access to all risk assessments is available on the SHWS web pages at:


Asbestos policy

6.26 All areas in the Parliamentary Estate containing asbestos are examined annually. A report on this inspection is recorded in an asbestos register, which is held by the Parliamentary Estates Directorate (PED). This register is available for inspection.

6.27 The presence of asbestos within a building does not necessarily mean the occupants are at risk. Asbestos only becomes a problem when it is disturbed or damaged in a way that allows fibres to get into the air. The PED operates safe and effective asbestos management procedures, using licensed contractors, to ensure that risks are minimised during any operation to remove asbestos.

6.28 If you believe you may have been placed at risk, you should to speak with your Line Manager right away. Your Line Manager will report your concerns to PED on ext. 4747 and arrange for a note of your concerns to be placed on your personal file by your HR Adviser. You may also wish to let SHWS know of your concerns. You may reach SHWS on ext. 4782.

Food hygiene regulations

6.29 Food hygiene regulations are covered by the food safety policy. Everyone involved with the handling of food should become familiar with this policy, which is available from Catering and Retail Services.
7. Safety

Accidents/incidents at work
7.1 Any accident on the Parliamentary Estate must be reported via the dedicated Intranet reporting web pages. If you do not have access to the Intranet, your Line Manager should report the incident on your behalf. There are arrangements in place to enable you to use a paper based system. More detail is available on the SHWS web pages at:


Incident report forms
7.2 Accidents and incidents must be documented on an official incident report form, which is available on the Intranet using the link at 7.1 above. The incident report form should be completed as soon as possible. This can be done by anyone who is aware of the event, for example, first aider, Departmental Safety Coordinator or injured employee. Once your Line Manager is aware of the event they should investigate the circumstances to make sure that the causes are identified and the appropriate actions required to avoid a repetition. In most cases this is straightforward and no special training is required. The SHWS review all accident reports and they may assist or take the lead in investigations which are not straightforward or where there may be serious repercussions.

7.3 Any major accident must be reported to SHWS, who are responsible for notifying the Health and Safety Executive.

Accidents/incidents outside work
7.4 If you are absent from work because of an injury you did not sustain in the course of your employment, where appropriate the House may:

- require you to make a specific loss of earnings claim from the third party responsible for the injury
- provide an advance of salary in place of any sick pay or other pay due to you
- require you to repay proportionately any advance of salary where the claim for loss of earnings is wholly or partly successful
- ensure that where all or part of the advance is repaid, a period representing the repaid advance does not reckon towards the limits of the House sickness absence scheme.
8. **Medical Facilities and First Aid**

8.1 This section explains the emergency medical facilities in the House. In the event of serious accident or illness, or if an ambulance is required, call Security Control on ext. 3333. They will make the necessary arrangements for the ambulance to be called, met at a nominated gate and escorted to the scene. The first aid policy explains the arrangements in detail and can be accessed on the SHWS web pages on the Intranet at: http://intranet.parliament.uk/employment/health-safety-welfare/information-for-managers-and-staff/first-aid/

8.2 On days when the House is sitting, the closed circuit television annunciator system may be used by Security Control to contact a first aider.

**First aid provision**

8.3 First aid is provided by staff who hold current first aid certificates. All trained first aiders have access to first aid facilities and equipment. Some police and security officers are also qualified first aiders. Names of first aiders are listed on notices in many locations on the Parliamentary Estate and on the Intranet at: http://intranet.parliament.uk/employment/health-safety-welfare/information-for-managers-and-staff/first-aid/

8.4 First aiders receive an annual remuneration in recognition of the contribution made by them. At present this is £200 per annum for full-time members of staff who have been qualified for at least six months and £100 per annum for part-time members of staff on completion of the first six months qualification. If you would like to become a qualified first aider, please follow the instructions given in the first aid policy.

**Medical room/practice nurse and first aid rooms**

8.5 A medical room staffed by a practice nurse during normal office hours is in the Lower Waiting Hall, off the Central Lobby, Palace of Westminster. You may reach the medical room on ext. 5103.

8.6 A list of first aid rooms is on the Intranet at:

9. **Working Time Regulations**

9.1 The Working Time Regulations (WTR) aim to help safeguard the health and safety of people at work. Under the Working Time Regulations, you are entitled to:

- an average working week of no more than 48 hours. This will be averaged over a 26-week period beginning on 1 November or 1 May. Although the regulations provide for workers to agree in writing to opt out of the 48-hour limit, the management of the House will not ask or require its staff to exceed the 48-hour average.
- a 24-hour weekly rest period
- a 20-minute daily rest break if you work more than six hours
- an 11-hour daily break between spells of duty. This may be varied by agreement.
- 28 days paid annual leave if you work a full-time five-day week including eight bank holidays (pro rata for part-time staff).

**Daily breaks**

9.2 Line Managers will use their best endeavours to provide an 11-hour break between working days.

9.3 Except in emergencies (which will include unexpected sittings of the House after midnight), each member of staff will receive a daily break of eight hours minimum.

9.4 When calculating the length of your daily break, the clock will start running 30 minutes after the rise of the House, or immediately after the end of your working hours as specified in your contract or job description, if this would be later.

**Night workers**

9.5 You are a night worker if your daily work in the House includes at least three hours between 11 pm and 6 am either on the majority of the days you work or on a regular basis such as a rotating shift pattern.

9.6 If you are a night worker you:

- must not work more than an average of eight hours in any 24-hour period unless you have agreed to do this
- must not work more than eight hours in any 24 hours if your work involves special hazards or heavy physical or mental strain
- will be offered a free health assessment before beginning night work and at intervals thereafter
may transfer to other duties if you suffer from health problems connected with
night work
must have access to appropriate health and safety facilities.

9.7 Special rules apply to young workers. See paragraphs 9.8 to 9.13 below.

Young workers (under 18)

9.8 Special daily, weekly and night time work limits apply to young workers. You
are a young worker if you are aged at least 15 but under 18.

9.9 If you are a young worker, you may not ordinarily work more than:

- eight hours a day, or
- 40 hours a week.

9.10 These hours worked cannot be averaged out and there is no opt-out available.
However, you may work longer hours where this is necessary to either:

- maintain continuity of service, or
- respond to a surge in demand for service.

9.11 The above is provided that:

- there is no adult available to perform the task, and
- your Line Manager ensures that your training needs are not adversely affected.

9.12 Your entitlement to rest breaks is as follows:

- a 30-minute rest break when working more than 4½ hours
- an uninterrupted period of 12 hours rest in each 24-hour period in which you
work
- two days’ rest each week. This cannot be averaged over a 14-day period, but it
may be reduced to 36 hours for technical and organisational reasons.

9.13 Your entitlement to breaks can be changed only in exceptional circumstances.
Where this occurs, you should receive compensatory rest within three weeks. In
addition to the above, you may not ordinarily work at night between 10 pm and 6 am,
or between 11 pm and 7 am. However, in specific circumstances and in certain work
sectors (for example, catering, retail and postal and newspaper deliveries) certain
exemptions apply. For further information, please contact your HR Adviser.
Procedure for dealing with concerns regarding the Working Time Regulations

9.14 If you feel that you are exceeding limits on your working hours or are not getting the breaks and rest periods to which you are entitled, then speak to your Line Manager. You may also consult the relevant Trade Union Representatives. Details are available from the TUSA on ext. 5611. If you are still not satisfied, you should approach your countersigning manager. After this it is open to you to bring a grievance using the grievance procedures in chapter 21.

Staff with other jobs

9.15 If you have another job or are considering taking on any additional work with another employer you must let your Line Manager know. They may refuse permission for you to take or continue with the second job if it is felt the additional hours are (or would be) excessive and detrimental to your ability to undertake your responsibilities at the House effectively and/or there could be any conflict of interest. If your Line Manager feels the additional hours are not (or would not be) excessive but is concerned they may approach or exceed the 48-hour average working week, then you will be asked to sign a waiver form.

9.16 The waiver form is on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conduct-discipline/hoc-conduct-discipline/guidelines/working-for-another/
CHAPTER 6: Equality and Diversity

1. About this Chapter

1.1 This chapter sets out the general principles of the House of Commons Service equality and diversity policies and procedures and how they are to be applied. These principles uphold the values of the House and serve to create a positive working environment for everyone.

1.2 This chapter contains information on the corporate diversity strategy, including the House Equality Scheme, the Corporate Diversity and Inclusion team and specific guidance for staff and managers on:

- valuing others: encouraging positive behaviour and dealing with negative behaviour
- working with disabilities
- caring responsibilities
- harassment and bullying
- complaints processes.

1.3 Annex 1 at the end of this chapter provides definitions of discrimination and a brief outline of legislation in this area.

1.4 The Corporate Diversity and Inclusion team reports directly to the Director General of HR & Change. The Clerk of the House is the Diversity Champion for the House of Commons. The Corporate Diversity and Inclusion team is responsible for developing and writing diversity policy, collating diversity statistics, providing advice to staff of the House and PICT, Members and their staff, and producing reports for the Management Board. The team also supports staff carrying out equality analysis of policies and procedures implemented by the House and co-ordinates a number of outreach schemes for adults, young people and students.

2. Principles

2.1 The House of Commons Service values all members of staff equally and, therefore, seeks to ensure that appropriate support mechanisms are available so that everyone can contribute their best in a positive working environment.
Diversity and Inclusion Scheme

2.2 In consultation with staff, Members, Members’ staff and the public, the House has developed the Diversity and Inclusion (D&I) Scheme. It updates the House Equality Scheme (HES) and the work that has been done to date on equality and diversity. The D&I Scheme sets out the strategy for 2012 to 2015, supporting the strategic goals of the House. It has been developed in line with the Equality Act 2010 and extends to all the protected characteristics in that Act:

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

2.3 You can access details of the D&I Scheme at the following Website:


2.4 The D&I Scheme supports the House of Commons Service in ensuring an inclusive working environment. As stated in the core values, the House seeks to ensure that this is a rewarding and fulfilling place to work by:

- promoting mutual trust, support and respect
- ensuring we work in an environment free from discrimination and inappropriate behaviour
- ensuring equality of opportunity
- recognising the contribution of all
- maximising personal development
- promoting work-life balance.

2.5 The House of Commons Service is strongly committed to working with the best possible people from the widest talent pool available, so that it reflects the diversity of the United Kingdom.

2.6 We all must recognise that the best possible people do not come in one colour, gender, family background, age, ability, skill set, way of thinking, working pattern or academic background.
2.7 By actively promoting equality and diversity, we seek to:

- recognise and value differences
- recognise that people work best in an environment where their contribution is valued
- retain and motivate staff to enable them to reach their full potential
- ensure fair treatment in all policies and practices
- address discrimination
- act in accordance with all legislation
- ensure development is available and accessible for all who want or need it
- improve customer service by valuing everyone's contribution and giving them a voice.

2.8 The House of Commons Service expects staff to behave in a way that promotes dignity and respect at work at all times and under all circumstances. We should always treat our colleagues, Members and their staff, visitors and the public politely and fairly, upholding the core values of the House (see chapter 1).

2.9 These principles of equality and diversity apply to all areas of employment and include recruitment, selection, terms and conditions, the way we are managed, learning and development, promotion, transfers and appraisals.

3. Valuing Others

3.1 The House of Commons Service is committed to providing a working environment that is fair to all and where everyone is treated with respect and dignity. Each of us is responsible for sustaining this environment through how we behave towards each other and what we do every day.

3.2 In such an environment where people’s contribution is recognised and acknowledged, staff, whatever their background and level, will feel encouraged to realise their full potential and support the House in achieving its objectives. All staff deserve and should expect to be treated with respect for who they are and what they do. This treatment should be consistent and inclusive.

Valuing Others policy

3.3 The purpose of this policy is to set out the rights and responsibilities of managers and staff in ensuring that everyone is able to work in a positive environment free from unacceptable behaviours such as discrimination, harassment, bullying and victimisation. The policy, therefore, describes and encourages the behaviours that support the principle of valuing others. These are to:
ensure the dignity at work of all our employees
respect others and value their contribution to the organisation
demonstrate our commitment to equality and inclusion through our actions
be open and constructive in our communications
be fair and just in our dealings with each other
handle conflict promptly, effectively and creatively
raise awareness of the effects of unacceptable behaviour.

Rights and responsibilities of staff

Rights
3.4 All staff can expect to:

be treated with dignity, respect and courtesy by managers, colleagues, Members of Parliament and their staff, contractors, visitors and members of the public
be valued for the work that they do
be free from any form of discrimination, victimisation, harassment or bullying when on the Parliamentary Estate or on Parliamentary business
work in an environment free from unwelcome behaviour and language.

Responsibilities
3.5 All staff should:

conduct themselves in a professional and respectful manner
be fair and just in all workplace dealings
appreciate that what is acceptable behaviour to them may not be acceptable to the recipient
help and protect the rights of others
listen to the views of others
understand the difference between normal work disagreements and harassment/bullying (see definitions in paragraphs 4.1 and 4.3 below)
understand the difference between managing performance and harassment/bullying.

3.6 All staff are responsible for ensuring they understand what behaviour is required of them and that their conduct does not cause offence. Everyone shares a responsibility for understanding the sensitivities and feelings of others and avoiding behaviour that could cause offence or distress. Equally, all staff should be free to carry out their duties free from unfounded allegations of harassment or bullying.
Rights and responsibilities of managers

Rights
3.7 All managers are entitled to the same rights as non-managerial staff (see paragraph 3.4 above). Managers also have the right to be able to manage their staff free from unfounded allegations or harassment or bullying.

Responsibilities
3.8 Managers are responsible for setting a good example by treating all staff with dignity. They should:

- encourage and foster an atmosphere of respect and understanding
- lead by example through a fair, consistent and open management style
- carry out management duties in a fair, reasonable and consistent manner
- give legitimate, constructive and fair feedback about conduct and performance
- ensure staff are aware of the behaviour expected of them and that unacceptable behaviour will not be tolerated
- act swiftly and appropriately if unacceptable behaviour occurs. Ignoring the issue is not an acceptable option.

3.9 As part of their role managers should also:

- be able to issue reasonable instructions and expect them to be carried out
- set expected standards of performance through effective use of the performance management systems
- use attendance, performance, and disciplinary management procedures as set out in this Handbook.

3.10 Unacceptable behaviour excludes legitimate actions by a manager, such as:

- encouraging an employee to perform against key objectives and to conduct themselves appropriately
- taking action within the disciplinary or other formal procedures.

3.11 It does not exclude people in authority using their position to bully, abuse or harass others, or acting in a threatening or intimidating way.

4. Harassment and Bullying

Definitions
4.1 Harassment is any unwanted behaviour of a physical, verbal or non-verbal nature that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It may be directed against someone because
of their sex, gender identity, race, age, religion or belief, disability or because of their sexual orientation.

4.2 The key factors of harassment are that it is unwanted, unjustified and/or unreciprocated. It fails to respect the rights of others or the impact that such behaviours may have. Such behaviours may be persistent or one isolated, serious incident.

4.3 Bullying is offensive, intimidating, malicious or insulting behaviour; an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

4.4 Such unacceptable behaviour can take many forms and can range from physical abuse to more covert conduct. It includes behaviour that deliberately or inadvertently excludes individuals from normal activities in the workplace.

4.5 Examples of harassing/bullying behaviour include:

- spreading malicious rumours or insulting someone by word or behaviour
- ridiculing or demeaning someone
- victimisation
- exclusion (for example, intentionally excluding someone from the group)
- threatening remarks or actions
- overbearing supervision or other misuse of power or position
- unwelcome sexual advances (touching, standing too close, the display of offensive materials, suggestive remarks).
- deliberate undermining of an employee by overloading and constant criticism
- preventing individuals progressing by intentionally blocking promotion or development opportunities.

4.6 This list should not be regarded as exhaustive, but merely to illustrate some behaviours that may be construed as harassing or bullying.

**Malicious and vexatious complaints**

4.7 While employees will be fully supported when they are involved in raising concerns of harassment or bullying, complaints that are found to have been made maliciously will be dealt with under disciplinary proceedings as in chapter 20.

4.8 Examples of vexatious complaints could be:

- a succession of complaints without reasonable grounds from one source against the same individual or groups of individuals
- a series of complaints between two or more people, one apparently made in response to another (so-called ‘tit-for-tat’ complaints).
Dealing with negative behaviours

4.9 There may be occasions when you believe you are not being treated appropriately at work. In these situations, you need a resolution as quickly as possible to ensure the issue is dealt with and you can continue to work in a positive environment.

4.10 You should consider why you believe you have been treated unfairly: what was said or done, by whom and under what circumstances? What did you do or say beforehand? Is it a case of a normal and acceptable workplace disagreement or harassment/bullying? Is there truth in what was said even though you feel uncomfortable with it? For example, criticism is acceptable when it is constructive, delivered in private, and accompanied by reasonable suggestions for improvement.

4.11 Please read the definitions of harassment and bullying carefully. Your complaint may be resolved more appropriately using another procedure such as the grievance procedure (see chapter 21).

Support and advice

4.12 If you believe you have been subjected to harassment or bullying you should be pro-active, seek support and take action.

4.13 If you are accused of harassment or bullying, you have the right to be fully informed of the allegation and seek support.

4.14 The following internal people are available to help you in confidence:

Line Manager: If you are the complainant, or being accused of, harassment or bullying, your Line Manager can be approached in confidence for advice. They may approach the other party on your behalf, or just act as a sounding board for you. Your Line Manager is often the best person to take these problems to initially. If your complaint is about your Line Manager you should speak to the next person in your line management chain.

Harassment Support Officer (HSO): HSOs are volunteer members of staff who have been specifically trained in working with cases of harassment and bullying. The role of the HSO is to provide a confidential support service to staff who feel they are being harassed or bullied at work, and staff who have been accused of such behaviours. The HSO can:

■ be someone who listens, values and supports
■ provide information on policies and other sources of help and advice
■ describe possibilities for action
■ explore the issues with you
■ discuss ways of resolving the problem
help you understand how any accusation might have arisen
suggest ways of dealing with possible victimisation from colleagues.

HSOs will not be advocates or take issues forward on behalf of staff or represent staff. HSOs will maintain confidentiality except in extreme cases where physical or mental harm or sexual harassment is reported or a criminal offence is suspected. For contact details of HSOs, call the Diversity and Inclusion team on ext. 1412 or 2948. A different HSO will be assigned to each party.

Trade Union Representative: For Trade Union members, a Trade Union Representative can offer confidential advice on whether or not you have a case that could be defined as harassment or bullying, what they can do to support you and how to proceed. Trade Union Representatives will provide help and support to both parties, even if both the complainant and the alleged perpetrator are members of the same Trade Union. If you are unsure which Trade Union Representative can support you, contact the Trade Union Side Administrator on ext. 5611.

Welfare Officer: The Welfare Officer (WO) can offer confidential support and counselling for both parties. You can make an appointment to see a Welfare Officer during working hours or at another mutually convenient time. The Welfare Office may be reached on ext. 4789 or 6542.

HR Advisers: An HR Adviser can provide advice on what kind of complaint you may have and what the best option for addressing it might be in your case. If you have been accused of harassment or bullying, your HR Adviser will advise you of the process, your rights and other support available to you. They will be able to advise both parties on any possible legal implications.

External advice: External advice can be sought through:

- ACAS:
  Website: http://www.acas.org.uk
- Citizens’ Advice:
  Website: http://www.citizensadvice.org.uk
- Equality and Human Rights Commission:
  Website: http://www.equalityhumanrights.com
5. Complaints Processes

Informal internal procedures

5.1 It is important that you consider trying to resolve the issue informally in the first instance. The internal people listed in paragraph 4.14 above can help you with this and you may contact them for advice and support.

5.2 It can be useful to keep records such as a diary of all incidents of inappropriate behaviour or language. Record times, dates, witnesses and your feelings as a result of the way you have been treated. Keep copies of anything that you feel might be relevant, such as letters, emails, annual staff reports and notes of any meetings that relate to your complaint. Talk with colleagues to establish whether anyone else is suffering or has witnessed what is happening to you.

5.3 Where possible, avoid being alone with the person you believe is harassing or bullying you.

Actions if your complaint is against a member of staff

5.4 If you feel able to, you should approach the individual concerned and make it clear that their behaviour is unwelcome and you want it to stop. You may want to tell them that you regard their behaviour as harassment or bullying as defined in the Staff Handbook. You can ask a colleague, Harassment Support Office or Trade Union Representative to help you to prepare to meet the individual.

5.5 If you feel unable to speak directly to the person concerned, you may wish to write to them. Once they know the behaviour is unwelcome (they may be unaware of this), your letter may be enough to stop it. Keep a copy of your letter and any reply.

5.6 If you feel unable or unwilling to make personal contact with the individual, you may want this to be done on your behalf by your Line Manager or your HR Adviser. They will ask you what you want to happen, and then contact the other party to hear their viewpoint. Once they have heard both sides of the story, they may advise how best to take the matter forward.

5.7 It is up to you whether you wish to report the matter at this stage. If you feel the person concerned did not mean offence or has taken the point, you may decide not to pursue it further.

5.8 If the individual is someone other than a member of House of Commons staff, talk to your Line Manager before taking any further action. If your complaint is about the behaviour of a Member of Parliament please see section 7 below.
**Mediation**

**5.9** It may be suggested that mediation would be helpful in resolving your complaint. Mediation is a confidential process where a neutral person (someone who has not been involved with the issue to date) – the mediator – works with both parties to help them find a solution and reach an agreement that will improve the situation. The mediator will not take sides, apportion blame or judge what is right or wrong. They can recommend a way forward if both parties agree to this and are unable to find their own solution. Mediation can be used at any stage in a dispute but is often most effective if used early on and if both parties are willing to take part in the process.

**5.10** The mediator will:

- meet both parties individually, explain the role of the mediator and the process of mediation, and identify the key issues
- arrange to meet both parties together in an agreed, neutral venue that ensures confidentiality, explain and agree the ground rules and remind the parties of the process before seeking to secure their agreement to continue
- explore the issues with the parties, ensure that the ground rules are observed and summarise areas of dispute and agreement
- try to keep the parties focused on the future, not the past
- build agreements, ensuring the workability of solutions with the parties
- assist the parties in drawing up an agreement that is clearly worded and that may be signed by each party.

**5.11** Involvement of a qualified, internal mediator can be arranged through your Line Manager or your HR Adviser. Your Line Manager or your HR Adviser should contact a member of the Diversity and Inclusion team on ext. 1412, 2948 or 4961 who can provide a copy of the leaflet ‘Mediation: Resolution of Conflict in Internal Working Relationships’.

**Formal external investigation procedures**

**5.12** The above procedures should normally be explored and exhausted before formal external procedures are initiated. The House procedures may be employed:

- when internal attempts to resolve the problem have been unsuccessful
- when the harassment or bullying persists or begins again
- for a single, serious incident of harassment or bullying which could be described as gross misconduct and which could result, for example, in suspension while the matter is being investigated
- at the discretion of the Head of HR Operations.
5.13 All formal investigations will be conducted by a person deemed competent by the House, who would be expected to allocate sufficient resources to complete the investigation within agreed time limits. The External Harassment Investigator (EHI) will be appointed by the Head of the Diversity and Inclusion team. The EHI will be someone from outside the House of Commons and could be someone from the House of Lords, PICT or from the procured external list of investigators.

5.14 The External Harassment Investigator (EHI) will:

- investigate allegations fairly, thoroughly and within agreed time limits
- preserve confidentiality as far as possible
- advise the House if they suspect a complaint has been made maliciously.

**Step 1: Making a complaint and preliminary assessment**

5.15 You should submit a written complaint to your Line Manager or the next person in your management chain, as appropriate. This should contain the name of the alleged perpetrator, date and description of the incident(s), names of any witnesses, details of internal resolutions already undertaken and your desired outcome. You may ask a Harassment Support Officer, Trade Union Representative or your HR Adviser to assist you with this letter.

5.16 Under this procedure the Line Manager of the person being complained about will normally deal with the complaints and act as the Deciding Officer unless:

- the complaint is also against them
- they are also your Line Manager
- there is another appropriate reason(s) why they should not deal with the complaint.

5.17 In these cases another senior Manager with no previous involvement in this investigation or previous procedures relating to the case may carry out the role of Deciding Officer.

5.18 The Deciding Officer, on behalf of the House, will:

- assume you have made the complaint in good faith and take your complaint seriously
- protect you and the person you have complained about from victimisation
- make sure appropriate support and information is provided to all those involved
- be fair to you and to the person complained about
- keep both you and the person complained about informed of progress.
5.19 The Deciding Officer will send a copy of the letter of complaint to the person who has been complained about with advice on where they can obtain support. The Deciding Officer will alert the Diversity and Inclusion Manager who will commission one of the approved External Harassment Investigators (EHI) to carry out a preliminary assessment, deciding if there is a case of harassment or bullying to be investigated.

5.20 The EHI will:

- interview you and the person complained about. You both have the right to be accompanied by a Trade Union Representative or colleague at the interviews
- complete an assessment questionnaire. (This gives the EHI a standard format by which to present their findings.)
- advise the Deciding Officer and the Diversity and Inclusion Manager of their decision.

5.21 If the EHI advises that there is a potential case of harassment or bullying, they will inform the Deciding Officer and the Diversity and Inclusion Manager, who will formally appoint the same EHI to carry out the formal investigation.

Step 2: Formal external investigation

Initiating the investigation

5.22 The EHI will meet the Deciding Officer. They will make arrangements for evidence gathering and agree a timetable for the investigation.

Evidence gathering

5.23 Evidence gathering will include face-to-face separate interviews with yourself and the person you have complained about, unless this is impossible for acceptable reasons. Other witnesses such as colleagues may be asked to supply evidence either face to face or in written format. On occasion witnesses’ statements may be given via the telephone so that the process is not prolonged.

5.24 At all interviews, the EHI or another person, usually from HR, will take notes and the interviewee will be asked to agree these by signing them or confirming agreement by email. You will receive a copy of these notes. You and the person being complained about are entitled to be made aware of the content of witness statements (but not the names of witnesses) when they have been agreed and signed by the witness as being accurate. Both parties will be given seven calendar days to comment on substantial points of fact.
Report

5.25 The EHI will produce a report, in which all comments must be relevant to the case in hand and be substantiated. Both the complainant and the person being complained about may request a progress summary of the investigation from the Deciding Officer.

5.26 The investigation report will be sent initially to the Deciding Officer. The Deciding Officer will check the report for procedural correctness and to familiarise themselves with the contents. They will then let you and the person being complained about know that the report has been received.

5.27 A copy will also be sent to the Diversity and Inclusion Manager to ensure that the issue has been dealt with promptly and that a fair and consistent approach is taken by Managers across the House Service.

Step 3: Decision

5.28 Once the Deciding Officer has received the report, they may accept the recommendations or ask further questions of the EHI or any party involved for clarification where they feel necessary.

5.29 When the Deciding Officer has reached a decision they will meet with both yourself and the person being complained about separately as soon as possible (normally within two calendar weeks) to let you know the outcome of the investigation and the recommendations. Both you and the person being complained about may be accompanied by a Trade Union Representative or a colleague to the meeting.

5.30 You and the person being complained about will be expected to keep the matter confidential and not discuss the case further, except with the Trade Union Representative or colleague who is accompanying you to the meeting, until you have both met the Deciding Officer separately. Confidentiality must be observed throughout this process.

5.31 At your meeting, the Deciding Officer will explain their decision and give you a copy of the report. Support will be provided to you and the person complained about to ensure, if possible, that relations are repaired sufficiently for everyday work to resume. Time may given during the meeting to allow you to discuss the outcome with your Trade Union Representative or colleague.

5.32 At the meeting with the person being complained about, the Deciding Officer will also give them a copy of the report, let them know the decision and give time for them to discuss with their Trade Union Representative or colleague.
**Resolutions and outcomes for internal and external procedures**

**5.33** No matter what the outcome, support will be provided to either or both parties to ensure, if possible, that relations are repaired sufficiently for everyday work to resume.

**5.34** Possible solutions may include:

- asking the perpetrator to apologise
- providing coaching for either or both parties
- providing training for either or both parties
- providing counselling for either or both parties
- mediation
- moving one party to a different work area
- undertaking disciplinary procedures, which may include informal warning, formal warning and/or dismissal (see chapter 20).

**5.35** Where the behaviour is judged to be malicious, or where one party cannot agree on the resolution, the Deciding Officer may recommend that one party should be moved to a different work area or that the disciplinary procedures be implemented if appropriate to the case. Your HR Adviser must be involved in any action taken following either of the above recommendations.

**Step 4: Appeal**

**5.36** Both parties have the right to appeal the decision. An appeal must be made in writing within ten calendar days of receiving the decision. There are two grounds for appeal:

- that substantial new evidence has come to light
- that the investigation did not follow the House of Commons agreed procedures.

**5.37** Appeals should be made in writing to the Deciding Officer, copied to the Manager of the Diversity and Inclusion team, stating the grounds for appeal in as much detail as possible.

**5.38** A Manager who has not been involved with the investigation and appointed by the Diversity and Inclusion Manager will consider whether there are grounds for appeal and notify all the relevant parties within ten calendar days of the appeal being received.
In the event of the appeal being granted

5.39 In the event of the appeal being granted:

- if substantial new evidence has come to light the investigation will be reopened with the same EHI. They will submit another report, considering the additional evidence, to a different Deciding Officer who has not been previously involved in the case. You will be notified of the result within three calendar weeks, unless unforeseen circumstances prevent it. In this instance, a new timetable will be agreed.
- the decision on whether there has been a breach in procedure will be taken by the Head of HR Operations. If upheld, a new external investigator will be engaged to start a new investigation as part of the appeals procedure. If it is not upheld, the decision made by the original Deciding Officer stands. The Head of HR Operations will write to both parties informing them of the result of the appeal, within ten calendar days of the appeal being submitted.

5.40 If new evidence is brought up outside the appeal deadline of ten calendar days this will be treated as a new complaint.

6. Records

6.1 Relevant and appropriate records of all stages of both internal and external procedures will be maintained confidentially in accordance with the Data Protection Act 1998.

6.2 Official letters are kept on personal files. All other information is kept by HR for a period of six years.

6.3 The Diversity and Inclusion Manager will keep records including:

- preliminary assessment
- external harassment investigator report
- external harassment investigators’ and internal mediators’ evaluations from the parties.

7. If Your Complaint is Against a Member of Parliament

7.1 If you wish to raise a concern about the behaviour of a Member either towards you or another member of staff you should contact one of the departmental complaints officers, known as Nominated Directors, listed below who will be able to advise you on how your complaint will be dealt with and support you through the process using the Respect Policy.
7.2 The purpose of the Respect Policy is to set out the rights and responsibilities of Managers and staff in ensuring that House staff who provide services for Members are able to work in a positive environment, free from unacceptable behaviours such as discrimination, harassment, bullying and victimisation.

7.3 The Management Board is committed to providing a work environment that is fair to all and where everyone is treated with respect and dignity. All staff deserve, and should expect to be treated with, respect for who they are and what they do.

7.4 House staff have an obligation to interact with Members, their staff and each other in a manner which upholds this ethos as set out within the Valuing Others policy. Equally, House staff should expect to be treated with respect and dignity by Members and their staff. This ethos of mutual respect is described in the Members’ Handbook within the ‘Statement on what Members can expect from the House Service and on what is expected in return’.

7.5 The policy aims to ensure that:

- workplace conflict is handled promptly, fairly and effectively
- staff who wish to raise a complaint that relates to a Member’s behaviour or the behaviour of a Member’s staff, are aware of the support available to them
- Managers are fully aware of their responsibilities in supporting staff who wish to raise a complaint
- all parties are clear on the commitment that exists to ensure respect, dignity and inclusion is displayed in all inter-personal interactions.

Respect procedure

7.6 The House takes incidents and accusations of harassment or bullying very seriously. These detailed Respect procedures are set out to ensure fair treatment for all parties and to enable effective working relations while the most appropriate resolution is reached. It details both the range of support available and approved courses of
action for staff who believe they are experiencing those unacceptable behaviours. While employees will be fully supported when they are involved in raising concerns of harassment or bullying, complaints that are found to have been made maliciously will be dealt with under disciplinary proceedings (see chapter 20).

**Dealing with negative behaviours**

7.7 There may be occasions when you believe you are not being treated appropriately at work. In these situations, you need a resolution as quickly as possible to ensure the issue is dealt with and you can continue to work in a positive environment. It is useful to remember that conflicts arise in any workplace situation as individuals are likely to have different opinions and perspectives. Therefore, a useful first step is to consider whether the situation is a case of a normal and acceptable workplace disagreement or whether it is harassment or bullying. Is there truth in what was said even though you feel uncomfortable with it? For example, criticism is acceptable when it is constructive, delivered in private and accompanied by reasonable suggestions for improvement. Has your own behaviour ignited a situation? For example, your own tone of voice may be matched by others. Please read the definitions of harassment and bullying carefully and try to view your situation impartially. Sometimes it is helpful to seek input from others to do this.

**Support and advice**

7.8 If you believe you have been subjected to discrimination, harassment or bullying by a Member or their staff you should be pro-active, seek support and take action as quickly as possible. The Management Board is committed to ensuring that a staff member who has a justified complaint will be fully supported in taking the issue up at the political level. Nominated Directors have been appointed in each department specifically to support the handling of any complaint that involves a Member or their staff. A Senior Responsible Officer has also been appointed to liaise with political parties to ensure complaints are taken seriously and managed effectively. Further details of the roles and responsibilities of these two posts can be found in section below.

7.9 The following internal people are available to help you in confidence:

- **Line Manager**: If you are the complainant, or being accused of, harassment or bullying, your Line Manager can be approached in confidence for advice. They may approach the other party on your behalf, or just act as a sounding board for you. Your Line Manager is often the best person to take these problems to initially, but if you feel it is more appropriate, you can go directly to a Nominated Director. This may be the Nominated Director for your own or of
another department. You may wish to discuss your options with a Harassment Support Officer, Welfare Officer, Trade Union Representative or member of the Diversity and Inclusion team.

- **Harassment Support Officer (HSO):** HSOs are volunteer members of staff who have been specifically trained in working with cases of harassment and bullying. The role of the HSO is to provide a confidential support service to staff who feel they are being harassed or bullied at work. The HSO can suggest ways of dealing with inappropriate behaviours from Members or Members’ staff through:
  - listening to your concerns
  - exploring the issues with you
  - providing information on policies and other sources of help and advice
  - describing possibilities for action
  - discussing ways of resolving the problem.

HSOs will not take issues forward on behalf of staff or represent you, but will help identify and take the action more appropriate to you. HSOs will maintain confidentiality except in extreme cases where physical or mental harm or sexual harassment is reported or a criminal offense is suspected.

For contact details of HSOs, call the Diversity and Inclusion team on ext. 1412 or 2948.

**7.10** The following are also available to offer confidential support and advice:

- **Trade Union Representative:** For Trade Union members, a Trade Union Representative can offer confidential advice on whether or not you have a case that could be defined as harassment or bullying, what they can do to support you and how to proceed. If you are unsure which Trade Union Representative can support you, contact the Trade Union Side Administrator on ext. 5611.

- **Welfare Officer:** The Welfare Officer (WO) can offer confidential support and counselling. You can make an appointment to see a Welfare Officer during working hours or at another mutually convenient time. The Welfare Office may be reached on ext. 4789 or 6542.

- **Heads of HR/HR Business Partner:** The HR Business Partner for your department can provide advice on what kind of complaint you may have and what the best option for addressing it might be in your case.

- **Nominated Director:** Each department has nominated a senior manager to be the point of contact for all complaints relating to the behaviour of Members towards staff. They will review complaints, and if appropriate commission an investigation in conjunction with the Senior Responsible Officer. You may
contact the Nominated Director for your own or of another department. You should contact the Diversity Manager on ext. 1412 for a list of Nominated Directors. More information about how a Nominated Director will be involved in your complaint can be found on the Intranet link listed in 7.11 below.

**Senior Responsible Officer:** The Chief Executive has appointed a Senior Responsible Officer for the respect Policy to raise complaints at the political level. The Senior Responsible Officer will liaise with the Nominated Director for any ongoing investigation.

7.11 More information about the Respect Policy and how to raise a complaint against a Member is on the Intranet at:


7.12 External advice can be sought through:

- **Acas:** Telephone 08457 47 47 47, website: http://www.acas.org.uk
- **Citizens Advice:** 08444 111 444, website: http://www.citizensadvice.org.uk
- **Bullyonline:** website: http://www.bullyoffline.org
- **Equality and Human Rights Commission:** 0845 604 6610, website: http://www.equalityhumanrights.com

**8. Working with Disabilities**

8.1 Staff who have a disability within the meaning of the Equality Act 2010, schedule 6 (see Appendix 2 at the end of this Handbook for the definition) are encouraged to tell their Line Manager and discuss possible adjustments to the job or the workplace. An adjustment to the job might include, for example, providing special equipment or facilities such as a car parking space (if feasible), a personal emergency evacuation plan (PEEP), retraining, transfer to another area of work or adjusting your tasks or working hours. Safety, Health and Wellbeing Service (SHWS) on ext. 4782 and the Diversity and Inclusion team on ext. 2948 can provide further advice and information.

8.2 A Tailored Adjustment Agreement form is available as a tool for employees and their Line Managers to use. It provides a record of adjustments that have been agreed and reviews of their effectiveness. The form, along with further advice on managing disabilities may be obtained from the Diversity and Inclusion team on ext. 2948 and is on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/equality-diversity/managing-disabilities/
8.3 Other useful websites include:

- **Employers’ Forum on Disability**, of which the Houses of Parliament are listed as a member:
  Website: www.employers-forum-co.uk
- **Government Equalities office**: Equality Act 2010: What do I need to know? Disability quick start guide
  Website: http://www.equalities.gov.uk/pdf/401727_EDF_Disability_acc.pdf
- **British Dyslexia Association**
  Website: www.bdadyslexia.org.uk
- **AbilityNet**
  Email: enquiries@abilitynet.org.uk
- **Royal National Institute of Blind People (RNIB)**
  Website: www.rnib.org.uk/technology
- **Action on Hearing Loss** (formerly Royal National Institute for Deaf People)
  Website: www.actiononhearingloss.org.uk
- **Ergonomics Society**
  Website: www.ergonomics.org.uk
- **Mind**
  Website: www.mind.org.uk/4.20.1
- **Access to Work**
  Website: http://www.direct.gov.uk/en/DisabledPeople/Employmentsupport/WorkSchemesAndProgrammes/DG_4000347

8.4 If you have informed your Line Manager that you have a disability that could hinder your escape in an emergency, you will be invited to help develop a personal emergency evacuation plan (PEEP). See chapter 5 for more information about personal emergency evacuation plans.

8.5 Staff who become seriously ill or disabled while working in the employment of the House will be supported by their Managers, together with SHWS, so they can remain in work for as long as it is practicable to do so. More information on rehabilitation following long-term sickness absence can be found in chapter 15.

9. **Caring Responsibilities**

9.1 If you have caring responsibilities please see chapter 13 for advice on what leave you may be entitled to.

**Childcare**

9.2 The Welfare Officer can offer advice and help with finding childcare, whether local to your home or in Westminster. This includes childcare for school age children.
Day nursery

9.3 The House has an on-site nursery, offering day care for up to 40 children aged between three months and five years. It is operated by London Early Years Foundation (LEYF) which has been established for over 100 years and currently runs 19 other nurseries in and around London.

9.4 The House of Commons Nursery is situated on the first floor of 1 Parliament Street in modern, secure facilities with a wide range of resources. It is registered with Ofsted and LEYF staff provide a varied play based curriculum to meet the statutory framework for the Early Years Foundation Stage.

9.5 Members, Members’ staff and employees of the House of Commons and PICT are eligible to request nursery places. Application forms and further information on the salary sacrifice scheme is on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/childcare/house-of-commons-nursery/

Childcare vouchers

9.6 If you have children under five, or children aged five to 12 who require care during the school holidays, you may be entitled to claim childcare vouchers to help with the cost of childcare whether you work on the Parliamentary Estate or at home or any combination of this. Vouchers may also be claimed to cover periods of annual leave (a maximum of 40 days or 45 days for some Library staff). Vouchers are currently worth £8.00 per day. If you have any questions or require further information contact the Child Care Vouchers section, Department of Finance by email: sectionphocstaff@parliament.uk or on ext. 4475.

9.7 More information on joining the childcare voucher scheme is on the Intranet at:

http://intranet.parliament.uk/finances/allowances/childcare-vouchers/

Help with extra childcare costs

9.8 If you go on a training course financed by the House, or you work overtime or extra hours sanctioned by management, you may be able to claim for any extra childcare costs which are incurred as a result. You can make an expense claim via HAIS employee self service. For a quick reference card explaining how to do this please contact an HR Adviser or the Learning and Development Administrator on ext. 5144.
ANNEX 1

Avoiding unlawful discrimination

This annex contains only a brief outline of the law in this area. For more information please consult the Diversity and Inclusion team or see the relevant Act of Parliament.

The Equality Act 2010 harmonised, simplified and strengthened previous anti-discrimination legislation. It received Royal Assent on 8 April 2010 and has had a staged implementation since October 2010.

The main Acts of Parliament which prohibited discrimination and are now harmonised under the Equality Act are:

- Equal Pay Act 1970, as amended, which provides that men and women should receive equal pay for work of equal value
- Sex Discrimination Act 1975 and the Employment Equality (Sex Discrimination) Regulations 2005 which prohibit discrimination on the grounds of sex or marital status, and the Sex Discrimination (Gender Reassignment) Regulations 1999 which prohibit discrimination against a person who intends to undergo, is undergoing, or has in the past undergone gender reassignment
- Race Relations Act 1976 which prohibits discrimination on the grounds of colour, race, nationality, ethnic or national origin
- Disability Discrimination Acts 1995 and 2005 which prohibit discrimination on the grounds of disability
- Rehabilitation of Offenders Act 1974 which prohibits discrimination on the grounds of certain criminal convictions, subject to exceptions, for example, for national security
- Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000
- Employment Equality (Religion or Belief) Regulations 2003
- Employment Equality (Sexual Orientation) Regulations 2003

Sex discrimination

Direct discrimination is the most obvious form of sex discrimination. This occurs where a person is treated less favourably on the grounds of their sex or marital status.

Indirect discrimination is often unconscious or unintentional. It occurs when someone applies a provision, criterion or practice which may not at first seem unfair but has a discriminatory effect. An employer might be found to have discriminated indirectly if they imposed a condition which puts or would put women at a
particular disadvantage compared with men and which the employer cannot show to be a proportionate means of achieving a legitimate aim. For example, a minimum strength requirement might be discriminatory if it was not needed for the job, because it would be harder for women to comply than it would be for men.

**Race discrimination**

*Direct discrimination* occurs where a person is treated less favourably on the grounds of colour, race, nationality or ethnic or national origins.

*Indirect discrimination* is where a provision, criterion or practice is applied equally to everyone but this disadvantages or would disadvantage people of a particular race or ethnic or national origin compared with other people and the employer cannot show the application of the provision, criterion or practice to be a proportionate means of achieving a legitimate aim. Indirect discrimination also occurs where a condition or requirement is applied that people of a particular colour or nationality will find more difficult to comply with than people not of that colour or nationality, which is to their detriment, and the employer cannot justify that requirement or condition. For example, a refusal to accept foreign educational qualifications, even if they were of the same weight as the UK equivalent, might be indirect discrimination.

**Disability discrimination**

The Disability Discrimination Acts 1995 and 2005 protect anyone who has a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities. The condition must be one which has lasted, or is likely to last, at least 12 months or the remainder of the life of the person concerned.

The definition includes:

- fluctuating and progressive conditions
- severe disfigurements

but not, for example, addiction to alcohol or drugs.

Some people with disabilities, such as epilepsy, receive treatment that alleviates or removes the effects of the condition. In assessing whether or not they are disabled within the meaning of the Disability Discrimination Act, the effects of this treatment should be ignored. (NB: the only exception to this rule is people who wear spectacles or contact lenses. In this case, when assessing whether or not they have a disability, the eyesight should be considered while the person is wearing contact lenses or spectacles.)
The 2005 amendments place both general and specific duties to promote disability equality. The general duty requires all public authorities to have due regard to the need to eliminate unlawful discrimination and disability-related harassment, promote equality of opportunity between disabled people and other people, take account of disabled people’s disabilities, even where that involves treating disabled people more favourably than others, promote positive attitudes towards disabled people, and encourage participation by disabled people in public life.

**Direct discrimination** occurs when an employer treats a disabled person less favourably on the ground of their disability.

**Disability-related discrimination** occurs where:

- an employer treats a disabled person less favourably than they treat others for a reason relating to their disability and that treatment is not justified; or
- an employer fails to make a ‘reasonable adjustment’ in relation to a disabled person.

Someone who provides services may be guilty of disability discrimination if they do not make reasonable adjustments for disabled people, and as a result it is impossible or unreasonably difficult for disabled people to use the services.

Service providers must:

- change any policy, procedure or practice that makes it impossible or unreasonably difficult for disabled people to use those services
- provide an auxiliary aid or service if it would enable or make it easier for disabled people to use those services
- provide a reasonable alternative service if some physical feature makes it impossible or unreasonably difficult to use them.

**Discrimination against part-time workers**

The Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 make it illegal for employers to treat part-time workers less favourably than full-time workers, or less favourably than they were treated before they switched to part-time status. The right applies provided that the less favourable treatment is on the ground of part-time status, and provided that it is not justified on objective grounds. Part-time workers who believe that they have been less favourably treated may ask for a written statement giving the reasons for this treatment, and the employer must provide this within 21 days.
**Harassment**

Harassment is unwanted conduct on the grounds of the recipient’s race, ethnic or national origins or on grounds of religion or belief or for a reason relating to the person’s disability, or on the grounds of sex, sexual orientation or unwanted conduct of a sexual nature which has the purpose or effect of violating the recipient’s dignity or of creating an intimidating, hostile, degrading, humiliating or offensive environment for them. For example:

- the exclusion of anyone because of their gender or perceived gender
- sex orientated jibes or abuse
- unwelcome comments about dress or appearance
- the display of pin-ups or pornographic pictures/materials
- the sending of emails containing sexually suggestive material
- unwanted physical contact or demands for sexual favours
- racially derogative remarks or racist jokes
- the display or sending of emails that contain racially offensive written or visual material
- physical threats, assault or abusive behaviour and gestures that relate to race
- the exclusion of anyone because of their race
- ridiculing or demeaning behaviour or exclusion focused at anyone because of their age and experience
- behaviour that condemns, ridicules or excludes anyone because of their sexual preferences
- behaviour which fails to tolerate or acknowledge the rights or needs of anyone with different religious beliefs or practices.

The examples of harassment listed above should not be regarded as exhaustive but merely as examples of behaviour that may be construed as harassment.

**Victimisation**

Victimisation happens when someone is treated less favourably than another person because they have asserted their rights under the Sex Discrimination Act, the Race Relations Act, the Disability Discrimination Act, the Employment Equality (Religion or Belief) Regulations or the Employment Equality (Sexual Orientation) Regulations or because they have acted as a witness in any investigation of a complaint. The House of Commons Service takes a serious view of victimisation and those responsible may face disciplinary action.
CHAPTER 7: Consultation

1. About this Chapter
1.1 This chapter outlines House policy on consultation with the Trade Unions and it explains:

- the House position on Trade Unions
- our consultation procedures.

2. Principles
2.1 The House of Commons currently recognises four Trade Unions:

- for pay bands A – E and the SCS: PCS, Prospect and FDA
- for the Catering & Retail pay bands: PCS and GMB.

2.2 The Trade Unions advise, defend and support their members at work. They also represent their members’ professional and employment interests in discussion and consultation with management.

2.3 The House of Commons considers it to be in your interest to belong to a Trade Union. A Trade Union can represent your point of view on all kinds of questions affecting pay, conditions of service and welfare. Staff are strongly encouraged to join the appropriate Trade Union.

2.4 If you are not sure which Trade Union covers your post or you need any other information related to Trade Union organisation in the House, contact the Trade Union Side Administrator (TUSA) on ext. 5611. Further information is on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/trade-unions/

2.5 The recognised Trade Unions have a right of access to the Commission, not withstanding any delegation of the Commission’s functions, as provided in the House of Commons (Administration) Act 1978.
3. Arrangements

Facilities Agreement

3.1 The Facilities Agreement sets out the arrangements by which management and elected Trade Union Representatives undertake their employee relations duties. It covers time off for Trade Union business and provision to Trade Union Representatives of facilities such as office accommodation, equipment and access to documents. If you are elected as a Trade Union official or if you manage someone who is, you will need to become familiar with this agreement. You may obtain a copy of the Facilities Agreement from your HR Business Partner, your Trade Union Representative or TUSA (on ext. 5611).

Opting out of the political levy

3.2 Staff have the right to opt out of the political levies operated by those recognised Trade Unions which have a political fund. Members of staff pay their Trade Unions subscriptions by deduction direct from their salaries through payroll or by direct debit from bank accounts. You can also make regular payments to the political levy (a payment to the Trade Unions political fund) by either of these methods. The payment to the political levy is likely to be less than the sum of £1 per member per year. Each Trade Union is required by law to have a separate political fund which is used to support campaigning work on behalf of Trade Union members. If you wish to receive more information on the way your Trade Union uses its political fund, you should contact your Trade Union Representative.

3.3 Should you decide that you no longer wish to contribute to the political levy you should notify the membership representative of your Trade Union. They will follow the procedures for the individual Trade Union. That may involve the representative in notifying the Pay team on your behalf. Alternatively, the representative may provide you with a form for you to notify Trade Union headquarters of your wishes.

3.4 Your Trade Union subscription will continue to be collected either directly from your salary or by direct debit in the usual way.

4. Whitley Committees

4.1 Consultations with recognised Trade Unions take place under the umbrella of the House of Commons Whitley Committee. Membership of the main Whitley Committee comprises:

- Management Side:
  — members of Management Board
- Trade Union Side (TUS):
— the President and Vice President of the TUS
— two representatives from each of the recognised unions
— the Trade Union Side Administrator (TUSA)
— a number of specialist representatives who deal with specific subjects, such as the health and safety representative
— all headquarters officers.

4.2 The Clerk of the House chairs the Committee and the secretary is from the Office of the Chief Executive. The President of the Trade Union Side is Vice Chairman of the Whitley Committee.

4.3 The aims of the Whitley system are to:

■ secure co-operation between management and staff with a view to increasing efficiency and ensuring the wellbeing of staff
■ provide a mechanism for consultation, discussion, negotiation and dealing with grievances
■ bring together the experience and points of view of all concerned.

4.4 The Committee does not have a role in pay negotiations. These are negotiated directly between the Trade Unions representing particular groups of staff and the management of the House.

4.5 The main Whitley Committee meets once a year and some of its responsibilities are delegated to the General Purposes Sub-Committee (see paragraphs 4.6 to 4.8 below).

General Purposes Sub-Committee (GPSC)

4.6 The GPSC is made up of:

■ the Business Development Managers of the Commons Service (the PICT Director attends as an observer)
■ the Director General of HR and Change
■ the Trade Union representatives, as for the main Whitley.

4.7 The Director General of HR and Change chairs the Committee, with the President of the Trade Union Side as Vice Chairman.

4.8 The Committee normally meets three times a year. If necessary, special meetings can be called at any time by agreement between the Chairman and Vice Chairman.
Joint Consultative Committees (JCCs)

4.9 There are two other Whitley sub-committees:

- the Catering & Retail Services Joint Consultative Committee deals with the concerns of catering staff in pay bands represented by the GMB and PCS
- the Parliamentary Estates Directorate Joint Consultative Committee looks after the concerns of the craft employees.

4.10 The GPSC and both JCCs provide reports on their activities during the year and these are considered at the annual Whitley Committee meeting.

Health and Safety Committee

4.11 This Committee consists of Departmental Safety Co-ordinators (DSCs), Trade Union Health and Safety Representatives and management representatives.

5. Distribution of Minutes

5.1 Minutes of the meetings of the Whitley Committee, GPSC and JCCs are made available to all staff on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/trade-unions/unions-committees/

5.2 Minutes of the Health and Safety Committee are made available to all staff on the Intranet at:

http://intranet.parliament.uk/people-offices/groups-associations/commons-groups/health-safety-committee/

5.3 Minutes are also available in paper copy from your HR Business Partner.

6. Disputes Procedure

6.1 Management and the Trade Unions recognise the unique position of the House of Commons, and the need to ensure that the business of the House proceeds without interruption. To this end every effort is made to resolve disputes through the Whitley machinery using the Disputes Procedure which is on the Intranet at:


6.2 The Disputes Procedure covers disputes arising out of general conditions of service or the conditions of service of a particular pay band or group of staff, for example, emoluments, weekly hours of work, leave, recruitment, annual reporting
and promotion procedures, disciplinary procedures, retirement policy and facilities for Trade Union Representatives.
PART 2:
WORKING FOR THE HOUSE OF COMMONS SERVICE
Chapter 8:

Career Progression, Recruitment, Changing Jobs by Lateral Transfers and Promotion

1. About this Chapter

1.1 This chapter explains the processes available to the House of Commons to:
- fill vacancies
- move staff around between posts
- re-structure work areas
- develop your career.

1.2 The chapter outlines the process for recruitment to the House, for gaining promotion or transfer to another post within the House and for redeployment following re-structuring and explains:
- what to expect if you apply for a post through concurrent recruitment
- what happens if you become supernumerary following re-structuring
- reappointments
- what to expect when you apply for promotion or transfer
- internal transfers
- what is meant by a temporary promotion and substitution
- Fast Stream graduate entrants.

2. Principles

Recruitment

2.1 Our policy and procedures are aimed at recruiting, transferring and promoting individuals on the basis of suitability for the job. They also aim to ensure consistency across the House and to act as a mechanism for movement between departments.

2.2 Any recruitment to the House Service which offers permanent employment will always be by selection on merit and on the basis of fair and open competition. This means the following principles are applied:
- job opportunities must be known about and published
- selection must be fair and objective at each stage
- those appointed must have the necessary skills and competencies for the job
- the best applicant for the job must be chosen
the House of Commons must be able to demonstrate that it applied the recruitment principles by taking the above steps.

2.3 These principles are in line with those used by the Civil Service. This means existing House of Commons staff recruited to their standards are eligible to apply for vacancies advertised internally within the Civil Service as if they were civil servants, through the Civil Service Gateway, either on level transfer or on promotion.

2.4 When a potential vacancy is identified Line Managers must consider:

- placing staff who have been identified as supernumerary in the role
- staff on the internal transfer list
- advertising the post as a level transfer opportunity or promotion.
- managed moves of existing team or departmental staff at the same level within or between departments.

2.5 All vacancies advertised within the House of Commons are open to staff working part-time or on job share unless there is a sound business reason to the contrary. If you work part-time, or you wish to do so, you may still apply for any full-time vacancy within the House. Your application will be considered on its merits.

2.6 Further details on recruitment and promotion practices are available by contacting the DHRC Recruitment team on ext. 0585 and on the Intranet at: http://intranet.parliament.uk/employment/careers-development/recruitment/

2.7 Guidance is also provided for those sitting on Recruitment and Selection boards on the Intranet at:

http://intranet.parliament.uk/employment/careers-development/managing-recruitment/

Re-structuring – management of supernumerary staff

2.8 Our policy and procedures are aimed at recruiting, transferring and promoting individuals on the basis of suitability for the job. They also aim to ensure consistency across the House and to act as a mechanism for movement between departments.

2.9 The House will endeavour to find suitable alternative employment for employees identified as supernumerary for example, following re-structuring. The House recognises the valuable skills and knowledge held by supernumerary staff, and is committed to supporting them in seeking redeployment. Details of the policy can be found on the Intranet at:

3. **Reappointment**

3.1 If you have previously been employed by the House on a permanent contract and then leave, you can apply to the House for re-appointment. Staff can be re-appointed either by:

- **re-instatement**: coming back to the House of Commons at the same substantive pay band as you held on resignation.
- **re-employment**: coming back to the House at a different substantive pay band to that held on resignation.

3.2 Your application will be considered by the HR Business Partner and will depend on the vacancy situation at the time. However, there is no automatic right to either of the above and each application is considered individually. If your application is refused, you will be notified in writing of the reasons.

4. **Advertising Vacancies**

4.1 If the post is to be advertised as a level transfer or promotion opportunity, the recruiting department, in consultation with the Recruitment team, will complete a Vacancy Notice. This sets out the duties of the post, the criteria required for the role and the closing date for applications. The completed Vacancy Notice is sent to the Trade Unions for comment before it is finalised. It is then circulated through the Intranet or hard copy for those who do not have access to the Intranet. Line Managers of staff who are absent from the office should ensure arrangements are in place for keeping them informed of relevant notices.

**External recruitment**

4.2 A number of posts are advertised externally and this is on the basis of concurrent open competition both inside and outside the House. Selection under concurrent arrangements is on the basis of outright merit, with internal and external candidates competing on a level playing field.

4.3 Many posts in the House at pay bands D and C require similar skills and levels of experience. From time-to-time the House may run generic recruitment campaigns for specific pay bands, normally D and C, where there is an excess of work or high demand for new appointments. These campaigns are run both internally and externally and will be advertised in the normal way on the House of Commons Intranet. These campaigns can allow you an additional means of applying for a transfer or promotion without having to apply for a specific post.
**Internal recruitment**

4.4 Some posts are advertised internally within the House only. You are eligible to apply for one of these posts provided you are a permanent or fixed-term member of staff and have successfully completed your probationary period. Applicants should make a sensible judgement about their capabilities to carry out the duties of the post before completing an application.

5. **Selection Boards for Internal and External Recruitment**

5.1 Most selection boards are made up of three or four people comprising a chair, who is normally two pay bands above the level of the post(s) to be filled, and one or two members who are normally at least one pay band above the level of the vacant post(s). One of these will usually be the Line Manager who has the vacancy. An HR representative will also be present and can be the same band as that of the vacancy. There may be variations for SCS vacancies.

5.2 Members of the selection board are given copies of:

- your application
- guidance notes setting out the procedures
- a completed reference usually from your Line Manager (for internal campaigns only).

5.3 Recruitment and selection for posts usually consists of:

- an initial short-list, or sift, of candidates who will be invited to interview
- a test, or presentation at interview, if appropriate
- a competency based interview, which explores the candidate’s previous experience against the requirements of the post
- for SCS and other key posts psychometric and other forms of testing may also be used.

5.4 Other selection techniques are used from time-to-time and these should be outlined on the Vacancy Notice.

5.5 All members of selection boards must be trained in selection and interviewing. The board conducts a preliminary sift in order to compile a short list of candidates for interview. Those candidates who best fit the criteria for the post as specified in the Vacancy Notice or in the external recruitment will be considered for interview.

5.6 Should the post become vacant again within six months, individuals who have passed the board, but who were not the preferred candidate, can be considered for appointment without being required to sit a further board.
Paper boards
5.7  A paper board means that the candidate is not required to attend for interview. The paper board considers all relevant documentation before it comes to its decision based on this. Paper boards are usually held when there has been only one applicant for a post. The Trade Unions are consulted prior to a paper board taking place.

Selection board reports
5.8  After the interviews, the panel chairperson prepares a report in consultation with the other members of the board. For band A-E and Catering and Retail posts, the report is sent to the relevant Director of Business Management and a copy to the appropriate HR Adviser. For SCS posts the report is sent to the Director General of HR and Change and to the other relevant Director General.

Confidentiality and notifying the candidates
5.9  All proceedings of boards are strictly confidential and those involved are made aware that they should not be discussed with any unauthorised person.

5.10 HR notifies candidates of the result in writing as soon as possible after approval of the board report. Candidates should not be told the result of the board or be given information about their performance until the board report has been approved and the candidates have received official notification.

Following the selection process
5.11 If you would like to discuss your performance at a selection board or if you are unhappy with not being called for interview following the sifting process you can speak to the Recruitment team. They may refer you to the person who chaired the sift or selection board. The discussion is aimed at helping you with future applications.

5.12 If you are unhappy with the outcome of the board or have any complaints about the process you may raise this with your Line Manager under the grievance procedure set out in chapter 21.

6.  Internal Transfers

Level transfer scheme
6.1  The House also recognises that you may wish to initiate a level transfer in order to develop your career. You can do this by registering your request using the level transfer scheme.
6.2 The scheme covers staff in all departments of the House of Commons and PICT on permanent appointments, whether full or part-time and fixed-term staff who have been appointed through fair and open competition, with the exception of staff on probation, temporary staff and staff on casual contracts. Postings can be permanent or short-term placements.

6.3 Generally, it is expected that you will have spent at least two years in your current post before applying for a transfer to another department as well as fully meeting the requirements of your current post and have satisfactory attendance.

6.4 Before considering applying for the internal transfer scheme you should consider what you wish to achieve from the transfer and then discuss it with your Line Manager as part of their PDM discussions.

6.5 A level transfer can help in:
- acquiring skills and knowledge useful in your career
- utilising current skills and knowledge to support a better understanding of the business of the House
- developing networks which would assist you in your current post, or your longer term career goals
- encouraging further cross-department working and understanding as well as gaining new knowledge and skills.

6.6 Internal Transfer Scheme guidelines are on the Intranet at:
http://intranet.parliament.uk/employment/careers-development/career-progression/commons-development/

7. Temporary Promotion

7.1 Temporary promotion occurs when you are asked to carry out the duties and responsibilities of a vacant post in a higher band that cannot be filled substantively in the short term. If you are on temporary promotion you automatically take on all the conditions of service of the higher band.

7.2 In order to be eligible for temporary promotion you must have successfully completed your probationary period. This also applies if you are on a fixed-term or temporary contract.

Selection for temporary promotion

7.3 When choosing candidates for temporary promotion, the emphasis is on immediate suitability for the post rather than seniority. The selection process for temporary promotions varies depending on how long the promotion is expected to last.
If the vacancy is expected to last:

- up to six months: the temporary promotion can be approved by the Departmental Director of Business Management
- more than six months: this requires a full selection board, normally including interviews.

7.4 Where it is necessary to temporarily promote a member of staff to cover for maternity leave the Director of HR Services may approve the temporary appointment for a period of up to 12 months without the need for a selection board. Where the requirement continues past the 12 month period a full selection board will be required. This procedure will also apply to other post movements associated with the maternity leave cover.

7.5 If you are awarded a temporary promotion, you are still able to apply for full or substantive promotion. Your suitability for promotion continues to be assessed against your previous band although your Line Manager also assesses your performance against the higher band, because those are the duties you are carrying out.

8. Substitution

8.1 Substitution happens where a member of staff is absent from work or temporarily covering another post and it is not feasible for the duties to be shared temporarily amongst other members of staff. The person considered most suitable for the job in the short term, regardless of the merits of others in the same pay band, is awarded substitution pay. Substitution usually applies only for short periods and, in any case, must be terminated at the end of three months. If the absence of a member of staff is expected to or continues beyond three months, temporary promotion becomes appropriate and the selection procedures set out above are followed.

9. Pay on Promotion (Substantive, Temporary or Substitution)

The methods for calculating pay on promotion are described in chapter 9.

10. Fast Stream Graduate Entrants

10.1 The Fast Stream Programme is a specialist four-year training programme for graduate entry to Parliament. The new Fast Stream arrangements were introduced from September 2011.

10.2 Fast Stream Trainees (FST) enter the A3/FST pay band normally at the band minimum. At the end of the four years they attend an assessment centre for consideration for promotion to Band A2. If not considered suitable for promotion to Band A2 a transfer to the main stream may be appropriate.
10.3 Fast Stream graduates recruited at pay band A3 prior to September 2011 retain their existing terms and conditions of appointment, including the eligibility to be considered for accelerated promotion.
Chapter 10: Expenses and Travel and Subsistence Costs

1. About this Chapter
1.1 This chapter sets out what you should do, if in the course of your work you incur expenses, such as travel and subsistence, and for which of those expenses the House will reimburse you.

1.2 This chapter explains:
- when you can claim travel and subsistence expenses and incidental costs
- when you may be able to use late night transport service
- when you may be eligible to claim for extra travelling expenses incurred as a result of public transport being disrupted
- the procedure for making a claim for travel and subsistence expenses and incidental costs
- rates for allowances.

2. Principles
2.1 The guiding principle of the Staff Expense Claims Policy is one of reimbursement for expenditure necessarily and actually incurred in order to meet House of Commons’ objectives. Travel and subsistence are not about remuneration. The objective is to ensure staff are compensated for any additional costs arising specifically from the requirement to undertake official travel on behalf of the House.

2.2 The Staff Expense Claims Policy is on the Intranet at:
http://intranet.parliament.uk/Documents/finances/pay/Commons-PICT-staff-pay/Staff-expense-claims-policy.pdf

3. Late Night Transport Service
3.1 Staff of the House are expected to make their own arrangements for travel to and from work. Official journeys are normally made on public transport and use of the late night transport service at the House’s expense is not an entitlement. The House Service will pay for late night transport only for a member of staff to work to a late hour and it is not reasonable for them to use public transport to get home (for more information about the late night transport service please see chapter 4).
3.2 The Late Night Transport Service policy can be found on the Intranet at: http://intranet.parliament.uk/finances/allowances/commons-staff/transport-service/

4. Transport Disruption

General
4.1 See chapter 11 for the policy and procedure on what is expected of you when you face difficulties attending work during severe weather or transport disruption.

Extra travel expenses when public transport is disrupted
4.2 If you incur additional travel costs due to disruption of travel or public transport in an emergency, you may claim any reasonable additional expenses you have incurred in travelling to and from work (such as, additional train or bus fares because you have to travel to an alternative railway station) providing that:

- your journey from home to office is more than four miles
- you do not claim unnecessary or avoidable expenses.

4.3 You should use alternative public transport where possible.

4.4 In exceptional circumstances (for example, if you have a disability or are pregnant) reasonable travelling expenses may be reimbursed if you live less than four miles from work. This is subject to approval from your Line Manager.

4.5 The ‘four mile rule’ also applies to travel from London main line termini to work, in the absence of public transport. You are expected to walk from the terminus to work unless there are exceptional circumstances, in which case your Line Manager has the discretion to reimburse you for your taxi fare.

4.6 If your travel during a period of disruption of public transport is covered by a season (or other) ticket which you use for your journey to and from work, then no claim will be allowed.

4.7 If your travel during a period of disruption of public transport is partially covered by a season (or other) ticket which you use for your journey to and from work, then the portion not covered may be eligible to be claimed.

4.8 When submitting a claim (see section 7 below), you will need to supply the following information:

- receipts or oyster statement
- how and when the excess expenses arose, and
Use of taxis when public transport is disrupted

4.9 If you have been designated as essential, you may, with the prior authority of your Line Manager, take a taxi to or from work, in the following circumstances:

- no alternative public transport or late night transport is available, or
- your health precludes walking the prescribed distances.

4.10 You must produce receipts to support your claim for reimbursement of taxi fares.

4.11 Departments and offices can, if they wish, nominate certain officials to coordinate bookings within their department or office and they can then make bookings with the Admissions Order Office. Your Line Manager should be able to tell you what arrangement there is for making bookings. Such arrangements will not preclude sharing late night transport with staff from other departments.

Car parking arrangements when public transport is disrupted

4.12 If you have a permit for the Palace of Westminster car park, normal parking arrangements apply on a first come, first served basis. Category 6 permit holders (permanent photo identity pass holders on non-sitting Fridays and non-sitting days, if space permits) may park on Fridays and days when the House is not sitting.

4.13 Arrangements for essential staff who have not been issued with a parking permit may be made with the Serjeant at Arms’ Office through your Line Manager. This is subject to the likely availability of space. Details of the Abingdon Street car park is on the following website:

http://www.westminster.gov.uk/carparks/abingdon.cfm

4.14 Essential staff using their own cars who have to use parking space for which charges are levied will be reimbursed the necessary expenditure involved.

4.15 Penalty charges incurred as a result of illegal parking will not be reimbursed.

4.16 Proper receipts or vouchers should accompany claims for reimbursement.

Accommodation and subsistence when public transport is disrupted

4.17 If you are designated as essential staff and cannot make the journey home you may make private arrangements to stay within daily travelling distance. This may include House sponsored sleeping accommodation if agreed by management.
4.18 Claims for reimbursement may be made as follows:

- If your own arrangements are supported by receipts you may claim
  — reimbursement of the actual costs of bed and breakfast
  — the cost of other meals up to the value of £20.50 in a 24-hour period
  — personal or incidental expenses allowance (see Annex A for the current rate)
  — any necessary additional travelling expenses.

- If your own arrangements are not supported by receipts, you may claim
  — the cost of meals up to £20.50 in any 24-hour period
  — personal or incidental expenses allowance (see Annex A for the current rate)
  — any necessary additional travelling expenses.

- If you sleep in House overnight accommodation, you may claim
  — the cost of meals up to £20.50 in any 24-hour period
  — personal or incidental expenses allowance (see Annex A for the current rate).

4.19 Sleeping accommodation for those who wish to stay overnight in House-sponsored accommodation is available on a first come, first served basis. If you require overnight accommodation you should contact the Department of Facilities Service Centre on ext. 4226.

4.20 Further information on House sponsored overnight accommodation is on the Intranet at:

http://intranet.parliament.uk/access-buildings/offices-rooms/overnight-accommodation/

**Staff on regular night duty when public transport is disrupted**

4.21 If you are undertaking regular night duty during a transport emergency and sleep in House-sponsored accommodation or stay elsewhere without returning home in order to attend for duty, you may also claim under the arrangements set out above in paragraphs 4.18 to 4.20, but only if you incur additional expenses (see Annex A for allowance rates).

4.22 Where accommodation is provided as part of your normal work arrangement, you are not eligible to claim expenses or subsistence during a transport emergency.

5. Travel on Official Business Away from the House of Commons

5.1 The House will meet the cost of any travel or other expenses you necessarily incur when undertaking official business, subject to any conditions set out in this Handbook.

5.2 You are responsible for meeting the cost of your daily travel between your home and your permanent place of work.
5.3 Like all types of expenditure, expenses must be agreed in advance by the manager responsible for the budget from which the cost will be paid. By signing off an expense claim, the approver confirms that they authorised the expenditure. Before undertaking any work away from the normal place of business (such as away from the Parliamentary Estate), it is advisable to discuss with the approver the types of cost that may arise and how they will be met and to obtain advance approval in writing (for example by email) if costs greater than £50 are likely to be incurred. In circumstances where the claimant is the budget holding manager, expense claims will be directed to the countersigning manager for approval.

5.4 When undertaking official duties away from the House of Commons, you should use the most efficient and economic means of travel, such as day returns. You should make use of the services of the Travel Office (situated in the Palace of Westminster) where appropriate, when making your travel arrangements.

5.5 If your travel on official duties is covered by a season (or other) ticket which you use for your journey to and from work, then no claim will be allowed.

**Travelling time when on official business away from the House**

5.6 When you travel to the location where official duties are to be carried out, you may claim reimbursement for travelling time in excess of your normal travelling time for home-to-office/office-to-home journeys. No period of time can qualify for both overtime and travelling time payments. To qualify for travelling time you must be in pay band B1 or below.

5.7 The rates at which travelling time are payable are as follows:

- **weekdays:** payment at plain time
- **Saturday:** payment at the rate of time and a half
- **Sunday:** payment at double time.

**Travel by taxi when on official business away from the House**

5.8 You should use the most efficient and economic means of travel while on official business. This is normally taken to mean train or bus travel. Exceptionally, you may use taxis as an alternative form of public transport provided that their use meets the criteria of efficiency and economy in the circumstances and that you produce receipts to support your claim for reimbursement of taxi fares.

**Travel by rail when on official business away from the House**

5.9 All staff must travel using the most cost effective class of travel. This will normally mean travelling standard class, unless when the booking is made a first
class ticket costs less than the cheapest available standard class ticket and this is the cheapest option on that day. In exceptional circumstances (for example, if you have a disability or are pregnant) you may be reimbursed for travelling first class. This is subject to approval from the budget holding manager.

5.10 The House will meet the additional cost of seat reservations.

5.11 When making a claim for rail travel expenses the claim must be supported by tickets and receipts and/or ticket numbers if it is not possible to produce the originals.

5.12 Staff entitled to standard class travel who are required to travel by rail at night and are travelling alone may be allowed to travel first class.

**Travel by other means of public transport when on official business away from the House**

5.13 You are entitled to claim for travelling on official business by other means of public transport, such as by bus. However, you may only claim for journeys other than your normal home to work and return journeys. Claims are not allowed for journeys covered by your season ticket or any other ticket which you use for your usual home-to-work and return journeys.

**Travel by private car when on official business away from the House**

5.14 Where journeys are not possible or are unreasonably difficult by public transport, you will be reimbursed at the standard motor mileage rate (see Annex B), subject to the approval of your Line Manager. Such approval must be obtained before undertaking the journey.

5.15 Staff using their car for their own convenience will be reimbursed at the public transport rate or the maximum equivalent of the cost of the journey by public transport, whichever is the lowest. If your journey entails passing through or around London, you will be entitled to claim mileage from London only.

5.16 Staff who intend to use a car to travel to the place where official duties are to be carried out must comply with certain administrative details. The following rules and conditions will apply to all staff using a car on official business:

- before using a car on official business, approval must be obtained from your Line Manager or other designated person on their behalf
- when first using a car on official business, you must declare in writing that you know and understand the ownership and insurance requirements and that you meet those requirements
motor mileage allowances will be paid only if you hold a comprehensive insurance policy which covers all of the following:

- bodily injury to or death of third parties
- bodily injury to or death of any passenger
- damage to the property of third parties, and
- damage to or loss of the vehicle.

5.17 You must show your Line Manager a copy of an insurance certificate or policy indicating that use of the vehicle in question covers the purposes of your business, trade or profession (whether as policyholder or spouse/partner) and is fully covered by insurance.

5.18 Motor mileage allowances will not be payable unless the vehicle is owned, or hired, by yourself or your partner.

5.19 Claims for motor mileage allowance are limited to a maximum equivalent to the cost of the journey by public transport.

5.20 In addition to motor mileage allowance, a passenger supplement may be paid for each official passenger carried (see Annex B).

Parking when you travel by private car on official business away from the House

Staff using their own car for their own convenience

5.21 Staff using their own car for their own convenience will not be reimbursed for any parking charges, the London congestion charge or any penalty charges incurred as a result of illegal parking.

Staff using their own car where journeys are not possible or are unreasonably difficult by public transport

5.22 Staff using their own cars on official business where journeys are not possible or are unreasonably difficult by public transport and who have to use parking space for which charges are levied will be reimbursed the necessary additional expenditure involved. This also applies to the London congestion charge.

5.23 Proper receipts or vouchers, where issued, should accompany claims for reimbursement.

5.24 Penalty charges incurred as a result of illegal parking will not be reimbursed.
Travel by air when on official business away from the House

5.25 Air travel may be approved in advance when it is better value to do so in terms of cost or official time, or when the urgency of the journey justifies any extra cost.

5.26 Air travel must be booked through the Travel Office to ensure value for money. The Travel Office will:

- select the airline on the basis of cost and convenience
- make full use of discounted fares
- negotiate special arrangements with airlines where significant discounts can be obtained in return for volume of business.

5.27 Staff who travel on official business within the UK should travel economy class.

5.28 Staff travelling on long-haul flights and needing to attend a meeting or conference soon after arrival at their destination may be authorised by their BMD to travel club class.

Travel by sea when on official business away from the House

5.29 Staff who necessarily travel by sea on official business are entitled to travel first class regardless of their band.

5.30 Staff travelling overnight are entitled to sleeping berths at the expense of the House and to claim an overnight subsistence allowance. The current rates are set out at Annex A.

Insurance for staff travelling overseas on official business away from the House

Personal Accident Insurance

5.31 Staff who travel overseas on official business will be covered by the House’s personal accident insurance policy. Details are on the Intranet at:

http://intranet.parliament.uk/finances/insurance/commons-staff-insurance/

Life Insurance

5.32 It is possible that staff working overseas could be charged a higher life insurance or endowment premium than would be charged in the UK. In these circumstances the House has discretion to meet the additional cost.

5.33 The additional premiums on any capital sum which is not more than four times the member of staff’s annual salary will be refunded providing their salary or allowances do not contain an element which compensates them for the factors
leading to the higher insurance cost. Only the excess premiums will be refunded, and only on policies covering a period of 10 years or more.

5.34 This also applies to new policies providing you can demonstrate that competitive estimates have been obtained from other insurers and the premiums charged would be higher than those normally charged in the UK.

5.35 For further information please contact the Insurance Administrator on ext. 5732.

6. Subsistence Payments and Personal or Incidental Expenses Allowance

Subsistence

6.1 The purpose of subsistence payments is to meet the necessary additional costs of food and accommodation incurred by staff when working on official business away from home or Westminster.

6.2 Subsistence arrangements relating to a disruption in public transport are covered separately in paragraphs 4.17 to 4.20.

6.3 There are slightly different arrangements to those below exist for staff travelling with Members on committee visits. Details may be obtained from the Committee Office.

Day subsistence

6.4 You may claim day subsistence allowance when you are on official duty at least five miles from your usual place of work and have had to purchase a meal (or meals) at a greater cost than if you were at your usual place at work. Day subsistence covers periods of absence from the normal place of work of:

- more than five hours
- more than 10 hours
- a balance of more than five hours or more than 10 hours after a complete period of 24 hours attracting night subsistence allowance (see paragraphs 6.12 to 6.17).

6.5 Day subsistence will not be paid:

- concurrently with night subsistence
- when you have claimed the full cost of a main meal (see paragraph 6.14 below)
- when meals are provided free.

6.6 Details of the rates applicable are in Annex A.
Meals on trains during a period qualifying for day subsistence

6.7 You may claim for the full cost of a main meal (a full breakfast, lunch or dinner) which you take on a train during a period qualifying for day subsistence allowance in lieu of payment of day subsistence allowance.

6.8 You should provide receipts or vouchers when making your claim.

6.9 The claim may include:

- VAT
- a gratuity of up to 10% of cost excluding VAT.

6.10 The claim must not include alcoholic beverages.

6.11 The subsistence allowance varies as follows:

- **absence of more than five hours but not more than 10 hours:** one main meal on a train in lieu of payment for the five-hour rate
- **absences of over 10 hours:** one main meal on a train, plus the normal five to 10-hour rate of day subsistence; or two main meals on a train (in both cases in lieu of payment of the 10-hour rate).

Night subsistence

6.12 If you are away from home on official business and have to stay overnight, you will be reimbursed for the actual cost of accommodation and breakfast. Guidelines on the maximum costs that you may be reimbursed for are in Annex C. Wherever possible overnight accommodation should be booked in advance through the Travel Office to ensure the most favourable rates and value for money.

6.13 You may claim a night subsistence allowance for each overnight absence of up to 24 hours. This allowance covers any additional period which does not reckon for day subsistence allowance and is to cover the cost of an evening meal. All overnight stays must have prior approval.

6.14 If you necessarily incur abnormally high expenses on accommodation and meals (for example, because of a heavy demand for local hotel accommodation) you may put forward a claim for more than the maximum guideline cost and normal night subsistence, subject to approval by your Line Manager, obtained in advance and fully justified. All claims must be supported by receipts.

6.15 If you travel by rail and occupy (or could occupy) a sleeping berth you are entitled to claim an overnight subsistence allowance. The current rates are set out at Annex A.
6.16 If your overnight accommodation only is provided free of charge, then you will be entitled to claim an overnight subsistence allowance. The current rates are set out at Annex A.

6.17 Night subsistence will not be paid:
- concurrently with day subsistence
- when you attend a residential training course for which the House meets all the boarding expenses associated with the course
- when you are given bed and board free of charge
- when meals are provided free.

**Personal or incidental expenses allowance**

6.18 If you are away from home on official business and have to stay overnight you may claim:
- out-of-pocket expenses within the limit of the personal or incidental expenses allowance, or
- a personal or incidental expenses allowance.

6.19 The current rates are set out at Annex A.

7. **Making a Claim for Travel and Subsistence Expenses and Additional Expenses**

7.1 The travel and subsistence expenses and additional expenses that you may be eligible to claim are subject to the conditions set out in the sections above. Applicable rates are subject to the conditions set out in the sections above and as set out in Annexes A, B and C.

7.2 You must provide receipts or oyster card statements for all claims, as set out in the sections above.

7.3 If you have access to a computer, you must make claims via HAIS employee self service. If you do not have access to a computer, claim forms can be obtained from your Line Manager. Paper claims from staff who have access to a computer will be rejected.

7.4 Claims should be submitted to the budget holding manager or other designated officer for approval. If you are unsure who this is, please speak with your Line Manager.

7.5 Failure to follow the policies and procedures set out in this Handbook, to
complete the claim process properly or to provide proper receipts may result in a delay
in the payment.

7.6 Failure to comply with the policies or procedures as set out in this Handbook
may be treated as a disciplinary matter. Misuse of the policies or procedures,
falsification of records or fraud will be handled as a disciplinary matter and may lead
to dismissal (see chapter 20).

8. If You Have Queries

8.1 This chapter is not intended to cover every eventuality. If you have queries
concerning the travel and subsistence policy, you should consult the HR Pay and
Policy team on ext. 3761.

8.2 The Staff Expense Claims Policy is on the Intranet at:

http://intranet.parliament.uk/Documents/finances/pay/Commons-PICT-staff-pay/
Staff-expense-claims-policy.pdf

ANNEX A

Subsistence rates

1. Day subsistence allowances
   ■ more than 5 hours all classes: £4.25
   ■ more than 10 hours all classes: £9.30

2. Overnight stays
   The actual cost of bed and breakfast will be reimbursed. Please contact the Travel
   Office for a list of hotels where we are able to obtain preferential rates.

   In addition an allowance will be paid to cover meals:
   ■ inner London: £20.50
   ■ elsewhere: £18.65

3. Personal or incidental expenses allowance
   ■ £5.00 per night
ANNEX B

1. Mileage allowances

There are two rates of mileage allowance:

- the standard rate: There is a rate for the first 10,000 miles in each tax year; and a further (lower) rate for any additional mileage
- the public transport rate: This is payable when the conditions for paying standard rate are not met.

2. Standard rate

<table>
<thead>
<tr>
<th></th>
<th>First 10,000 business miles in the tax year</th>
<th>Each mile over 10,000 miles in the tax year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cars and vans</td>
<td>45p</td>
<td>25p</td>
</tr>
<tr>
<td>Motor cycles</td>
<td>24p</td>
<td>24p</td>
</tr>
<tr>
<td>Bicycles</td>
<td>20p</td>
<td>20p</td>
</tr>
</tbody>
</table>

3. Public transport rate

- 23.8p per mile.

4. Passenger supplement

Journeys attracting standard mileage rate:

- 2.0p per mile for the first passenger carried, plus
- 1.0p for each additional passenger.

Journeys attracting public transport mileage rate:

- 2.0p per mile for the passenger carried, plus
- 1.0p for each additional passenger.

Payment is restricted to the distance which would have been travelled if the passenger’s journey had started and finished at their permanent station, or if less than the distance necessarily travelled.
ANNEX C

**Hotel rates**

UK hotels rates are indicative only.

<table>
<thead>
<tr>
<th>Details</th>
<th>Price Guide</th>
</tr>
</thead>
<tbody>
<tr>
<td>Inner London Rates</td>
<td>£129.70</td>
</tr>
<tr>
<td>Outer London Rates</td>
<td>£80.00</td>
</tr>
</tbody>
</table>

Rates based on FCO rates March 2012.
PART 3: ATTENDANCE
CHAPTER 11: Working Hours and Patterns and Disruption to Travel

1. About this Chapter
1.1 This chapter sets out the general principles for managing attendance in the House of Commons Service.

1.2 This chapter contains information on:
- working hours
- flexible working (which includes statutory and non-statutory flexible working and other working patterns, such as part-time working)
- contractual and occasional home working
- what to do when there is a severe disruption to travel.

2. Introduction
2.1 The number of hours you are required to work are called your net conditioned hours. Attendance is measured either by gross conditioned hours which are 39 per week (including paid breaks) or net conditioned hours which are 34 per week excluding lunch breaks. Part-time hours are calculated on a pro rata basis depending on the terms of your appointment. The hours you are required to work are set out in your letter of appointment. The main types of appointment are set out in chapter 3.

2.2 Overtime may be payable for weekly work in excess of 39 hours (including a paid one-hour lunch break) but overtime hourly rates are calculated by reference to standard gross conditioned hours which are 41 per week. Details on overtime payments are set out in chapter 9.

2.3 In addition to their net conditioned hours, SCS staff are expected to work such additional hours as may from time-to-time be required.

2.4 You should also be aware that there are legal requirements which impact on working hours. These are explained in chapter 5.

3. Flexible Working
3.1 Flexible working is when an employee is allowed to have a more variable schedule as opposed to complying with a standard work schedule. Flexible working should bring benefits to both the individual and the House.
3.2 All staff of the House can apply for flexible working after they have successfully passed their probation period. However, some staff have a statutory right to request flexible working. See section 4 below for information on the flexible working procedures. Information on the flexible working policy may be found on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/flexible-working1/flexible working1/assessing/

3.3 If you would like to change your work pattern, or alter your working hours, your Line Manager will consider favourably any request to do so provided that this does not conflict with the demands of your work or impact negatively on the business or your colleagues. You should follow the flexible working procedures outlined below. Staff should be aware that management may refuse requests where there are long-term issues of performance, discipline or attendance.

3.4 All job vacancies advertised within the House of Commons Service are open to staff who work part-time or job share unless there is a sound business reason to the contrary.

**Flexible working arrangements**

3.5 Flexible working patterns or arrangements may involve:

- a change in the number of hours you work per week
- a change to how your contractual hours fit into a weekly pattern
- a change in your place of work for part or all of the week.

3.6 There are many different flexible working arrangements currently in use. The following are some examples of flexible working arrangements:

- **part-time**: employees who work less than the basic full-time contractual hours for that type of work. (can be part day, part week, part year)
- **flexitime/variable hours**: allows employees to have some flexibility around their working hours and to fit business requirements whether full or part-time.
- **compressed hours**: a system that permits employees to work their total number of contractual hours over fewer working days. Usually a full-time employee will compress a five-day week into four days or a 10-day fortnight into nine days.
- **job share**: employees who work less than the standard full-time hours in the House and share a role with another employee (share the responsibilities of one full-time employee (shared responsibility or divided responsibility)).
- **home working**: employees, whether they are full or part-time, who carry out all or more than half their duties in their own homes on a contractual basis
**working from home:** employees who carry out a proportion of their duties (less than half their full contractual working week) in their own homes either on a contractual or on an ad-hoc non-contractual basis which is agreed with their Line Manager.

**career break:** employees who take an unpaid break of up to five years in their career without leaving the employment of the House and return at the same pay band but not necessarily the same job. See chapter 9 on pay on return from a career break.

**annualised hours:** a system whereby an employee’s contractual working hours are expressed as the total number of hours to be worked over the year, allowing flexible working patterns to be worked throughout this period (usually to fit in with the peaks and troughs of work or personal commitments outside work, such as where an individual wishes to commit to a period of higher education).

**term-time working:** taking unpaid periods of leave during school holidays.

### Absence cover

3.7 Normal arrangements for covering absence apply. However, if you are working a flexible pattern of hours, you may be asked (with reasonable notice) to change these in order to provide cover in the event of prolonged absence of a colleague.

### Working compressed hours

#### Pattern of attendance

3.8 Your working pattern should be agreed with your Line Manager. However, you may, with the agreement of your Line Manager, make ad-hoc adjustments to this pattern.

3.9 Similarly, your Line Manager may require you to make adjustments to your working pattern to meet business requirements, such as changes to sitting patterns or attendance on training programmes. Where this is necessary, your Line Manager will give you reasonable notice.

#### Pay and Pension

3.10 Your pay and pension are unaffected by working compressed hours, providing the total number of hours you work has not changed.

#### Overtime

3.11 If overtime is necessary, the normal rules apply. Please see chapter 9 for further information about overtime.
Part-time work arrangements

3.12 Staff who work part-time will not be treated less favourably than a full-time worker unless this treatment can be objectively justified (such as, it can be shown that it is necessary and appropriate to achieve a legitimate business objective). If you think that you have been treated less favourably you may ask your Line Manager for a written statement giving you the reasons for this treatment. If you do not receive a response or wish to take the matter further please contact your HR Adviser for advice.

Rate of pay

3.13 The amount you will be paid will be based on your net hours of work in relation to the net hours worked by a full-time member of staff. Please see chapter 12 for leave allowances for part-time staff and chapter 9 for payments for working extra hours when you work part-time.

Pension implications

3.14 For pension purposes, your benefits will be calculated using your full-time equivalent rate for pensionable pay and by counting your reckonable service on the basis of the time you actually work. This method allows periods of full-time and part-time service to be added together, and you are not disadvantaged if you move to part-time working in the run up to your retirement. For example, this means that a premium scheme member who works full-time for 10 years followed by half-time for 10 years, will earn 15 years reckonable service towards their pension (10 years for full-time work plus five years for half-time work, all based on full-time equivalent salary). Please see chapter 27 for more information relating to the pension schemes.

4. Requesting a Flexible Working Pattern

Statutory rights

4.1 The Employment Act 2002 gives the right for staff members with 26 weeks’ continuous service, a child under the age of 17 (18 where the child is disabled) and parental responsibility for the child, and carers of certain adults who are in need of care, to request flexible working. As a parent you must be the mother, father, adopter, guardian or foster parent or married to or in a civil partnership with the child’s mother, father, adopter, guardian or foster parent.

4.2 As a carer of an adult, you must be, or expect to be, caring for a spouse, partner, civil partner or relative, or if none of these must be living at the same address as the adult in need of care. A relative for this purpose is mother, father, adopter, guardian, special guardian, parent-in-law, son, son-in-law, daughter, daughter-in-law, brother,
brother-in-law, sister, sister-in-law, uncle, aunt or grandparent. Step-relatives and half-blood relatives are also included.

4.3 You must have been continuously employed by the House of Commons Service for 26 weeks or more and have, or expect to have, responsibility for a child’s upbringing, or care of an adult.

Applications for flexible working

4.4 One application every 12 months may be made under the right. Each year runs from the date the application was made.

4.5 Applications for a statutory right to flexible working must be made on the ‘Statutory Right to Flexible Working’ application form. The form and guidance can be obtained from your HR Adviser and may be found on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/flexible-working1/flexible-working1/templates/

4.6 In the case of a child, the application must be submitted no later than two weeks before the child’s 17th birthday, or 18th birthday in the case of a disabled child.

4.7 If the request involves working from home, you should still complete this form but please ensure that you read this policy in conjunction with the home working policy and guidelines in section 5 below.

4.8 When completing the application form, you should explain what effect (if any) you think the proposed change would have on your department and you must set out the reasons why your proposed working pattern would be compatible with the business needs of the House, as far as you are able to tell. This does not mean you are expected to know every factor that might have an influence, but you should be able to show that you have considered factors likely to have an effect on the performance or delivery of the business of the House. You must include suggestions on how you think any such effect might be addressed.

4.9 Unless your Line Manager is able to grant the requested change immediately, a meeting to discuss your application will be held within 28 calendar days of the date of receipt.

4.10 At the meeting you may, if you wish, have a fellow employee or Trade Union Representative to accompany you to the meeting to discuss your application. Their role is explained as follows:
The Trade Union Representative or fellow employee may:
— put your case
— sum up your case
— respond on your behalf to any view expressed at the meeting
— confer with you during the meeting.

They may not:
— answer questions on your behalf
— address the hearing if you do not wish them to do so
— prevent your employer from explaining their case.

4.11 When discussing the matter with your Line Manager at the meeting, you should be prepared to be flexible. Your Line Manager may ask if there are any other working patterns that you feel you could adopt as an alternative to the one proposed in your application, or they may suggest another start date or the operation of a trial period for the new working pattern.

4.12 A decision will be given within 14 calendar days after the date of the meeting. If your application is refused, an explanation will be given as to why. At the same time you will be informed of your right of appeal (to your Line Manager’s Manager), your right to be accompanied at any further meeting concerning your application by a fellow employee or Trade Union Representative and the procedure that you should follow in order to submit an appeal.

Grounds for refusing a statutory flexible working request

4.13 An application can only be refused on business grounds. If your request has been refused your Line Manager will write to you providing one or more of the business reasons for refusal outlined below, along with an explanation as to why it applies to the circumstances of your case. The grounds on which an application can be refused are:

■ the burden of additional costs
■ the detrimental effect on the department’s ability to meet customer demand
■ an inability to reorganise work among existing staff
■ an inability to recruit additional staff
■ the detrimental impact on quality
■ the detrimental impact on performance
■ an insufficiency of work during the periods that you propose to work
■ planned structural changes.
Appeals under the statutory procedures
4.14 Applicants have the right of appeal to their Line Manager’s Manager against a decision not to agree to a flexible working request made using the statutory procedures.

4.15 Any appeal against a decision not to agree to flexible working must be made on the Statutory Right to Flexible Working appeal form and should be submitted to your Line Manager’s Manager within 14 calendar days of receipt of the written notification of the decision. The form and guidance can be obtained from your HR Adviser and is on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/flexible-working1/flexible-working1/templates/

4.16 The appeal:
- will be heard within 14 calendar days of receipt of the notice of appeal, unless both parties agree otherwise
- will be heard by your Line Manager’s manager. Alternatively, the countersigning manager may delegate the hearing of the appeal to another senior member of staff who was not involved in the consideration of the initial application.

4.17 At the appeal meeting you may be represented by a fellow employee or Trade Union Representative. Please see paragraph 4.10 above for a full explanation of their role at the meeting.

4.18 You will be informed of the outcome of the appeal in writing within 14 calendar days after the date of the hearing. If the appeal is upheld the written decision, which must be dated, will:
- include a description of the new working pattern
- state the date from which the new working pattern will take effect.

4.19 If the appeal is dismissed the written decision, which must be dated, will:
- state the grounds for the decision
- provide an explanation as to why the grounds for refusal apply in the particular circumstances.

Withdrawal of an application for flexible working
4.20 Applications for flexible working will be deemed to have been withdrawn if you:
- notify your Line Manager on the ‘Statutory Right to Flexible Working – Notice of Withdrawal’ form
without reasonable cause, and on more than one occasion, fail to attend a meeting to discuss the application or a meeting to discuss an appeal where the application has been refused

■ without reasonable cause, refuse to provide information necessary in order for your Line Manager or person hearing an appeal to assess whether the contract variation should be agreed to.

4.21 Except where you have provided written notice of the withdrawal of an application, your Line Manager will confirm the withdrawal in writing.

Non-statutory rights
4.22 All staff of the House are eligible to apply for flexible working after they have successfully passed their probation period.

4.23 If you wish to change your working pattern or reduce the number of hours you work, your Line Manager will consider favourably any request to do so provided that this does not conflict with the demands of your work or adversely impact on colleagues.

4.24 Applications for a non-statutory right to flexible working must be made on the ‘Statutory Right to Flexible Working’ application form. The form and guidance can be obtained from your HR Adviser and is on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/flexible-working1/flexible-working1/templates/

4.25 You should put your request in writing to your Line Manager, stating:

■ your preferred working pattern
■ the benefits to your section (if applicable)
■ the effect, if any, on work within your section and how this might be addressed
■ when you would like to start this arrangement if it is agreed.

4.26 However, giving plenty of notice will allow your Line Manager to explore the request thoroughly. Your Line Manager will then have the opportunity to discuss the request with your HR Adviser and make a decision on whether the arrangement will work for you and the team.

4.27 Any agreed request will be granted for a trial period and may be brought to a halt with one week’s notice if there is an emergency at work.

4.28 At the end of the trial period, a meeting will be arranged for you, your Line Manager and your HR Adviser to discuss extending the trial period, making the
arrangement permanent, any changes which may need to be made, or to terminate the arrangements.

4.29 The process for requesting flexible working when you do not have a statutory right follows the same process as for a statutory right request but using the forms available on the intranet using the link above.

4.30 There is no right of appeal in this case. However, if your request is refused you may wish to discuss the matter with your HR Adviser. You may consider raising a grievance using the procedure in chapter 21.

Record keeping of flexible working requests

4.31 HR must keep copies of all applications for flexible working and the responses to those applications on your personal file. Papers relating to appeal hearings will also be retained on your personal file for a period of six years and made available to you on request.

5. Home Working

5.1 Home working is a general term which covers various alternative working patterns in which staff use their home as their main or subsidiary place of work either contractually or on an ad-hoc basis.

5.2 Home working, along with other alternative working arrangements, can benefit employees but it is not an automatic right. It requires careful consideration by both the Line Manager and the employee before an agreement is entered into. Home working is a flexible working arrangement but, because of additional considerations, such as health and safety and security requirements, the policy and procedures are laid out in more detail.

5.3 The following guidelines should be read in conjunction with the flexible working procedures outlined above in section 4. This policy should be read in conjunction with the procedures on safeguarding official information in chapter 23. Please note: You must seek authority from your Line Manager before taking sensitive data away from the Parliamentary Estate. If you are in doubt as to whether data is sensitive always check with your Line Manager before removing it from the Estate.

Regular, contractual, working at home

5.4 This applies when a formal arrangement is in place, approved and authorised by your Line Manager in consultation with the Departmental Director of Business Management, and the HR Adviser where appropriate, as a permanent or time limited variation to the contract of employment where the employee works some
time at home and some time on the Parliamentary Estate. Managers should note that where the employee works three or more days at home, the home is considered the primary workplace and so must comply with the Health & Safety at Work guidelines.

5.5 Long-term, contractual arrangements require significant organisation and maintenance. Managers and Departmental Directors of Business Management must consider the nature of the work, the proposed working arrangements, the qualities and skills of the employee and the impact on the employee’s colleagues.

5.6 Employees must consider the following when considering home working:

- **mortgage and tenancy agreements**: employees planning to work at home must inform anyone with an interest in their property of their intention to work from home. This includes mortgages, contents/building insurers and landlords. The employee should ensure their home is not subject to terms, conditions or covenants which prevent them from working from home.

- **insurance and liability aspects**: the introduction of a home working arrangement could increase the cost of home contents insurance. Employees should check with their insurers before arrangements begin.

- **tax implications**: employees may be able to claim tax relief on ongoing wear and tear and/or additional running costs under Schedule E expense rules. Further advice can be obtained from the tax office (see chapter 9 for contact details for the tax office).

**Reasons for contractual working at home**

5.7 An employee whose work comprises some face-to-face contact with colleagues, Members and/or customers and some time for tasks best carried out in isolation (such as reading, report writing, research) may be based jointly at home and in the office. The agreed split will be stated in their contract.

5.8 An employee whose work can be carried out at home with no face-to-face contact with colleagues, Members and/or customers may be based totally at home but will still be required to attend essential meetings, performance reviews, discussions and learning and development activities as required.

**Suitability of contractual working at home**

5.9 It is not possible to provide a definitive list of occupations suitable for home working. However, research indicates certain job characteristics lend themselves to home-based working. These characteristics include:
a high degree of written work rather than manual work
■ work performed on an individual basis or with clearly defined areas of individual work that has clearly defined objectives and is not subject to sudden changes of priorities
■ work that has clear performance measure indicators
■ work that does not require frequent input from colleagues or Managers
■ work that does not require central paper-based filing systems.

Procedures for contractual working at home
5.10 Regular contractual working from home must be approved by your Line Manager, normally following consultation with an HR Adviser.

5.11 If the request is made under the statutory flexible working procedures, requests must be made on a ‘Statutory Right to Flexible Working’ application form. The form and guidance can be obtained from your HR Adviser and is on the Intranet at:
http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/flexible-working1/flexible-working1/templates/

5.12 Answers to the questions on the request form should demonstrate that you have carefully considered:

■ the differences arising from working from home
■ the impact on working from home on your work, colleagues and the department
■ the date on which you would like to begin home working
■ the period of time you wish this arrangement to continue.

5.13 Your Line Manager or, if necessary, their Manager, will make the decision on whether a request to work from home can be accommodated. All contractual home working arrangements are to be subject to at least a one month trial period and thereafter kept under regular review. In the case of statutory flexible working requests, your Line Manager may choose to agree to an extended trial period of up to six months, in accordance with House of Commons Service standard practice.

Occasional working from home
5.14 Where a member of staff may wish to work from home because they need a quiet, uninterrupted environment or there is an informal agreement that work may be carried out at home from time-to-time, such arrangements do not require formal home working agreement. However, the arrangements must be agreed with the Line Manager. When considering these requests, Line Managers and staff involved must still take into account health and safety and security arrangements.
Reasons for occasional working from home

5.15 You must get the agreement of your Line Manager if you wish to work from home. This should be for one of the following reasons:

- you are completing a particular report/project with a deadline and require an uninterrupted work environment
- you are experiencing occasional difficulties with travel arrangements due to public strikes or adverse weather conditions. Please see section 6 below on what to do when there is severe travel disruption.
- other ad-hoc circumstances at the discretion of your Line Manager.

Suitability of occasional home working

5.16 Managers, in consultation with the HR Advisers, where appropriate, should take into account:

- the requirement that a full day’s work is needed to earn a full day’s pay. Work carried out at home should be completed to the same standard and within the same timescales as that which is carried out in the workplace. Managers should be fully aware of the work that is to be carried out.
- the absolute need to maintain confidentiality and abide by data protection requirements
- the responsibility to safeguard information. See chapter 23 for guidance on the protection of sensitive information away from the Parliamentary Estate
- the need for safe working practices to be in place and checked
- the suitability of the person, their job and their home (circumstances)
- any costs to the House and additional burdens to colleagues.

5.17 Different working arrangements can allow you a greater input into how your working life is arranged. However, you must consider the following when considering making a request as you will be expected to:

- be as flexible as possible in altering working arrangements to meet short-term emergencies or to attend meetings and learning events
- be as flexible as possible in altering working arrangements to meet short-term emergencies or to attend meetings and learning events. If these activities need to be arranged on a ‘home’ day, then this could be exchanged for a workplace day. Journeys made to the Parliamentary Estate cannot be claimed as travelling expenses.
- keep your Line Manager informed of progress against agreed objectives
- allow reasonable access to the home for security and health and safety purposes
- follow normal procedures for reporting accidents/incidents
- follow normal procedures for reporting absence and annual leave as well as
notification of health visits during working hours, for example, doctor, dentist, hospital or antenatal appointments, during working hours

- discuss with your Line Manager and agree equipment, health and safety and security issues, Performance and Development Management (PDM) and other details of the agreement.

5.18 Only in exceptional circumstances and with permission from your Line Manager will you be permitted to work on sensitive restricted Information away from the Parliamentary Estate. See chapter 23 for guidance on the protection of sensitive information away from the Parliamentary Estate.

6. **Severe Travel Disruption Policy**

6.1 This section sets out what is expected of you during periods of severe travel disruption, e.g. severe weather or disruption to local transport.

**General position when public transport is disrupted**

6.2 You are expected to make every reasonable effort to get to work during a transport emergency, such as industrial action or during severe weather, but you should not place yourself or others at risk by doing so.

6.3 The House recognises that this will be difficult for some people depending on circumstances, such as where you live or your state of health. The need to spend extra time travelling and/or stay overnight will be shared as evenly as possible although the attendance of some people is more crucial than others.

6.4 There are some tasks in the House which are essential and must be covered even when getting to and from work is difficult. Your department may establish which tasks are essential and form a rota of people to carry them out. Other Departments may designate certain staff ‘essential’.

6.5 Whatever method is used, the designation of essential staff is likely to vary with the nature and duration of the emergency. If you are uncertain of where you fit in, speak to your Line Manager.

6.6 If your Line Manager is satisfied that you have taken all reasonable steps to reach the office but have been unable to do so, and cannot work from home, they may at their discretion approve your absence on full pay.

6.7 If you are unable to come to work as your child’s school or nursery is closed or your usual carer is unable to get to you and you have no other child carer or caring facility, then you may ask for caring leave. For further details please see the severe travel disruption policy at the Intranet link in paragraph 6.8 below.
6.8 The severe travel disruption policy is on the Intranet at:
http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service-transport-disruption/

6.9 The policy and procedure on reimbursement of travel costs and expenses during several travel disruption can be found in chapter 10.
CHAPTER 12:
Annual Leave

1. About this Chapter
1.1 This chapter has general information about holiday or leave entitlement
1.2 This chapter explains:
- how your annual leave is calculated
- how you might be affected if the House is recalled
- any restrictions on when annual leave can be taken
- public holidays
- how leave is handled if you become ill while on annual leave
- annual leave entitlements when absent from work.

2. Principles
2.1 Your leave entitlement is shown in your letter of appointment. The annual leave year runs from 1 November to 31 October each year. Your leave allowance for each year is recorded on a leave record. The leave record also notes your Line Manager’s authority for you to take that time off. The leave record will state your leave entitlement for the year in question. The electronic leave proforma, it is on the Intranet at:


2.2 The amount of annual leave builds up on a daily basis. When you leave the House, your leave entitlement for that year is calculated on a pro rata basis according to the number of days worked. If you resign before taking all of your leave entitlement to date, you will be paid for these extra days. Similarly, if you have taken more than your entitlement, the pay for the appropriate number of days will be deducted from your final pay.

2.3 Leave should be taken in the leave year it is earned. However, there are some exceptions which are listed in section 3 below. Staff on maternity leave may also carry over some leave (see chapter 14 for more information with regard to maternity leave).

2.4 The precise arrangements for booking leave and any restrictions on the timing of leave vary by business area. Your Line Manager will be able to give you further details of how these operate in your area.
2.5 You should apply for leave from your Line Manager well before you wish to go on holiday since leave has to fit in with the operational requirements of the House. You should also make yourself aware of any specific arrangements for when leave should be taken in your work area.

3. Leave Allowances

3.1 All House of Commons staff have a common leave year starting on 1 November.

Staff in pay bands A to E and catering staff in Catering and Retail Services

3.2 Staff in pay bands A to E and Catering Group staff have annual leave entitlements as listed below. The leave entitlements are calculated on a pro rata basis for part-time staff.

- **on arrival (part year)**: pro rata based on 28 days per year
- **first full year of service**: 28 days
- **second full year of service**: 30 days
- **third full year of service**: 32 days
- **fourth full year of service**: 33 days.

3.3 Your entitlement will then increase by one day per year to a maximum of 40 days’ leave (pro rata for part-time staff). Entitlements for periods of service of less than a year are calculated on a pro rata basis. See section 5 below for the methods of calculation of leave for part-time staff and section 6 for those working compressed hours.

Staff in the Senior Commons Structure (SCS)

3.4 Annual leave for SCS staff appointed from outside the House will be guided by the principles applied to other staff in the House and is at the discretion of the Director General, HR & Change.

Department of Information Services (Library staff)

3.5 Library staff in post prior to 1 November 1999 have reserved rights to accrue annual leave entitlements up to a maximum of 45 days a year. On promotion or transfer to another department, staff with an entitlement to more than 40 days a year will revert to the 40-day maximum.

3.6 Promoted staff (this is not limited to one promotion) may retain, on an unpaid
basis only, any accrued entitlement to leave greater than 40 days. Relevant staff must declare at the time of their promotion whether they wish to exercise this entitlement.

3.7 Thereafter, it should be exercised at the time of promotion. The right to retain unpaid leave continued until 31 October 2004, at which point the post holder’s decision became binding.

**Carry over of leave**

3.8 There is no entitlement to carry forward or be paid for leave untaken in any particular leave year with the following exceptions:

- Staff on long-term sickness absence (see section 9 below)
- Staff on maternity leave (see chapter 14).

**PED staff**

3.9 There is a local agreement in the PED for the carrying forward of some leave at the end of the leave year.

**4. Public Holidays**

4.1 All full-time staff are entitled to the following eight public holidays and any further agreed public holidays in any leave year.

- Christmas Day
- Boxing Day
- New Year’s Day
- Good Friday
- Easter Monday
- May Bank Holiday
- Spring Bank Holiday
- Late Summer Bank Holiday.

4.2 If you have to work on any of these days you will be able to take time off in lieu by agreement with your Line Manager. For staff working compressed hours please see section 6 below.

4.3 Part-time staff entitlement to public holidays is calculated on a pro rata basis based on the number of hours worked in a normal week. If in any leave year the number of public holidays falling on the days when you normally work is either more or less than your pro rata entitlement then you will be asked to work additional days or use your ordinary annual leave entitlement in order to compensate. If you are working part-time hours spread equally over five days you will be entitled to public holidays as for full-time staff.
Other religious holidays

4.4 To take time off for a religious festival other than Christmas or Easter you must arrange this in advance with your Line Manager. Consideration will be given in line with the needs of the House. You should apply for leave well before you wish to take it. If leave is authorised your Line Manager will normally ask you to take these days as part of your annual leave entitlement or to work other days in lieu.

5. Annual Leave Allowances for Part-time Staff

5.1 The definition of a part-time staff is an employee who works less than the basic full-time contractual hours for that type of work (can be part day, part week, part year) (see chapter 11).

5.2 The leave allowance for a part-time employee will normally be calculated in hours (not days). For example, the leave calculation for a part-time employee working five days per week, three of six hours and two of five hours (28 hours net per week) with an annual leave entitlement of 32 days pro rata will be as follows:

\[ \frac{28 \text{ (hours worked per week)}}{34 \text{ (net full-time hours per week)}} \times 32 \text{ (number of days leave entitlement)} \times 6.8 \text{ (hours worked per day for someone working full-time over five days per week)} \]

Total annual leave allowance = 180 hours.

5.3 More information and further examples of calculating leave for part-time staff is on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/annual-leave/

5.4 Part-time staff entitlement to public holidays is calculated on a pro rata basis based on the number of hours worked in a normal week. See paragraph 4.3.

6. Annual Leave Allowance for Staff Working Compressed Hours

6.1 Annual leave entitlements for full-time staff are calculated on the assumption that an employee works five days a week. If you begin working compressed hours but still work full-time weekly hours, your annual leave entitlement does not change but is converted to hours. You are also entitled to eight public holidays (converted to hours) each year if you are working full-time hours.

6.2 Eight days (converted to hours) will be added to your annual leave converted entitlement to cover public holidays. Those hours will be banked to covered public holidays and managed as such. This means that you must ensure that you have sufficient leave to cover public holidays that fall on days you work. When a public holiday falls on a day you would normally work, you must deduct the appropriate
number of hours you would normally work on that day from the amount of leave you have outstanding on your leave record to cover this. When a public holiday falls on day you would not normally work, you do not deduct any hours from your annual leave.

6.3 You are free to take the remainder of your leave by agreement with your Line Manager. You should deduct the number of hours you would normally work each day from the amount of leave you have outstanding for each day’s leave taken.

6.4 The example below shows the reason why your leave is converted to hours. Net hours are your hours of work, not including meal breaks.

Example:

- Two members of staff work in the same type of role, 34 net hours per week with the full annual leave entitlement of 40 days.
- Employee A working 34 net hours per week over five days has to take five days’ annual leave to have one week off. Employee B works compressed hours of 34 net hours per week over four days so would only have to take four days’ annual leave to have one week off.
- If annual leave is not recalculated for employee B, then their annual leave entitlement of 40 days would buy 10 weeks annual leave, as opposed to employee A’s 40 days, which would buy eight weeks.

6.5 The following examples of annual leave calculations for staff working compressed hours are based on an annual entitlement of 40 days of leave and eight public holidays, which equate to 272 hours and 54.4 hours respectively. The calculations should be adapted to take account of your annual leave entitlement. Net hours are your hours of work, not including meal breaks.

- If you work 34 net hours per week, four days per week, the same amount of hours per day:
  — you earn 272 leave hours and 54.4 public holiday hours per year
  — the number of hours needed to take two weeks holiday is 68 hours (34 net hours x two weeks).
- If you work 34 net hours per week, four days of varying length per week:
  — you earn 272 leave hours and 54.4 public holiday hours per year
  — the number of hours needed to take two weeks holiday is 68 hours (34 net hours x two weeks).
- If you work 68 hours net per fortnight (nine days per fortnight):
  — you earn 272 leave hours and 54.5 public holiday hours per year
  — the number of hours needed to take two weeks holiday is 68 hours.
6.6 Once your annual hourly leave entitlement is calculated, rather than deducting a day’s holiday (or a public holiday), you subtract the number of hours that you would have otherwise worked on that day, for example, for 34 hours worked equally over four days, you would take 8.5 hours’ holiday for each day otherwise worked.

6.7 Should your average hours change, for example during recess, you should continue to deduct the hours you usually work in a day outside recess from your annual leave allowance. This is because your allowance has been calculated based on your full working day for the whole leave year.

6.8 If you begin working compressed hours, revert back to working a five-day week or change the number of hours a week you work, you should contact your HR Adviser who will advise on recalculating your leave. You may also contact your Trade Union Representative for advice.

6.9 Maternity, paternity and other leave entitlements are unaffected by compressed hours working arrangements. However, they are based on length of service and the number of hours you work.

6.10 Certain categories of staff have had different methods applied for calculating their annual leave when working compressed hours. This issue is to be resolved in consultation with the Trade Unions.

Examples:

- If you are sick on a Friday which is your normal working day and return to work on a Tuesday which is your next working day, only the Friday will be counted as sick absence.

- If you are sick on a Friday which is your normal working day and your next working day will be the following Tuesday and you are sick on that day also, then Friday, Saturday, Sunday, Monday and Tuesday will be counted as sick absence. Even though Monday is a non-working day for you, it is counted as sick absence because you are sick on both sides of that day.

Managerial responsibility

6.11 If you are the Line Manager of staff who work compressed hours, you are expected to understand fully the principles of compressed hours working and be able to explain these to your staff. You should also ensure that all calculations of annual leave are accurate and that staff are recording their annual leave correctly.
7. **Attendance for Recall of the House**

7.1 Occasionally the House is recalled during a holiday or recess period. If this happens, and you are needed by your department, you will be expected to return to duty. Arrangements for recall of staff vary from department to department. Your HR Business Partner will provide details on request.

7.2 If you are on annual leave and have booked a holiday when the House is recalled, check with your Line Manager whether you will need to cancel or delay your holiday. If this happens, you can claim for any financial losses incurred. Any claim must be authorised by your Head of Department and should include evidence of the loss incurred, such as a letter from a travel company or hotel. A recall of Parliament counts as a normal working day and the usual rules on travel and subsistence expenses apply.

8. **Becoming Ill While on Annual Leave**

8.1 If you are sick during a period of annual leave, this is treated as sickness absence and not annual leave (unless you request otherwise). You must still telephone your Line Manager or other designated contact to report that you are sick and also to let them know when you are fit again. This is to enable the House to keep a proper record of statutory sick pay. You should submit a self certificate or Fit Note from your GP as soon as you can. The day(s) in question will be restored to your leave allowance for the current year, but you will still be subject to the restrictions on carrying leave forward to the next year (see paragraph 9.5 below).

9. **Annual Leave Entitlements when Absent from Work**

9.1 You continue to be entitled to annual leave while you are on sickness absence. The following principles apply:

- you continue to be entitled to contractual annual leave while you are on long-term sickness absence and are on full or half pay
- you are entitled to statutory leave (20 days plus eight days bank holidays per annum), if you are on no pay or sick pay at pension rate
- you are able to take annual leave during sickness absence subject to the agreement of your Line Manager but are not obliged to do so
- your Line Manager can suggest that, in managing and planning your leave, you take some leave during your sickness absence but you are not obliged to do so
- your salary will be adjusted for periods that you are on annual leave during sickness absence
your absence will still be recorded as sickness absence and treated as continuous provided that the period you are on annual leave is immediately preceded and followed by sickness absence.

- you will still be required to provide Fit Notes for the period you are on annual leave but otherwise would have been on sickness absence.

- the usual keep-in-touch arrangements put in place while you are on sickness absence will be suspended for any period you choose to take annual leave.

9.2 With your Line Manager’s agreement you may use outstanding annual leave prior to your return to work. Alternatively, you can take outstanding leave as part of a phased return to work, for example: working shorter days or weeks and taking the remainder as leave. This would be an informal arrangement agreed with your Line Manager in addition to any rehabilitation period formally agreed with Safety, Health and Welfare Service.

9.3 Any period of annual leave taken during sickness absence will continue to count towards limits of sickness absence for unsatisfactory attendance or inefficiency proceedings.

9.4 You will be paid your normal salary for any period of your annual leave entitlement taken during sickness absence. However, your leave days will continue to count towards the sickness absence trigger points for pay and for calculation of your Statutory Sick Pay (SSP) entitlement. Therefore, you will be absent due to sickness and deemed to be on annual leave at the same time. See chapter 15 for more information.

9.5 If it is not possible for you to take any or all of your leave entitlement in the current leave year, you will be able to carry over the statutory minimum amount of annual leave (20 days plus bank holidays), to the following leave year, less any leave that you have already taken.

9.6 There will be no payment for any untaken leave accrued during sickness absence during your employment. If your employment ends you will receive payment in lieu of any accrued but untaken leave in the current leave year. In addition, you will receive payment for any untaken statutory leave accrued due to long-term sickness absence in the previous leave year.
CHAPTER 13:
Special Leave

1. About this Chapter
1.1 This chapter has general information about House of Commons procedures for special leave.
1.2 This chapter explains the circumstances where special leave may be available to you and where special leave will be automatically granted. Examples of circumstances where special leave may be available include:

- the need to provide care for members of your family
- domestic leave
- performance of public duties or voluntary public service
- Trade Union activities
- study leave
- career breaks.

2. Principles
2.1 All staff may request special leave. Special leave may be paid or unpaid. It is authorised by and is at the discretion of your Line Manager and should be entered on your annual leave record. When considering your request for leave your Line Manager will take into account such issues as any untaken annual leave you might have, whether the circumstances justify granting the request and the business needs at the time you have requested the leave.

2.2 Staff should not take leave for personal or professional reasons without prior permission and approval. In the case of an emergency where you have not been able to give prior notice, you should contact your Line Manager as soon as possible on your first day of absence. You are expected to use your annual leave as far as possible for dealing with private matters.

3. Caring Leave
3.1 Caring leave is available to enable you to fulfil your caring responsibilities in cases where your assistance is urgently needed. It is intended to cover short-term emergencies. This means that it is available only to enable you to deal with the initial needs of somebody who depends on you or to make arrangements for their care. If you wish to stay off work longer to provide care yourself, or if you know in advance
that you will need to take time off work, you may be able to arrange this with your Line Manager by taking another form of leave.

3.2 The amount of time which it will be reasonable for staff to take off will depend on the nature of the issue but is usually subject to a maximum of five days per annual leave year (pro rata for part-time staff) although Managers have discretion to authorise more in exceptional cases.

3.3 Examples of the type of situation that caring leave is intended to be used for are set out below:

- to provide assistance if a dependant falls ill, gives birth or is assaulted or injured
- to make arrangements to provide care for a dependant who is ill or injured
- on the death of a dependant or close relative including attendance at the funeral
- to deal with an unexpected disruption in care arrangements
- to deal with an incident involving your child while they are at school
- to attend a medical appointment (including one that is pre-planned) with a dependant. However, as with your own medical appointments, these should be made outside working hours whenever possible.

3.4 For these purposes a dependant may be:

- a spouse or partner
- a child
- a parent
- a close relative
- someone who lives in the same household but is not an employee, tenant, lodger or boarder
- someone who relies on you for care or assistance if they are ill or injured or to make arrangements for their care.

3.5 You will not be penalised in any way for taking caring leave. If you need to take caring leave you must seek permission from your Line Manager as soon as you can. Your Line Manager, or their representative, will be responsible for authorising caring leave if appropriate. Your Line Manager will also arrange for HR to be notified of any caring leave for monitoring purposes.

3.6 Caring leave should be noted on annual leave records and managers should include it on the weekly absence return noting whether it is paid or unpaid.
4. Domestic Leave

4.1 Domestic leave is available to cover emergencies such as burst pipes and other domestic emergencies. It is expected that in most cases one or two days will be sufficient although managers can authorise more in exceptional circumstances. However, further domestic leave will generally be unpaid. Domestic leave should be noted on your leave record in the usual way.

5. Performance of Public Duties

5.1 Staff who become Justices of the Peace (JPs) or who take on other public duties, are entitled to reasonable time off for these duties. The amount of leave allowed, and whether it is paid or unpaid, will depend on how much time is required, how much has already been taken for this purpose and the effect of your absence on the work of your area. If you are considering taking on such responsibilities you should speak to your Line Manager. Line Managers can obtain advice from HR.

5.2 Public duties may include membership of any of the following:

- a local or police authority
- a statutory tribunal
- a NHS trust or health authority
- the governing body of a school or college
- a prison board of visitors.

Members of the auxiliary or reserve forces

5.3 Staff who are members of the auxiliary or reserve forces may be allowed leave to attend training courses or camps. Before volunteering to join these forces you must obtain the written consent of your Head of Department. If you receive a call-up notice, special leave will be granted for the period of your absence. This will usually be unpaid.

Jury service

5.4 You will be granted special paid leave while undertaking jury service. When you receive a call for jury service, you should inform your Line Manager immediately. The normal expectation is that everyone summoned for jury service will serve at the time for which they are summoned. In exceptional circumstances, where the business of the House means that it is not reasonable for you to serve at that time, your Line Manager will ask you to seek a deferral from the jury summoning officer.
Attendance at court as a witness

5.5 You will be granted special paid leave if required to attend court as a witness. You must let your Line Manager know immediately if you receive a notification that you are being called as a witness.

6. Trade Union Activities

6.1 You may be granted leave to carry out specified duties connected with Trade Union or Whitley Committee business (see chapter 7).

7. Study Leave

7.1 If the House of Commons is supporting you to take higher or further education you may be eligible for study leave as follows:

- foundation course – five days per year including exam days
- intermediate and advanced qualification - 10 days per academic year including exam days
- time off to attend evening classes, and special leave with pay for Open University summer schools, pre-examination revision and exams.

7.2 You should give your Line Manager as much notice as possible when booking study leave. Certain qualifications taken as part of professional development within your role may require additional time because of the intensity of the subject. This will be agreed between the Line Manager and the Head of Profession.

7.3 You have the right to request unpaid time off from work for training and study for accredited, recognised training or for specific unaccredited business skills. Requests for unpaid study time should be made to your Line Manager.

8. Career Breaks

8.1 The career break scheme allows you to take a break without leaving the employment of the House and having to start your career again. The primary purpose of a career break is to enable staff to meet family commitments or to undertake further education. For example, you may be granted a career break to provide long-term care for a dependant, to accompany a partner to work in a distant area, to cope with domestic responsibilities or to undertake full-time study.

8.2 There is no automatic right to a career break and the following general principles apply to all staff:

- you are eligible for a career break if you have completed your probation and have a good record for attendance and performance
the scheme is open to everyone regardless of pay band

- career breaks will last for no longer than five years in total. If you arrange to take less time you can ask for an extension up to the maximum allowed, but there is no guarantee that this will be agreed.
- you may have more than one career break but in total you cannot have more than five years in total during your employment
- after your break, you are eligible to return to a job at the same level within your pay band, unless this is not reasonably practicable. However, you will not necessarily return to the same post or to the same department.

**Applying for a career break**

8.3 You must write to your Line Manager giving your reasons for wanting the break and the dates when you want it to start and end. Please apply as early as possible (at least three months’ notice would be helpful wherever possible). The length of the break depends on individual circumstances.

8.4 Although every effort is made to deal with any applications sympathetically, approval depends on House of Commons business needs and the operational needs of your department. In some areas it is difficult to accommodate lengthy absences and no one is entitled to a career break. You will be notified of any reasons for refusal.

**During your career break**

8.5 Individuals on career breaks remain members of staff during their absence and are normally expected to undertake 10 paid days’ Keeping in Touch (KIT) activities a year either as work activity or training. The House of Commons expects staff on career breaks to maintain and update their skills and knowledge but recognises that additional training may be required on their return to work.

8.6 HR will ensure that you are kept informed of developments at work by:

- sending you staff notices
- sending you details of vacancies you can apply for on transfer or promotion
- telling you if the availability of work for your return changes.

8.7 Please ensure that you:

- keep in contact with your department
- tell HR of any changes of address, email address or telephone number
- try to take up any opportunities your department provides for training or work. You may be asked, or apply, to do this for up to 10 days each year.
- give HR at least six months’ notice of your return to work.
8.8 You should not normally undertake paid work for another employer during a career break, but your Line Manager may agree to a request to take on other work in some circumstances and where there will be no conflict of interest.

Effect on your conditions of service

8.9 Time spent on a career break does not count towards reckonable service for the purposes of pay, sick pay, leave or pension entitlement. See chapter 9 for information about pay on return from a career break.

8.10 During your break you:
- will not lose your entitlement to any benefits you have earned in the past, such as a higher leave allowance
- if during your break, you undertake some work or have training at the request of the House, you will be paid and this payment will count towards your reckonable service for your pension
- will remain an employee of the House of Commons Service, and terms and conditions of your employment still apply
- must still observe House rules on conduct and behaviour and the rules relating to outside appointments. For more information please see chapter 18.
- remain a member of the House of Commons pension scheme. As a member of the pension scheme you will still remain eligible for death in service benefits.
- remain eligible for promotion. HR will make arrangements for you to be informed if a suitable vacancy arises.

Returning to work

8.11 You need to give six months’ notice of your date of return. HR will arrange to discuss with you the jobs available, your preferred working pattern, for example full or part-time, and any training needs and your return date. You are encouraged to be as flexible as possible.

8.12 You will return to work in a suitable job at the same pay band, unless this is not reasonably practicable, but not necessarily in the same post or the same department. The House will adhere to the management and redeployment of supernumerary staff procedure in trying to secure a suitable post for you (please see chapter 8). More information is on the Intranet at:

http://intranet.parliament.uk/Documents/intranet/staff-management/assets/Management-Redeployment-Supernumerary-Staff-Procedure.pdf

8.13 If you decide not to return from your career break you should write to the Head of HR Operations.
Career breaks and maternity leave

8.14 If you have a baby during a career break, you are not entitled to maternity leave. However, your career break may be extended for up to one more year, provided that it does not exceed five years in total. Some people choose to take a career break after their maternity leave finishes. For more information on maternity leave please see chapter 14.
CHAPTER 14:
Maternity, Adoption, Paternity, Additional Paternity and Parental Leave and Benefits

1. About this Chapter
1.1 This chapter explains:
- your rights and responsibilities while you are pregnant, and on maternity leave
- details of arrangements for antenatal care, pregnancy-related illness and maternity leave and pay
- your entitlements, including your entitlement to fair treatment, while you are pregnant or on maternity leave
- your entitlement to adoption leave
- your entitlement to paternity leave and additional paternity leave
- your entitlement to parental leave.

2. Maternity Leave
2.1 You will find more details about your rights, responsibilities and entitlements in the booklet ‘Maternity Leave and Pay: a Guide for Employees’ which is available from HR or on the Intranet at:

2.2 In this section, the following definitions are used:
- “childbirth” means either the live birth of a child, or a stillbirth, after a pregnancy lasting 24 weeks or more. If your baby is stillborn after 24 weeks you are still eligible to receive the full normal allowance of paid and unpaid leave and pay as explained below.
- “Expected Week of Childbirth” or “EWC”, is the week, starting on a Sunday, during which your doctor or midwife expect your baby to be born.
- “Qualifying Week” (QW) means the 15th week before the expected week of childbirth.

Notifying the House of Commons Service
2.3 As soon as possible after your pregnancy is confirmed, and no later than the end of the 15th week before your expected week of childbirth (EWC), you must tell your Line Manager, in writing, that you are pregnant and wish to take maternity leave,
the week in which your baby is due, and the date you want your maternity leave to start.

2.4 HR will respond directly to you within 28 days of receiving notification of your pregnancy from your Line Manager. They will ensure you have the Booklet ‘Maternity Leave and Pay: a Guide for Employees’. This booklet includes HOC MAT FORM 1 where you will formally record your intention to take maternity leave. HR will use the information on this form to calculate your leave and pay entitlements.

2.5 You can change your mind about when you would like to take your maternity leave providing this is notified at least 28 days in advance of the new date unless you give birth before your maternity leave was due to start (see paragraph 2.15 below).

**Time off for antenatal care**

2.6 You will receive reasonable time off (with pay) for medical and antenatal appointments and also, for example, for relaxation classes or parent craft classes. You must be prepared to show your Line Manager:

- a certificate to say that you are pregnant. This can come from a registered practitioner, registered midwife or registered health visitor, and
- an appointment card or other details of the appointment. If this is not a medical appointment, you may need to show that the appointment is made on the advice of a medical practitioner, midwife or health visitor (this does not apply for your first appointment).

2.7 Fathers may apply for special leave to attend classes or antenatal appointments.

**A suitable place to rest and express milk**

2.8 When you are pregnant and still at work, and after you return to work if you are breastfeeding, you should be given a suitable place to rest. If you need a place to rest or to express milk ask your Line Manager or HR where the most convenient location for you is. Staff who need to may use the Babycare Room which is situated on the Upper Committee Corridor in the Palace.

**The right not to be subjected to detrimental treatment**

2.9 You have the right not to be victimised, penalised or subjected to any other detriment for taking advantage of your rights in pregnancy childbirth or maternity. You will not be penalised, for example, for a pregnancy-related absence.
2.10 HR will record pregnancy-related absence separately if it is identified as such on the sick certificate or Fit Note. Pregnancy-related absence will not be taken into account when considering absence levels with a view to attendance management action. It is the policy of management, however, to review absences at the 10-day level, and pregnancy-related absence will be included in this, but will be discounted.

2.11 Antenatal appointments will be recorded in the same way as other health appointments. None of these appointments will be counted for the purpose of the 10-day review or when attendance management is being considered.

Entitlement to annual leave while on maternity leave

2.12 You continue to accrue annual leave during maternity leave but cannot take it during your maternity leave. You should take any accrued annual leave either just prior to or immediately following your maternity leave. Any request for annual leave should be made in the usual way.

2.13 If the leave year ends during your maternity leave you will be able to carry over any outstanding leave into the new leave year. However, any leave carried over must be taken immediately at the end of your maternity leave before your return to work.

Maternity leave entitlement

2.14 All pregnant employees, regardless of their length of service, are entitled to Ordinary Maternity Leave (OML) of 26 weeks and Additional Maternity Leave (AML) for a further 26 weeks. Ordinary maternity leave can begin at any time after the start of the 11th week before your expected week of childbirth and will start on whichever date is earlier of:

- your chosen start date
- the day after you give birth
- the day after any day on which you are absent for a pregnancy-related illness in the four weeks before your expected week of childbirth.

2.15 If you give birth before your maternity leave was due to start you must let your Line Manager know as soon as reasonably practicable as your maternity leave and any maternity pay will need to be recalculated.

2.16 The law obliges all employees to take a minimum of two weeks Compulsory Maternity Leave (CML) immediately after the birth of their child.
Maternity pay entitlement (see figure one below)

2.17 The pay you receive during your maternity leave will depend upon your length of service by your Qualifying Week (see paragraph 2.2 above). If you have completed:

- less than 26 weeks’ service by your Qualifying Week, you will not receive any salary, nor will you be eligible to receive any Statutory Maternity Pay (SMP). You may, however, be able to claim Maternity Allowance from Jobcentre Plus. Your HR Adviser will give you a Form SMP1 which you should take to Jobcentre Plus to make your claim.
- more than 26 weeks, but less than one year of service by the Qualifying Week, you will not receive any salary but you will be eligible to receive SMP for the whole of your ordinary maternity leave and for the first 13 weeks of additional maternity leave (39 weeks in all). This will be paid by the Payroll team in the same way as your normal salary.
- at least one year of continuous service by the 11th week before your Expected Week of Childbirth (EWC) you will normally be entitled to full House of Commons maternity pay. This is your full salary (an element of which will be SMP) and will be paid for the whole of your ordinary maternity leave (26 weeks). After this, SMP will continue for the first 13 weeks of your Additional Maternity Leave.

2.18 If your average earnings in the qualifying week are below the Lower Earnings Limit for national insurance contributions (NIC) you will not qualify for SMP but you may be able to claim Maternity Allowance from Jobcentre Plus. The final 13 weeks of additional maternity leave is unpaid.

2.19 The following diagrams show the different maternity leave and pay entitlements:

**Figure One**

<table>
<thead>
<tr>
<th>Staff with less than 26 weeks’ continuous service ending with the Qualifying Week may be entitled to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weeks</td>
</tr>
<tr>
<td>Pay</td>
</tr>
<tr>
<td>Leave</td>
</tr>
</tbody>
</table>
Staff with 26 weeks’ continuous service (but less than one year) ending with the Qualifying Week will normally be entitled to:

<table>
<thead>
<tr>
<th>Weeks</th>
<th>1 - 6</th>
<th>7 – 26</th>
<th>27 - 39</th>
<th>40 - 52</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pay</td>
<td>SMP Higher Rate</td>
<td>SMP Lower Rate</td>
<td>SMP Lower Rate</td>
<td>No Pay</td>
</tr>
<tr>
<td>Leave</td>
<td>Ordinary Maternity Leave *</td>
<td></td>
<td>Additional Maternity Leave</td>
<td></td>
</tr>
</tbody>
</table>

Staff with one year’s continuous service or more by the beginning of the 11th week before the EWC will normally be entitled to:

<table>
<thead>
<tr>
<th>Weeks</th>
<th>1 - 26</th>
<th>27 - 39</th>
<th>40 – 52</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pay</td>
<td>House Of Commons Maternity Pay (Full Pay)</td>
<td>SMP Lower Rate</td>
<td>No Pay</td>
</tr>
<tr>
<td>Leave</td>
<td>Ordinary Maternity Leave *</td>
<td>Additional Maternity Leave</td>
<td></td>
</tr>
</tbody>
</table>

* During OML, the two weeks following the birth of your baby are Compulsory Maternity Leave when you may not return to work.

**Maternity leave and your pension**

2.20 OML counts towards reckonable service for your pension. Any period of AML during which Statutory Maternity Pay or Maternity Allowance is paid counts towards reckonable service for your pension. Unpaid AML (the final 13 weeks) does not count towards reckonable service for your pension but you will still be a member of your chosen House of Commons pension scheme.

2.21 When you are on OML and paid AML, including SMP, you will pay pension contributions based on your actual pay, even if this is less than the salary you would be receiving if you were still at work. The House of Commons, however, will continue to pay employer contributions based on the salary you would be receiving if you were still at work.
Maternity leave and your terms and conditions of service

2.22 While you are on Ordinary Maternity Leave (OML) your terms and conditions of service remain unchanged, except that you will not be working. Your pay will depend mainly on your length of service. You will continue to accrue annual leave at your contractual rate; childcare vouchers and professional subscriptions can still be paid and your service will still count towards your pension.

2.23 During Additional Maternity Leave (AML) the position will change slightly. Some parts of your employment contract will still apply. This includes arrangements for notice and compensation in case of redundancy, and discipline and grievance arrangements (this list is not exhaustive). In addition:

- you must still observe the rules on confidentiality
- you must still observe the rules on the acceptance of gifts
- you must not participate in another business or work for another employer.

2.24 HR will be able to confirm your annual leave entitlement for the period of your maternity leave.

Keeping in Touch (KIT) days

2.25 Except during the first two weeks after childbirth you are encouraged to work for the House of Commons (or attend training) for up to 10 days during either OML or AML without that work bringing the maternity leave to an end and without the loss of SMP (if you are receiving it). There is no obligation for you to work or for the House of Commons to offer work. You will be paid your usual rate for any KIT days worked or training attended.

2.26 More details on KIT days are in the booklet ‘Maternity Leave and Pay: a Guide for Employees’ which is available from HR or on the Intranet at:


Right of return to your job

2.27 After Ordinary Maternity Leave you are entitled to return to the same job on terms and conditions that are no less favourable than those which would have applied if you had not been absent.

2.28 If you take Additional Maternity Leave you are entitled to return to work in the same job on terms and conditions that are no less favourable than would have applied if you had not been absent. If this is not reasonably practicable, you are entitled to
return to another job which is both suitable for you and appropriate for you to do in the circumstances.

**Date of return to work**

2.29 Once HR has been notified of your intention to take maternity leave they will write to you within 28 days stating the date on which they expect you to return to work if you take your full 52-week entitlement to maternity leave. It will be assumed that you are returning to work on the date that is specified in the letter. If you want to return to work earlier then the expected return date then you must give eight weeks’ notice in writing. You cannot return earlier than two weeks following the birth of your child.

2.30 If, on your return to work, you would like to change your working pattern (for example, to part-time hours) you should discuss this with HR as early as possible, preferably two or three months before your return. For more information on working patterns or flexible working see chapter 11.

**No return to work following maternity leave**

2.31 If you decide not to return to work following maternity leave you must give notice of resignation as soon as possible and in accordance with the terms of your contract of employment.

2.32 If you have received full House of Commons maternity pay and you do not return for at least four weeks following maternity leave (OML or AML), you will have to repay the full salary, which you received for 26 weeks, less any Statutory Maternity Pay. This four week period, however, can be covered by accrued annual leave.

3. **Adoption Leave**

3.1 Adoption leave and pay will be available to individuals who adopt, or one member of a couple where a couple adopt jointly (the couple may choose which partner will take adoption leave).

3.2 The partner of an individual who adopts, or the other member of a couple who are adopting jointly, may be entitled to Ordinary and Additional Paternity Leave and pay. Full details are on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/parenting-leave/paternity/
Qualification

3.3 To qualify for adoption leave, you must:
- be newly matched with a child for adoption by an approved adoption agency
- have notified the agency that you agree to the placement and the date of the placement
- have worked continuously for the House of Commons for 26 weeks leading into the week in which you are notified of being matched with a child for adoption (“the matching week”).

3.4 Adoption leave and pay is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner’s children.

3.5 Adoption leave and pay is not available for surrogacy unless there is a formal adoption process.

Length of adoption leave and pay (see figure two below)

3.6 Adopters will be entitled to up to 26 weeks Ordinary Adoption Leave (OAL) followed immediately by up to 26 weeks Additional Adoption Leave (AAL). Any payment for this leave, however, depends on continuous service and average earnings.

3.7 Adopters who have completed at least one year of continuous service leading into the week in which they are matched with a child for adoption will receive:
- 26 weeks’ full contractual pay
- 13 weeks’ statutory adoption pay (SAP)
- 13 weeks’ unpaid leave.

3.8 Adopters who have completed 26 weeks but less than one year of continuous service leading into the week in which they are matched with a child will receive:
- 39 weeks’ statutory adoption pay (SAP)
- 13 weeks’ unpaid leave.

3.9 Adopters who have average weekly earnings below the lower earnings limit (LEL) for National Insurance Contributions (NIC) do not qualify for SAP. Employees in low-income families may be able to seek financial support from their local authorities. Additional financial support may be available through housing benefit, council tax benefit or tax credits. Further information is available from your local Jobcentre Plus office or Social Security office.
3.10 The following table (figure two) shows your entitlement to adoption leave and/or pay according to your continuous service (assuming your earnings are above the lower earnings limit (LEL) for National Insurance Contributions (NIC)).

**Figure Two**

| Staff with less than 26’ weeks continuous service leading into the week in which they are matched for adoption will be entitled to: |
|---|---|---|
| Weeks | 1 - 26 | 27 - 39 | 40 - 52 |
| Pay | NIL (may qualify for other state benefits) | | |
| Leave | NIL (but may apply for another type of unpaid leave) | | |

Staff with 26 weeks’ continuous service (but less than one year) leading into the week in which they are matched for adoption will normally be entitled to:

| Staff with 26’ weeks continuous service (but less than one year) leading into the week in which they are matched for adoption will normally be entitled to: |
|---|---|---|---|
| Weeks | 1 - 6 | 7 – 26 | 27 - 39 | 40 - 52 |
| Pay | SAP Higher Rate | SAP Lower Rate | SAP Lower Rate | No Pay |
| Leave | Ordinary Adoption Leave | | Additional Adoption Leave | |

Staff with one years’ continuous service or more leading into the week in which they are matched for adoption will normally be entitled to:

| Staff with one year’s continuous service or more leading into the week in which they are matched for adoption will normally be entitled to: |
|---|---|---|---|
| Weeks | 1 - 26 | 27 - 39 | 40 - 52 |
| Pay | House Of Commons Adoption Pay (Full Pay) | SAP Lower Rate | No Pay |
| Leave | Ordinary Adoption Leave | Additional Adoption Leave | |

3.11 You can choose to start your leave:

- from the date of the child’s placement (whether this is earlier or later than expected), or
from a fixed date, which can be up to 14 days before the expected date of placement.
leave can start on any day of the week.

3.12 Only one period of leave will be available irrespective of whether more than one child is placed for adoption as part of the same arrangement.

3.13 If the child’s placement ends during the adoption leave period, the adopter will be able to continue adoption leave for up to eight weeks after the end of the placement. This is adoption leave they would otherwise have been entitled to.

Notification
3.14 You will be required to inform your Line Manager of your intention to take adoption leave within seven calendar days of being notified by the adoption agency that you have been matched with a child for adoption, unless this is not reasonably practicable. You will need to tell them:

■ when the child is expected to be placed with you, and
■ when you want your adoption leave to start.

3.15 Your Line Manager will notify HR of your adoption leave plans.

3.16 You are able to change your mind about the date on which you want your leave to start providing you tell your Line Manager at least eight weeks in advance (unless this is not reasonably practicable). Your HR team will have 28 calendar days from receipt of your notification in which to respond.

Matching certificate
3.17 You will have to provide documentary evidence – a ‘matching certificate’ – from the adoption agency as evidence of your entitlement to SAP and adoption leave. You should ask the adoption agency for a matching certificate which will include basic information on matching and the expected placement dates.

Terms and conditions
3.18 While you are on Ordinary Adoption Leave your terms and conditions of service remain unchanged, except for the terms relating to your salary. You will continue to accrue annual leave; childcare vouchers and professional subscriptions can still be paid; your service will still count towards your pension; and you will be entitled to a performance appraisal to cover the period of your paid adoption leave if this might lead to promotion or increased pay.
3.19 After the first 26 weeks, if you are still on adoption leave, then the position will change slightly. Some parts of your employment contract will still apply. This includes arrangements for notice and compensation in case of redundancy, and discipline and grievance arrangements (this list is not exhaustive).

3.20 In addition you must:

- continue to observe the rules on confidentiality
- continue to observe the rules on the acceptance of gifts
- not participate in another business or work for another employer.

3.21 You should also note that:

- Ordinary Adoption Leave (OAL) and any period of paid Additional Adoption Leave (AAL) counts towards your reckonable service for pension
- during any period of unpaid adoption leave you will remain a member of the pension scheme but this service will not be reckonable for pension purposes
- you will continue to accrue annual leave at your contractual rate (pro rata for part-time staff)
- you will be protected from suffering detriment or unfair dismissal for reasons related to taking, or seeking to take, adoption leave. If you believe you have been treated unfairly you have the right to complain to an employment tribunal.

Keeping in Touch (KIT) days

3.22 You may agree to work for up to 10 days during adoption leave without bringing the adoption leave to an end and without losing a week’s Statutory Adoption Pay (SAP). KIT days are a matter of agreement between you and the House of Commons. There is no obligation on the House of Commons to offer or agree to KIT days nor is there any obligation on your part to accept KIT days if they are offered. You will be paid your usual rate for any KIT days worked or training attended.

Right of return to your job

3.23 Once HR have received notification of your requirement to take adoption leave they will write to you within 28 days stating the date on which they expect you to return to work.

3.24 It will be assumed that you will return to work after 52 weeks of adoption leave and you will not have to give any further notice of return to work if you are taking the full entitlement of leave. If, however, you wish to return to work earlier you must give notice of at least eight weeks of the intended date of return.
3.25 After Ordinary Adoption Leave (OAL) (26 weeks) you are entitled to return to the same job on terms and conditions that are no less favourable than those which would have applied if you had not been absent.

3.26 If you take Additional Adoption Leave (AAL) you are entitled to return to work in the same job on terms and conditions that are no less favourable than would have applied if you had not been absent. If this is not reasonably practicable, you are entitled to return to another job which is both suitable and appropriate for you to do in the circumstances.

3.27 If you would like to change your working pattern (for example, to part-time hours) upon your return you should write to your Line Manager as early as possible, preferably two or three months before your return. For more information on working patterns or flexible working see chapter 11.

4. **Ordinary Paternity Leave**

4.1 To qualify for Ordinary Paternity Leave (OPL) you must be the biological father of a child, or the mother’s husband or partner. In case of adoption you must be the spouse or partner of an individual who has adopted a child (or who is one of a couple who have jointly adopted a child).

4.2 Only one period of Ordinary Paternity Leave (OPL) is available per pregnancy, even if more than one child is born as the result of the same pregnancy or if more than one child is placed with an individual or couple for adoption under the same arrangement.

4.3 Ordinary Paternity Leave (OPL) must be completed within 56 days of the actual date of birth of the child or, if the child is born earlier than expected, between the birth and 56 days from the first day of the expected week of birth. In the case of adoption, paternity leave must be completed within 56 days of the child’s placement.

4.4 All fathers are entitled to one week’s paid Ordinary Paternity Leave (OPL), and a parent who is adopting a child may apply for one week’s adoption leave.

4.5 Fathers who have worked continuously for 26 weeks leading into the 15th week before the baby is due are entitled to take two consecutive weeks Ordinary Paternity Leave on full pay. In cases of adoption this will be by the end of the week in which the child’s adopter is notified of being matched with a child. Paternity and adoption leave on full pay count towards your reckonable service for pension.

4.6 Ordinary Paternity Leave cannot be taken as odd days or as two separate weeks. Leave can start on any day of the week but must be completed within 56 days of the baby’s being born or a child’s placement (in adoption cases). The above rights are in addition to caring leave.
Notification

4.7 You will be required to inform your Line Manager of your intention to take paternity leave by the 15th week before the baby is expected. If you are taking paternity leave with regards to adoption you must inform your Line Manager of your intention to take paternity leave within seven days of your being notified by your adoption agency that you have been matched with a child.

4.8 You may change your mind about the date on which you intend to start your paternity leave, so long as you inform your Line Manager of the revised start date at least 28 calendar days before the date in question (or as soon as is reasonably practicable).

Terms and conditions

4.9 You are entitled to benefit from all the normal terms and conditions of employment that would normally apply when not on paternity leave. You have the right not to be victimised, dismissed, selected for redundancy or subjected to any other detriment for exercising their right to paternity leave, or for questioning or challenging their employer’s alleged infringement of that right.

5. Additional Paternity Leave

5.1 Employees can also apply for Additional Paternity Leave (APL). A mother or primary adopter may be able to share a portion of their unused statutory maternity/adoption leave (and, if applicable, unused statutory maternity/adoption pay) with their partner, subject to certain defined conditions.

On birth of the child

5.2 To be eligible for Additional Paternity Leave (APL), you must satisfy each of the following criteria: You must:

- be the father of the child or be married to, or the partner or civil partner of the child’s mother,
- along with the mother or primary adopter, expect to have the main responsibility for the upbringing of the child and be taking the leave to care for the child
- have a minimum of 26 weeks’ service, as at the end of the 15th week before the week in which the child is due to be born
- remain in continuous employment until the week before the first week of additional paternity leave.
5.3 In addition (for Statutory Additional Paternity Pay):

- your average weekly earnings for the period of eight weeks ending with the relevant week are not less than the lower earnings limit for National Insurance Contributions
- the mother of the child must be entitled to statutory maternity pay or maternity allowance
- the mother must have returned to work and forfeited at least two weeks of her statutory maternity pay or maternity allowance period.

**Additional paternity leave on adoption**

5.4 To be eligible for Additional Paternity Leave (APL) in cases of adoption you must satisfy each of the following criteria. You must:

- be either married to, be the partner or the civil partner of the primary adopter
- have been matched with the child for adoption
- be taking the leave to care for the child
- have a minimum of 26 weeks’ service by the end of the 15th week before the week in which you were notified of having been matched with the child (the ‘relevant’ week)
- remain in continuous employment until the week before the first week of Additional Paternity Leave (APL).

5.5 In addition for Statutory Additional Paternity Pay:

- your average weekly earnings for the period of eight weeks ending with the relevant week must not be less than the lower earnings limit for National Insurance Contributions
- the primary adopter must be entitled to one or both of statutory adoption leave or statutory adoption pay
- the primary adopter must have returned to work and forfeited at least two weeks of their adoption pay period.

**Application forms for Additional Paternity Leave**

5.6 If you would like further information or wish to apply for Additional Paternity Leave (APL), please contact HR. Application forms for applying for Additional Paternity Leave (APL) are on the Intranet at:

http://intranet.parliament.uk/Documents/House-of-Commons-HR-Policy/additional-paternity-app.pdf
6. **Parental Leave**

6.1 If you have been in continuous employment either with the House of Commons Service or a previous employer for one year or more you may take parental leave to care for a child. Parental leave will be unpaid, and does not count towards your reckonable service for pension.

6.2 The child concerned must be:

- someone for whom you have legal parental responsibility
- below the age of five
- or if they have a disability, below the age of 18 (disability living allowance or a doctor’s letter will be accepted as proof of disability).

6.3 You may take up to 13 working weeks’ parental leave for each child who meets the above conditions (less the amount of any parental leave which you have already taken to look after that child while working for a previous employer). Line Managers, in consultation with others, for example, countersigning managers, are responsible for authorising and monitoring parental leave and notifying HR.

6.4 If your child is adopted, you can take up to 13 working weeks’ parental leave. This can be until the fifth anniversary of their placement with you or until their 18th birthday, whichever comes first.

6.5 As a general rule parental leave should normally be taken in blocks of one working week or more, unless the child concerned has a disability (see paragraphs 6.6 and 6.8 below), and you should not take more than four weeks of parental leave in one year. However, Line Managers have discretion, if circumstances permit, to allow parental leave to be taken in shorter units or by means of part-time working.

6.6 Line Managers may also allow more than four weeks’ parental leave in one year in respect of children with disabilities.

6.7 Provided you give proper notice (see paragraph 6.9) you may take parental leave straight after a period of paternity leave, caring leave, statutory maternity leave or House of Commons maternity leave, or you may add it to a career break.

**Children with disabilities**

6.8 If your child is entitled to disability living allowance you do not have to take your parental leave before they reach the age of five. You can take parental leave at any time before their 18th birthday, and you can take your parental leave in blocks shorter than one week. Parental leave for children with disabilities is 18 weeks.
Applying for parental leave

6.9 If you wish to take parental leave you should:

- apply to your Line Manager giving at least 21 days’ notice
  - if you are the father of a child and you want to take the leave after paternity leave or straight after your child’s birth, you must apply at least 21 days before the week when you expect the baby to be born
  - if a child is about to be placed with you for adoption, you should give 21 days’ notice of the expected week of the placement unless this is not reasonably practicable
- on request, give your Line Manager evidence that you have/expect to have parental responsibility for the child and also of their age and if relevant, their entitlement to disability living allowance.

6.10 Managers will honour requests for parental leave unless the work of your section or unit would be unduly disrupted. If this is the case your Line Manager may postpone the beginning of your leave for up to six months. They will write to you within seven calendar days to explain why your parental leave will have to be postponed, and to put forward new dates for that leave. (Leave on the birth of your child, or on adoption or placement for adoption, will not be postponed.)

Parental leave for part-time staff

6.11 If you work part-time you will still benefit from parental leave on a pro rata basis. For example, if you work two days per week you will be entitled to 26 days’ parental leave.

Terms and conditions of service during parental leave

6.12 You will not be penalised in any way if you take parental leave. During your parental leave you will still be employed by the House and you will retain your seniority and pension rights. Some parts of your employment contract will still apply. This includes provisions relating to notice and compensation in case of redundancy, and discipline and grievance arrangements (this list is not exhaustive).

6.13 In addition you:

- must still observe the rules on confidentiality
- must still observe the rules on the acceptance of gifts
- must not participate in another business or work for another employer.
Returning from parental leave

6.14 When you return from parental leave you will return to the same job. However, if:

- you are taking parental leave of four weeks or less and
- you have taken parental leave following a period of paternity leave, caring leave, statutory maternity leave or House of Commons maternity leave and
- it is not reasonably practicable for you to return to the same job and
- it would not have been reasonably practicable for you to return to the same job if you had come back to work straight after your House of Commons maternity leave,

then you will return to a job with the same or better pay, terms and conditions.

6.15 If your parental leave has been taken immediately before or immediately after a career break, you will be treated as if you are returning to work after a career break.
1. **About this Chapter**

1.1 This chapter explains:

- the policy of the House of Commons Service on attendance and sickness absence
- what you need to do if you are off work due to ill health
- how sickness absence affects your pay and pension
- your entitlement to annual leave during sickness absence
- your return to work and rehabilitation
- the managing unsatisfactory attendance procedures
- what to expect if your attendance is unsatisfactory.

2. **Introduction**

2.1 Managers in the House will work with the Safety, Health and Wellbeing Service (SHWS) to create a safe and healthy working environment, and to minimise unnecessary absences from work, while supporting those staff who are ill.

2.2 The policy on attendance and sick absence should be seen in the wider context of policies on health, safety and welfare, such as issues relating to working time, stress, smoking and alcohol. Such policies cover not only illness, but also health and safety, injuries at work, risk assessments (to anticipate possible problems), reporting accidents and the taking of remedial action. See chapter 5 for more information on safety, health and wellbeing.

2.3 There are five main elements to the management of attendance procedures:

- reporting absence from work
- monitoring
- action on return to work including rehabilitation
- action in cases of unsatisfactory attendance
- referral to the SHWS.
2.4 You are entitled to sickness absence if:

- you are ill and unable to attend work
- you are ill, and your illness could endanger the health or wellbeing of other people
- you have been exposed to a potentially contagious illness and the Occupational Health Manager (OHM) has recommended that you should stay away from work.

2.5 The final two bullet points are particularly important to staff who work in Catering & Retail. You should follow the guidelines issued during your safety training.

2.6 You should not claim sickness absence if you have to take time off work for urgent family reasons, such as the illness of a child or elderly dependant. Instead you should apply for caring leave from your Line Manager. Some caring leave attracts pay (see chapter 13).

2.7 If you do not follow the procedure for reporting your absence, or you do not supply the appropriate self certificate or fit note to fully cover your absence, your absence (or part of it) may be treated as unauthorised and your Line Manager, with advice from HR, may begin disciplinary action.

**Monitoring**

2.8 Sickness absences are recorded on the HR database. Departmental management will receive regular reports on sickness and absence levels. These reports will:

- help managers and the SHWS to see if patterns of absence are developing and to take action
- be used to monitor the effectiveness of the management of attendance procedures.

2.9 All managers are responsible for promoting a safe and healthy working environment and preventing injury and ill health among their staff, so far as it is within their power to do so.

2.10 Anonymised information will be shared with the Health and Safety Committee as requested, and with the Trade Unions.
3. **Reporting Sickness Absence**

3.1 If you cannot attend work you should telephone your Line Manager or an alternative designated member of your team. If you leave a message, your Line Manager may need to call you back to confirm certain details relating to your absence. Only in exceptional circumstances should someone call on your behalf, for example, if you are too ill to call or are in hospital.

3.2 When you telephone, explain what is wrong and when you expect to return to work. You do not have to disclose the precise nature of your illness at this stage if you wish to keep it confidential. If you are off work for more than two days, you should keep your Line Manager informed of when you expect to return. You should also agree when you will next contact them.

3.3 If your absence is due to an accident at work, an accident report form must be completed. In your absence please ask your Line Manager to do this on your behalf. The accident report form is on the Intranet at:

http://intranet.parliament.uk/employment/health-safety-welfare/safety-at-work/accidents/

3.4 It is your responsibility to make sure that you know the procedures that apply in your department and who to call if you are absent from work. Your Line Manager will explain this to you during your induction and, thereafter, you will be advised of any changes to procedures.

3.5 If you are unsure about any aspect of notification, please ask your Line Manager for advice.

3.6 If you are a home worker or working from home on a particular day and are unable to work due to sickness, you should report your absence and follow the procedures in the same way as if your were in the office.

3.7 If you are working compressed hours and are absent due to illness on a working day, the absence will be recorded as sick leave. If you are sick on a non-working day, the absence will not be recorded unless you are sick both sides of a day(s) you would not normally have worked, in which case your non-working days will be included in the calculation. However, all calendar days in a period of long-term absence will be recorded as sickness absence.

Examples:

- If you are sick on a Friday which is your normal working day and return to work on a Tuesday which is your next working day, only the Friday will be counted as sick absence
If you are sick on a Friday which is your normal working day and your next working day will be the following Tuesday and you are sick on that day also, then Friday, Saturday, Sunday, Monday and Tuesday will be counted as sick absence. Even though Monday is a non-working day for you, it is counted as sick absence because you are sick on both sides of that day.

**Self certificates and fit notes**

3.8 You must produce a self certificate or fit note for all sickness absence of one day or more. If you are absent owing to sickness for half of the working day or more but have come in to work for some of the time, the department may record this but it will not count as a sickness absence. If you are absent for one calendar week or less (seven calendar days or less), a self certificate will be required. You must give this certificate to your Line Manager, who will pass it to HR for monitoring purposes. You may put the sick certificate in a sealed envelope if you do not want your Line Manager to know the precise cause of your absence. A self certificate is on the Intranet at:


3.9 If you are ill for more than a calendar week (more than seven calendar days, including weekends and rest days if appropriate), you must obtain a fit note from your GP. If you are still absent from work after one calendar week you should send in your certificate and/or fit note to your Line Manager, or designated manager, as soon as possible (the certificate and/or fit note must cover the whole period of sick absence).

3.10 If your illness is pregnancy related, make sure this is noted on the certificate or fit note.

**Sickness during annual leave and recesses**

3.11 The above procedures also apply during recesses and in periods when you are not required to attend for work. You must still contact your Line Manager to report that you are sick, and to let them know when you are fit again. This is to enable the House to keep a proper record of statutory sick pay. You should submit a self certificate or fit note as soon as you can. If you are in a place where telephoning is not practicable, you should notify your Line Manager of your illness as soon as you can.

3.12 Staff who fall ill while on annual leave and who wish the period of their illness to be treated as sick leave will have their annual leave adjusted to take account of their sickness absence, provided it is covered by a self certificate or fit note.
**Health appointments**

3.13 If you have to make a health appointment, such as doctor, dentist, hospital, or antenatal appointment, these should normally be made outside working hours. If this is not possible you should try and make them for the beginning or end of the working day and tell your Line Manager beforehand. They may ask to see an appointment card or letter. You do not have to disclose what the appointment is for. Such appointments will not be regarded as sickness absence for monitoring purposes, nor will you be asked to make up the time for these appointments.

**4. Pregnancy Related Illness**

4.1 If, while you are pregnant or are a new mother, you find that your health is suffering or being adversely affected by your work, you may contact the SHWS or ask to be referred by your Line Manager. You must also follow the advice in chapter 5 relating to risk assessments.

4.2 If you are absent with a pregnancy related illness within the four calendar weeks prior to your expected date of childbirth (EDC), your maternity leave will begin on your first day of absence, even if you are sick for only one day. Please see chapter 14 for more information on maternity leave.

4.3 Absences for pregnancy related illness will be recorded to aid monitoring, but no member of staff will suffer a detriment as a result of a pregnancy related illness. It will not be taken into account when calculating the point at which pay would normally need to be reduced, or for possible action under the managing attendance procedures.

4.4 However, where attendance is giving the Line Manager cause for concern and the cause is pregnancy related illness, staff should be referred in the usual way to the SHWS for advice: after a total of 10 working days taken as sick absence in the last 12 month or five periods of sick absence in the last 12 months. Managers should provide help and assistance, but no warnings should be issued. Managers are advised to seek advice from HR in these cases.

**5. Long-term Sickness Absences**

5.1 Managers are responsible for keeping in touch with absent staff. In general, they should make contact at least every two weeks with staff on long-term sickness absence. This does not apply for any periods you are on annual leave while on long-term sickness absence (see paragraph 5.3).

5.2 In difficult or sensitive cases the Occupational Health Manager (OHM) or Welfare Officer may be asked to make the first contact with you and to advise on
future contacts. Each time your Line Manager speaks to or corresponds with you while you are absent, they should arrange how and when they will next make contact. If you do not want to disclose the nature of your illness or its progress to your Line Manager, you can communicate this information to your HR Adviser or OHM in confidence.

Annual leave entitlements when absent from work

5.3 You continue to be entitled to take accrued annual leave while you are on long-term sickness absence. More information is in chapter 12 and on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/annual-leave/annual-leave-while-on-sickness-absence/

6. Returning to Work

Return to work interviews

6.1 On your return to work following any sickness absence you should contact your Line Manager, or other designated manager, to let them know of your return. They will speak to you about your absence in a return to work interview. If you have not done so already, you must produce your self certificate or fit note(s). Your Line Manager will then forward the certificate or fit note(s) to HR. You may put the sick certificate or fit note(s) in a sealed envelope if you do not want the person interviewing you to see the cause of your absence.

6.2 The return to work interview will normally be an informal and friendly chat. Its purpose is to:

- show that your absence has been noted
- make sure a certificate or fit note for your absence is sent to HR
- allow your Line Manager to satisfy themselves that you have recovered
- allow you to discuss any reasons other than sickness that may have contributed to your absence. The other reasons may include personal or domestic problems, adverse working conditions or harassment, discrimination or bullying by others.
- allow you and your Line Manager to consider whether any action is needed, such as changes to working conditions
- bring you up to date on developments during your absence.

6.3 It is not normally necessary to take a note of the return to work interview if the absence was brief. Your Line Manager should sign your self-certification form to confirm that they are satisfied with the explanation you have provided for your absence from work on the dates specified and that they authorise your absence.
to be treated as sickness absence. They will also be assessing, to the best of their
knowledge, that you are fit to return to work and that they have updated you on work
developments. If you have sealed your self certificate or fit note in an envelope, your
Line Manager should attach written confirmation of that fact before sending it to
HR.

6.4 If a return to work interview form is completed you are entitled to a copy if you
want one. Your Line Manager must keep the completed form securely as it is likely to
contain information about your health. The template return to work interview form is
on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/conduct-discipline/
managing/returning-interviews/

6.5 In certain circumstances your line manager may decide that the return to work
interview shall be more formal. You and your Line Manager may agree a course of
action which will be recorded. A copy of the action plan will be given to you. If your
Line Manager is concerned about your health or about your absence, they may ask for
further advice from the Occupational Health Manager or Welfare Officer.

6.6 If your Line Manager is absent for any reason, another manager may hold the
return to work interview and may carry out other duties associated with managing
absence. If no appropriate manager is available then an HR representative may
undertake these duties.

**Formal rehabilitation measures**

6.7 The aim of formal rehabilitation measures is to help you gradually return to
work. As part of a rehabilitation programme rehabilitation absence will be considered
by management if for example:

- you have a disability
- you are recovering from a serious illness or operation
- it is appropriate in order to prevent a diagnosed condition becoming worse.

6.8 Any rehabilitation programme will be agreed between yourself, SHWS and
your Line Manager, in consultation with HR, before confirming arrangements. All
of these parties will be involved in the implementation and review of the programme.
It will be set out in writing and the written agreement will cover the specific
length and scope of the programme and the status of any absences from work.
Rehabilitation programmes will not normally be authorised for longer 90 calendar
days in total.
6.9 Rehabilitation absences will be paid and will cover the following when they are part of a rehabilitation programme, designed to help you return to a normal working pattern:

- working fewer hours or a shortened working week (effectively part-time working or job sharing), and/or
- taking time off during the working day, for example for rest breaks or physiotherapy.

6.10 You may also benefit from altered duties while your job is adapted.

6.11 Rehabilitation absences will be paid when they are part of a formal rehabilitation programme.

7. Staff with a Disability

7.1 The House of Commons Service will support members of staff with disabilities and help them to remain in work so far as it is practicable to do so. Under the Equality Act 2010, a person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out day-to-day activities. By long-term the Act means that the condition has lasted, or is expected to last, more than a year or for the rest of the person’s life. SHWS can advise further on whether particular conditions are likely to amount to disabilities within the meaning of the Act.

7.2 Line Managers should still employ the procedures for managing attendance problems in order to improve the attendance of staff with a disability, particularly if absence reaches the point where it places a serious burden upon colleagues or results in a serious reduction in service levels. However, Line Managers must seek advice from the Diversity and Inclusion team before considering action under the managing attendance procedures against a member of staff who has a disability.

7.3 Line Managers may also consider, together with the member of staff concerned and HR, and with specialist advice as necessary, whether reasonable adjustments to the job would alleviate the effects of the disability. Possible adjustments might include changes to duties or hours of work, or some home-working. The tailored adjustment pro forma is on the Intranet at:

http://intranet.parliament.uk/employment/house-of-commons/equality-diversity/disability/
8. **Action in Cases of Unsatisfactory Attendance**

8.1 If your attendance gives cause for concern your Line Manager will normally discuss with you what can be done to improve the situation before considering further action. Absence for medical or antenatal appointments will not be taken into account when absence levels are assessed.

8.2 As a rough guide, Line Managers should review your pattern of sick absence and consider whether management action, including referral to the SHWS, is necessary if you have had:

- a total of 10 working days taken as sick absence in the last 12 months, or
- five periods of sick absence in the last 12 months, whether self certificated or covered by a fit note.

8.3 The point at which part-time staff should be considered for referral to the SHWS or for other management action should be applied on a pro rata basis.

8.4 It is possible that no action will be needed if, for example, your Line Manager is aware that the reason for the absence is a single bout of illness, an operation or a minor accident, and long-term consequences are unlikely.

8.5 However, if following a discussion with you to establish the reasons for your absences, your Line Manager remains concerned about your absence levels, they can consider the following options:

- referral to the SHWS if medical advice is needed or there appears to be a welfare problem affecting your attendance
- management action, for example, to change working conditions
- instigation of the managing unsatisfactory attendance procedures.

**Referrals to SHWS**

8.6 Line Managers are free to refer you to the SHWS at any time, for instance, if they become aware that your attendance has deteriorated or you seem to have suffered a deterioration in your health. Managers should not wait for reminders from HR.

8.7 Line Managers must refer you to the SHWS if they become aware or receive a fit note or medical evidence that indicates that you:

- are suffering from stress, depression or fatigue
- have a work-related injury or condition
- have been off work for four consecutive calendar weeks or more
- are in hospital.
8.8 To refer you to the SHWS your line manager must complete the referral form which is on the Intranet at:
http://intranet.parliament.uk/employment/house-of-commons/conditions-of-service/sickness-absence/ohsws-referrals/

8.9 You need to provide written consent for a management referral.

8.10 Work-related injuries or conditions must also be reported to the Departmental Safety Coordinator (DSC). See chapter 5 for further guidance.

8.11 You may refer yourself to SHWS. They are able to talk to you in confidence if you so wish. You should inform your Line Manager of the appointment, just as you would for any medical appointment. You need not, however, inform your line manager of the reason for the visit.

8.12 Under the Access to Medical Reports Act 1988, you have the right to see reports provided to the SHWS, for example, by doctors and specialists and by the SHWS to management.

**Reductions in pay**

8.13 Staff who have had lengthy absences will have their pay reduced as follows:

<table>
<thead>
<tr>
<th>Absence level</th>
<th>Action needed</th>
</tr>
</thead>
<tbody>
<tr>
<td>A total of 91 calendar days’ absence in one year</td>
<td>Allowances for additional duties to be withdrawn</td>
</tr>
<tr>
<td>A total of 182 calendar days’ absence in one year</td>
<td>Pay to be reduced to half rate</td>
</tr>
<tr>
<td>A total of 365 calendar days’ absence in four years</td>
<td>Pay to be reduced to sick pay at pension rate (that is what you would have received from your pension if you had retired at this point on ill health grounds)</td>
</tr>
</tbody>
</table>

8.14 HR will inform staff when these points are reached. This calculation is done automatically by the HAIS system. It is, therefore, imperative that you provide self certificates or fit notes as required without delay to avoid premature reduction of your pay.

8.15 Pay may be withheld for unauthorised absences of whatever length after a disciplinary hearing if a charge of unauthorised absence is upheld (see paragraph 2.7).

8.16 See chapter 5 for more information about pay and about claiming for loss of earnings as the result of an accident/incident sustained outside work.

8.17 For full-time staff working a standard working week (Monday to Friday) the following applies:
When calculating the period of absence, weekends which fall between days of absence will be counted. For example, if someone is off sick on a Friday and a Monday then the weekend will be counted as absence. On the other hand, weekends which fall immediately before or after a period of absence will not be counted. For example, if someone begins their sickness absence on a Monday or finishes it on a Friday.

8.18 For staff working non-standard working hours the same arrangements as noted in paragraph 8.17 will apply for standard non-working days, whenever they fall.

9. Managing Unsatisfactory Attendance

Overview

9.1 Any action taken using the following procedures should be with the aim of improving attendance. The actions are generally as listed below and should be read in conjunction with this section and sections 10 to 14:

Informal action:
- identifying the problem and working towards improved attendance
- this is an informal discussion with a note of the meeting but the note is not placed on your personal file
- if sufficient improvement is shown after a reasonable time, then no further action is required.

First formal action:
- giving formal written warning and first trial period if there has been no or insufficient improvement
- includes the right to appeal
- a record is placed on your personal file
- if sufficient improvement is shown after the trial period, then no further action is required.

Final formal action:
- includes final warning and final trial period if there has still been no or insufficient improvement
- includes the right to appeal
- a record is placed on your personal file
- if sufficient improvement is shown after the trial period, then no further action is required.
final action including dismissal
- includes dismissal or other actions, for example, move to another post or to a lower pay band, if there has still been no or insufficient improvement
- includes the right to appeal
- a record is placed on your personal file

appeal against any formal action including dismissal
- you have a right to an internal appeal against any formal action
- if you are dismissed, in addition to your right to an internal appeal against that decision, you may also be able to bring a claim before the Employment Tribunal regarding your dismissal.

9.2 In most cases, it is expected that improved supervision, guidance, counselling, coaching or training at an early stage will be enough to correct problems, and only rarely will further action be needed. Line Managers will provide help and support before resorting to formal action as indicated below and will seek the advice of:

- the Occupational Health Manager and/or the Welfare Officer if you have indicated that your health or other related issues are affecting your attendance
- the Diversity and Inclusion team if you have a disability and have indicated that your absences are related to the disability
- the Occupational Health Manager if you are pregnant.

Right to be accompanied at formal meetings
9.3 Line Managers should note that members of staff have the right to be accompanied by a Trade Union Representative or fellow employee of the House of Commons during paid working hours for any interview or hearing which forms part of the formal procedures for managing attendance.

Role of the Trade Union Representative or fellow employee
9.4 If you wish a Trade Union Representative or fellow employee to attend a formal interview with you, they may:

- put your case
- sum up your case
- respond on your behalf to any view expressed at the hearing
- confer with you during the hearing.

They may not:

- answer questions on your behalf
- address the hearing if you do not wish them to do so
- prevent your employer from explaining their case.
Right of appeal

9.5 You have the right to appeal any formal actions taken to manage problems with your attendance. Any appeal will not delay any trial period starting but the trial period end depends on the outcome of the appeal.

Staff on probation

9.6 In order to complete the probation period satisfactorily you must demonstrate you are capable of meeting the requirements of the post to which you have been recruited. This includes demonstrating satisfactory attendance. If your attendance record during probation is unsatisfactory your appointment is unlikely to be confirmed.

9.7 Staff whose attendance gives cause for concern and who are still serving their probationary period will generally be taken through these procedures. Any measures taken should be completed before the end of the probation period. Trial periods may, therefore, be reduced or steps omitted from the process at the Line Manager’s discretion, in consultation with HR, in order to take this into account.

9.8 If appropriate, your Line Manager will encourage you to seek help from your doctor or from the Welfare Officer if you indicate that you have a health, personal or domestic problem.

9.9 Line Managers have discretion to consider an extension to the probation period in exceptional circumstances, but they will do so only where they have genuine reason to believe that your attendance is likely to improve, and you will achieve, and maintain, an acceptable standard during the extended probation period.

10. Procedures Where Attendance is Giving Cause for Concern: Informal Action

Identifying the problem and working towards improved attendance: Informal action

10.1 If your attendance is unsatisfactory, your Line Manager will meet with you to discuss their concerns.

10.2 Your Line Manager will talk with you and attempt to identify the cause, which may be wholly or partly related to ill health. You should normally discuss with your Line Manager if you feel there are health or other factors affecting your attendance. The other factors may include personal or domestic problems, adverse working conditions or harassment, discrimination or bullying by others. At this stage they may ask for comments from others, such as other Managers or customers.
Managers will seek advice from the Diversity and Inclusion team where harassment, discrimination or bullying by others is alleged, if you have a disability or you are pregnant.

10.3 Your Line Manager will consider referring you for advice to the Occupational Health Manager, Welfare Officer or Diversity and Inclusion team if for example:

- they have not already referred you for advice to the Occupational Health Manager, Welfare Officer or the Diversity and Inclusion team
- they have already referred you for advice to the Occupational Health Manager, Welfare Officer or the Diversity and Inclusion team but some time has elapsed since the original referral
- they believe that health or welfare problems may have contributed to your unsatisfactory attendance
- you believe that health or welfare problems may have contributed to your unsatisfactory attendance. You may also refer yourself.
- they believe that the unsatisfactory attendance may result from a medical condition which would make medical retirement appropriate
- you wish to apply for medical retirement
- your disability may be affecting your attendance
- you are pregnant.

10.4 Your Line Manager will encourage and support you in working towards a solution. They will explain the level of attendance required and make clear the consequences of any failure to meet the standard.

10.5 Measures which may prove helpful include:

- ensuring that you understand what is required
- advice
- counselling or coaching
- extra training
- adjustments to your working pattern or working conditions
- changes to working conditions or working hours
- a move (temporary or permanent) to a different job at this point if it is believed that this would resolve the issue and restore satisfactory attendance levels, and if it is possible to arrange
- reasonable adjustments if you have a disability.

10.6 You will be given a reasonable amount of time for improvement, and you will be kept informed of progress. As part of the informal discussion your Line Manager will ensure that they give you all of the information you need to understand their concerns, for example, the improvement required and the timescale for improvement.
10.7 It may be necessary for you to have more than one discussion to check that any measures have been put in place and are helping.

10.8 Your Line Manager will take a note of the meeting, agree the accuracy of the note with you and give you a copy. No record will be kept on your personal file at this stage but the meeting note will be included if formal action follows.

10.9 If sufficient improvement is shown after a reasonable amount of time, your Line Manager will confirm this with you and no further action will be taken.

10.10 If your attendance does not sufficiently improve after a reasonable amount of time, your Line Manager will take formal action as described below.

11. Procedures Where Attendance is Giving Cause for Concern: First Formal Action and Trial Period

First formal action and trial period

11.1 If informal action has been taken and your level of attendance does not improve sufficiently after a reasonable amount of time, more formal action will be taken.

11.2 Your Line Manager will invite you to an attendance review meeting and will give you at least seven calendar days’ notice of the hearing. The meeting will normally be held after any report from the SHWS is made available, if applicable. The meeting is to:

- explain that your attendance is still not up to the standard required
- explain the standard required
- give you the opportunity to put forward an explanation for unsatisfactory attendance
- explain what will happen if you fail to meet the standard.

11.3 If you are unable to attend a meeting at this stage, for instance if you continue to be absent from work due to ill health, your Line Manager will decide, in consultation with HR, on the appropriate action to take. This may include arranging an alternative date for the meeting or seeing you at a more convenient location closer to your home. However, if despite making alternative arrangements, you still do not attend a meeting, a decision on the outcome may be made in your absence. In this case you will be notified of any decision on the outcome.

11.4 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 9 on their role at the meeting.
11.5 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

11.6 An HR representative acting in an advisory capacity will normally attend formal meetings. A note of the meeting will be taken by either the HR representative or another member of staff.

11.7 The formal meeting record will be placed on your personal file and a copy given to you.

11.8 At the meeting, your Line Manager will explain why your attendance is unsatisfactory, remind you of any current warnings and state what progress has been made and what improvement is still required. They should give you an opportunity to put forward your point of view and any explanations or reasons why a warning should not be issued. They should invite your views on possible remedial measures wherever possible.

11.9 Depending on the situation, your Line Manager may then adjourn the meeting to consider what has been said. If you have suggested that the problems may be due in part to health or welfare problems, or difficulties with working conditions, then they will consider how far these may have contributed to your unsatisfactory attendance. They will also consider whether any action should be taken, including:

- referral to the Occupational Health Manager, Welfare Officer or Diversity and Inclusion team as described in paragraph 10.3
- any of the measures listed in paragraph 10.5
- seeking advice from other sources as appropriate, including Senior HR Managers.

11.10 If you have a disability or are pregnant, your Line Manager must seek additional advice from the Diversity and Inclusion team.

11.11 After the meeting, and after obtaining advice if needed, your Line Manager may issue a first formal written warning. If a warning is issued, it will remain in force for six months.

11.12 Your Line Manager will give you written notification of their decision, within 14 calendar days of the date of the hearing, including if a warning is being issued, and it will explain the reasons for their decision. If a warning is issued, then the letter will also explain:

- details of the warning
- where your attendance is not up to standard
- what improvement is required
the establishment of a trial period
the timescale for improvement. Normally, this will be no less than six calendar weeks.
the review date
any additional help which will be given
what will happen if you fail to meet the standard
your right to appeal the decision.

11.13 You have the right to appeal the decision made following the attendance review meeting, within seven calendar days of receipt of the decision. This includes the decision to issue a warning and/or to establish a trial period. See section 14 for further information about appeals.

Trial period
11.14 A trial period must always be set up under the first formal written warning procedure. Any supervision, guidance, counselling coaching and training to be given must be properly recorded.

11.15 This first formal trial period must be long enough to provide you with a reasonable opportunity for improvement and for any remedial measures to take effect. It will normally be six calendar weeks in length but it may be longer, for instance if you have a record of good service, if you are a long serving member of staff or the problem is intermittent. If you are on probation the trial period may be shorter.

11.16 During the trial period, your Line Manager will:

- supervise and monitor your attendance
- keep you informed of your progress
- ensure any agreed measures are in place.

Following the trial period
11.17 In most cases, the first formal action will bring satisfactory improvement. If so, your Line Manager will write to you, noting the progress made. The letter will make clear that the improvement must be sustained and that the formal warning will remain in force for six months.

11.18 If after six months the procedures for managing attendance problems are again necessary, final action including a final warning will not usually taken without the first formal action being taken. However, expired formal actions may be taken into account as evidence of a pattern of unsatisfactory attendance. Expired formal actions may be considered in determining the length of any new trial period and whether it may be appropriate to issue a final warning immediately.
11.19 If your attendance does not sufficiently improve by the end of the first trial period, your Line Manager, in consultation with HR, may extend the first trial period. This would be in exceptional circumstances and your Line Manager must have a realistic expectation that your attendance will improve following the extension of the trial period. If it is decided to extend your trial period, you will be invited to a further formal meeting and your Line Manager will explain the reasons and details of the trial period extension.

11.20 If your attendance does not sufficiently improve by the end of the first trial period, your Line Manager will take further formal action as described below.

12. Procedures Where Attendance is Giving Cause for Concern: Final Formal Action and Trial Period

Final formal action and trial period

12.1 If your level of attendance does not improve sufficiently, more formal action will be taken.

12.2 Your Line Manager will invite you to an attendance review meeting and will give you at least seven calendar days’ notice of the meeting. The meeting will normally be held after any report from the SHWS is made available, if applicable. The meeting is to:

- explain that your attendance is still not up to the standard required
- explain the standard required
- give you the opportunity to put forward an explanation for unsatisfactory attendance
- explain what will happen if you fail to meet the standard, including the possibility of dismissal.

12.3 If you are unable to attend a meeting at this stage, for instance if you continue to be absent from work due to ill health, your Line Manager will decide, with HR, on the appropriate action to take. This may include arranging an alternative date for the meeting or seeing you at a more convenient location closer to your home. However, if despite making alternative arrangements, you still do not attend a meeting, a decision on the outcome may be made in your absence. In this case you would be notified of any decision on the outcome.

12.4 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 9 on their role at the meeting.
12.5 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

12.6 An HR representative acting in an advisory capacity will normally attend formal meetings. A note of the meeting will be taken by either the HR representative or another member of staff.

12.7 The formal meeting record will be placed on your personal file and a copy given to you.

12.8 At the meeting your Line Manager will explain why your attendance is unsatisfactory, remind you of any current warnings, state what progress has been made and what improvement is still required. They should give you an opportunity to put forward your point of view and any explanations or reasons why a warning should not be issued. They should invite your views on possible remedial measures wherever possible.

12.9 Depending on the situation, your Line Manager may then adjourn the meeting to consider what has been said. If you have suggested that the problems may be due in part to health or welfare problems, or difficulties with working conditions, then they will consider how far these may have contributed to your unsatisfactory attendance. They will also consider whether any action should be taken, including:

- referral to the Occupational Health Manager, Welfare Officer or Diversity and Inclusion team as described in paragraph 10.3
- any of the measures listed in paragraph 10.5
- seeking advice from other sources as appropriate, including senior HR managers.

12.10 If you have a disability or are pregnant, your Line Manager must seek additional advice from the Diversity and Inclusion team.

12.11 After the meeting, and after obtaining advice if needed, your Line Manager may issue a final formal written warning. If a warning is issued, it will remain in force for 12 months.

12.12 Your Line Manager will give you written notification of their decision, within 14 calendar days of the date of the hearing, including if a warning is being issued, and it will explain the reasons for their decision. If a warning is being issued, then the letter will also explain:

- details of the warning
- where your attendance is not up to standard
what improvement is required
the establishment of a trial period
the timescale for improvement. Normally, this will be no less than eight calendar weeks.
the review date
any additional help which will be given
what will happen if you fail to meet the standard, including the possibility of dismissal
your right to appeal the decision.

12.13 You have the right to appeal the decision made following the attendance review meeting, within seven calendar days of receipt of the decision. This includes the issuing of a warning and/or the establishment of a trial period. See section 14 for further information about appeals.

Trial period
12.14 A trial period must always be set up under the final formal written warning procedure, and any supervision, guidance, counselling, coaching or training to be given should be properly recorded.

12.15 This final formal trial period must be long enough to provide you with a reasonable opportunity for improvement and for any remedial measures to take effect. It will normally be for no less than eight weeks, but it may be longer, for instance if you have a record of good service, if you are a long serving member of staff or the problem is intermittent. If you are on probation the trial period may be shorter.

12.16 During the trial period, your Line Manager will:

- supervise and monitor your attendance
- keep you informed of your progress
- ensure any agreed measures are in place.

Following the trial period
12.17 In most cases, the final formal action will bring satisfactory improvement. If so your Line Manager will write to you, noting the progress made. The letter will make clear that the improvement must be sustained and that the formal warning will remain in force for 12 months.

12.18 If after 12 months, the procedures for managing attendance problems are again necessary, final action including a final warning will not usually taken without the first formal action being taken. However, expired formal actions may be taken
into account as evidence of a pattern of unsatisfactory attendance. Expired formal actions may be considered in determining the length of any new trial period and whether it may be appropriate to issue a final warning immediately.

12.19 If your attendance does not sufficiently improve by the end of the final trial period, your Line Manager will take further formal action as described below.

13. Procedures Where Attendance is Giving Cause for Concern: Final Action including Dismissal

Final action including dismissal

13.1 If your level of attendance does not improve sufficiently following the trial period, you will be invited to a meeting at which further action, including dismissal, will be considered.

13.2 Consideration of and the decision to dismiss will not be taken by anyone below the level of a band B1 Manager. If your Line Manager is below this pay band, the decision will be passed up the appropriate line management chain.

13.3 Your Line Manager (or the appropriate manager) will invite you to a meeting at which further action, including dismissal, will be considered, and will give you at least seven calendar days’ notice of the hearing. The letter will explain that following the meeting you may be dismissed. The meeting is to give you the opportunity to put forward:

- an explanation for unsatisfactory attendance and/or any extenuating circumstances
- a case why action, including dismissal, should not be taken.

13.4 If you are unable to attend a meeting at this stage, for instance if you continue to be absent from work due to ill health, your Line Manager (or the appropriate manager) will decide, in consultation with HR, on the appropriate action to take. This may include arranging an alternative date for the meeting or seeing you at a more convenient location closer to your home. However, if despite making alternative arrangements, you still do not attend a meeting, a decision on the outcome may be made in your absence. In this case you would be notified of any decision on the outcome.

13.5 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 9 on their role at the meeting.
13.6 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

13.7 An HR representative acting in an advisory capacity will normally attend formal meetings. A note of the meeting will be taken by either the HR representative or another member of staff.

13.8 The formal meeting record will be placed on your personal file and a copy given to you.

13.9 At the meeting your Line Manager (or the appropriate manager) will explain why your attendance is still unsatisfactory. They should give you an opportunity to put forward your point of view and any explanations or reasons why action, including dismissal for unsatisfactory attendance, should not be taken.

13.10 Depending on the situation, your Line Manager (or the appropriate manager) may then adjourn the meeting to consider what has been said.

13.11 After the meeting and after obtaining advice if needed, your Line Manager (or the appropriate manager), in consultation with HR, will decide what action to take, including:

- a change of work pattern
- a move to a lower pay band
- a transfer to another post
- for Fast Stream staff a transfer to the main stream may be appropriate
- dismissal.

13.12 In deciding on any future action, your Line Manager (or the appropriate manager) will bear in mind the likelihood of useful service in the future and any previous record of service.

13.13 Your Line Manager (or the appropriate manager) will give you written notification of their decision, within 14 calendar days of the date of the hearing, including the reasons for that decision, the date on which your employment will terminate if you are dismissed and your right to appeal.

13.14 You have the right to appeal the decision made following the final action meeting, within seven calendar days of receipt of the decision. See section 14 for further information about appeals.

13.15 If you are dismissed under the procedures for unsatisfactory attendance, you will receive any final salary and payment for accrued outstanding leave due (see chapter 26).
14. Appeals

Internal Appeal

14.1 Grounds for appeal include:

- the formal action was inappropriate, inconsistent or too harsh
- extenuating circumstances were not taken into account
- the likelihood of useful service in the future and any previous record of service were not taken into account
- the decision maker was biased
- the hearing was not fair
- the proper procedures were not followed
- new evidence has come to light.

14.2 An appeal against formal action taken at any stage of the procedures must be made in writing to the decision maker’s manager within seven calendar days of the receipt of written notification of the decision. This appeal will normally be heard within 14 calendar days unless both parties agree otherwise.

14.3 The appeal will be heard by the decision maker’s manager. In the alternative, they may nominate another manager to hear the appeal who has not been involved in the events which led to the sanction or dismissal. Prior to the meeting, the Manager hearing the appeal will review all relevant documentation and the reasons for the sanction or dismissal.

14.4 The manager hearing the appeal will:

- inform you in writing of the arrangements for the appeal hearing
- review all the relevant documentation and the reasons for the decision
- explore all the relevant issues
- let you know when you can expect a decision.

14.5 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 9 on their role at the meeting.

14.6 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

14.7 An HR representative acting in an advisory capacity will normally attend formal meetings. A note of the meeting will be taken by either the HR representative or another member of staff.
14.8 The formal meeting record will be placed on your personal file and a copy given to you.

14.9 Following the appeal meeting, and after obtaining advice if needed, the manager in consultation with HR, will decide what action to take, including:

- to confirm the original decision
- to rescind the original decision
- to rescind the original decision and either substitute a different sanction or refer the issue back to the manager who took the original action for reconsideration
- in cases of dismissal where that decision is not upheld, reinstate the employee and substitute a formal or final warning or no sanction at all.

14.10 The manager who heard the appeal will give you written notification of their decision and the reasons for that decision within 14 calendar days of the date of the hearing.

**External appeal**

14.11 You also have the right to submit a claim of unfair dismissal to the Employment Tribunal (ET) if you have completed the relevant qualifying period. If you joined the House of Commons service before 6 April 2012, you must have been employed for at least one year. If you joined after 6 April 2012, you must have been employed for at least two years. If you wish to appeal to the ET you must do so within 90 days of the effective date of the dismissal.

14.12 You may obtain further information from ACAS on their ET public enquiry line (08457 959 775) or on their website: www.acas.org.uk

**15. Record Keeping**

15.1 Details of unsatisfactory attendance cases resulting in a first written warning and/or final written warning will be kept on your personal file for six years after the warnings expire.

15.2 Unsatisfactory attendance cases resulting in loss of pay, movement to a lower pay band, suspension or dismissal will be kept on your personal file until your 100th birthday for pension administration purposes.

15.3 HR will keep a record of all formal action taken under the procedures for managing attendance problems, for future reference. This is to ensure that action taken is fair and consistent.
PART 4: PERFORMANCE
Chapter 16:

Performance Management and Learning and Development

1. About this Chapter

1.1 This chapter explains:

- the aims and principles of the performance management systems
- the arrangements and opportunities for learning and development
- support for professional and education qualifications and other further education
- the availability of careers advice at the House of Commons.

2. Introduction to Performance Management Systems

2.1 The main purpose of the performance management systems is to encourage regular, honest dialogue between yourself and your Line Manager about your performance. The systems are designed to align individual requirements to business requirements, set priorities and to give you an objective assessment of your current level of performance and highlight areas for further development to enable you to reach your full potential.

2.2 There are three performance management systems within the House of Commons covering the pay bands listed below:

- Senior Commons Structure
- pay bands A-E
- staff in Catering and Retail pay bands.

Reporting year

2.3 The reporting year for the SCS and for the Performance and Development Management (PDM) system (for pay bands A-E) runs from 1 April to 31 March each year. The reporting year for staff in the Catering and Retail pay bands runs from 1 August to 31 July each year.

2.4 Staff in pay bands A-E will not receive reports at this time if the end of the relevant reporting year falls within their probation period. The report will be deferred until the end of their probation period.
Manager’s responsibilities

2.5 When completing the process for any of the three systems, Line Managers should take care to ensure that assessments of performance are as objective as possible. They must not include remarks about the job holder’s personal life unless this is relevant to the performance. Judgements should be based on performance and abilities of the individual and not on any preconceptions about the capabilities of any group to which they may belong.

Confidentiality

2.6 Access for all three systems is normally restricted to you, your Line Manager, your countersigning manager, and HR and Learning and Development staff. They may also be seen by nominated staff dealing with inefficiency cases and by a Trade Union Representative if you have asked them to support you in an issue relating to your performance.

2.7 Staff and Line Managers must keep all electronic and paper copies of performance management reports secure. Electronic copies must be password protected. Paper copies should be marked Restricted Access Personal Data and sealed in double envelopes during transit.

3. Performance Management Systems

Senior Commons Structure

3.1 For SCS staff the system is designed to:

- link assessment of your performance to the core criteria for your post and so highlight both strengths and areas for development in a structured way
- give you an active part in the process through self assessment and discussion of performance
- distinguish between different levels of performance.

3.2 The main components of the system are:

- a forward job plan (FJP)
- self assessment of your performance against key areas and core criteria
- your Line Manager’s assessment of your performance
- an assessment of your potential
- your countersigning manager’s comments
- a record of your performance review discussion.
3.3 Guidance on the process for SCS staff is on the Intranet at:
http://intranet.parliament.uk/Documents/intranet/staff-management/assets/
commons-senior-staff-review.pdf

**Performance and Development Management (PDM) for bands A-E staff**

3.4 The aim of the PDM system is to encourage regular, open, two-way discussions between you, as job holder, and your Line Manager about your performance, development and achievement, and is a continuing process throughout the year.

3.5 The system is designed to:
- provide clarity and understanding of your role and your Line Manager's expectations of you
- help you to effectively plan your objectives or tasks
- allow you to keep a live record of your progress and achievements, and sign off any objectives completed in-year, adding new ones if appropriate
- provide information in a useful way for you and your Managers
- provide a method for fair and honest assessment of performance, and where necessary how your performance might be improved
- assist and support your career/personal development.

3.6 Guidance on the process is on the Intranet at:
http://intranet.parliament.uk/Documents/intranet/staff-management/assets/pdm-guidance.pdf

3.7 The appraisal form is on the Intranet at:
http://intranet.parliament.uk/employment/careers-development/performance-appraisal1/commons-staff-reporting/

**Catering and Retail staff appraisal system**

3.8 Job holders at Catering grades CGA1-CGD1 complete a Supervisor’s Appraisal form. All other catering grades may complete an Annual Job Review (AJR). Both forms and accompanying guidance notes can be located on the Catering and Retail website under HR/Performance, on the Intranet at:
http://intranet.parliament.uk/employment/careers-development/performance-appraisal1/lords-staff-reporting/
4. **Learning and Development in the House of Commons**

**Introduction**

4.1 This section outlines learning and development within the House. It is designed to help you understand:

- the role and commitment of the House in ensuring that everyone has the opportunity to learn and develop in current and future roles
- your role in identifying, participating in and evaluating learning opportunities
- management’s role in ensuring skills and knowledge are continuously developed to provide services both now and in the future
- the wide range of learning and development opportunities available and how you can obtain further information about them.

4.2 To support the achievement of the House of Commons Service objectives, the Management Board recognises that the House requires a skilled and motivated workforce capable of providing excellent service and that all staff should have the opportunities to realise their full potential regardless of level or background.

4.3 This means the House is committed to:

- providing learning opportunities so that everyone has the skills, knowledge and capability to support the business objectives while performing their current job role competently
- providing opportunities and encouraging individuals to learn additional skills, become more flexible and move across departments
- supporting development opportunities, so that individuals can work towards roles with different or increased responsibilities.

4.4 The Management Board and Line Managers support continuous learning and development through the House performance management systems. See section 3 above for more information about performance management systems.

**Investors in People**

4.5 The House was first recognised as an Investor in People (IiP) employer in 2003 and was re-accredited in July 2006 and in November 2009. It seeks to maintain the Standard by ensuring that:

- everyone has the opportunity to be involved in business planning
- everyone is valued for their contribution to the organisation
- appropriate investment of time and resources is committed to learning and development.
Different types of learning and development

4.6 People have different learning styles, therefore, learning and development covers a variety of activities and methods such as on-the-job experience, shadowing, mentoring, research, secondment opportunities and participating in a project, as well as attending formal courses and workshops.

Identifying your learning and development needs

4.7 During your induction or on your move to a new role, you and your Line Manager should identify areas where you require new or enhanced skills to ensure you perform your job competently, and become familiar with the practices of the House. Appropriate training on and off-the-job will be arranged for you by your Line Manager in collaboration with the learning advisers.

4.8 On completion of your probationary period, you should begin to take more responsibility for your own development. Your learning objectives should be reviewed regularly throughout the year as part of your regular performance management discussions, especially when you undertake a new task, job or objective. Learning and development need not be restricted to ensuring capability in your present role. It should also provide opportunities for career development for the future.

4.9 Before any learning and development activity takes place it is essential to spend time beforehand to discuss your objectives for the learning with your Line Manager. Your discussion should cover the following:

- what is the purpose of the learning (new skill/below standard performance/future role etc.)?
- what is in it for the learner? the team? the department? the House?
- what is the desired outcome?
- how and when will the learning be measured/evaluated?

4.10 You can find out more about different types of learning from the Learning and Development team on the Intranet at:

http://intranet.parliament.uk/employment/careers-development/training/

The role of the Learning and Development team

4.11 The Learning and Development team is responsible for collating learning needs from across the House and responding. It is also responsible for designing and delivering learning activities to support corporate objectives and any major changes to the organization. These activities include management and leadership development, interpersonal skills and resource management.
4.12 The calendar of learning events (which is regularly updated) is on the HAIS Course Calendar using Employee Self Service (ESS). ESS is accessed via the HAIS icon on your PC desktop. Guidance on how to use ESS is on the HAIS website at: http://intranet.parliament.uk/finances/procurement/commons-procurement/hais2/learning-and-development/

Recording learning and development

4.13 All learning and development should be recorded so that everything is captured for evaluation and for your review meetings with your Line Manager. A report of all your formal learning and development is available on HAIS (House Administrative Information System). You can also record informal learning on HAIS, using Employee Self Service (ESS). Recording your informal learning on HAIS enables you to run a report detailing both your formal and informal learning activities.

Evaluating learning

4.14 Reviewing and evaluating learning takes place at various stages: immediately after learning and again later when the learner has had an opportunity to use the new or improved skills/knowledge in their job. It is essential that evaluation takes place for a number of reasons, including:

- to ensure the investment in learning, training and development supports the House and/or the department in achieving their business objectives
- to demonstrate to what extent the development has helped the learner in their present role and/or prepared them for a future one
- to ratify that the learning activity has met the learner’s immediate needs and expectations and there were no barriers to learning
- to assist those who have organised the event in making any necessary changes.

4.15 Evaluation of learning and development should be discussed and recorded as part your regular progress discussions with your Line Manager.

Other learning and development opportunities available

4.16 In addition to the formal and informal learning and development activities and events offered by the Learning and Development team, a wide range of other specific opportunities are offered throughout the House. Further training opportunities are listed below:
Intranet/Internet & Parliamentary Awareness
4.17 The Department of Information Services provides training on a House-wide basis on Intranet resources, Intranet search skills, the Parliament: Introduction and Documentation programme and occasional training events on online resources. Further information on courses is available by contacting the information Services team on ext. 2937 or on the Intranet at:

http://hcl1.hclibrary.parliament.uk/training/training.asp

ICT Training
4.18 Parliamentary ICT (PICT) provides the Houses of Parliament with all IT Training on a range of software including the Microsoft Office Suite and can offer advice on bespoke ICT training for projects which have an ICT element. Further information is available by contacting PICT Training on ext. 8284 or by email at picttraining@parliament.uk or on the Intranet at:

http://intranet.parliament.uk/computers-equipment/computer-services/training-and-coaching/

Finance training
4.19 Training in all aspects of Finance and Procurement is provided by the Department of Finance. The courses include Financial Awareness, Resource Budgeting and Business Case Preparation. For further information contact the Corporate Accountant, Department of Finance, on ext. 3532. A full list of courses currently available is on the Intranet at:

http://intranet.parliament.uk/finances/financial-planning/training/

Procurement
4.20 Procurement, courses include Governance, the Procurement Process and Contract Management. For further information contact Procurement on ext. 1369. A full list of the courses currently available is on the Intranet at:

http://intranet.parliament.uk/finances/procurement/commons-procurement/training/

5. Support for Professional and Educational Qualifications
5.1 The House is committed to ensuring that all staff have appropriate opportunities to achieve professional and educational qualifications during their employment. If you are interested in pursuing a qualification, you should discuss it with your Line Manager as part of your performance and development review.
5.2 When thinking about undertaking this type of long-term development, you and your Line Manager should consider;

- how you will manage the additional commitments alongside your workload
- any funding and support which may be available
- any benefits to your team, Department and the House as a result of your successfully completing the qualification

5.3 This type of development is funded centrally. Please note that funding is considered on a year-by-year basis. For funding to be available for further years, there must be sufficient budget available and evaluation of your progress on the previous year must have taken place. If funding is not available, you may need to find a less expensive alternative or your studies may have to be delayed until funding is available.

5.4 All permanent and fixed-term employees can apply to participate in professional and educational development. With fixed-term employees, the length of contract will be taken into account when determining whether or not the House can support this. All staff (permanent or fixed-term) seeking support must have successfully completed their probationary period. Requests for support made before the employee has completed their probationary period will only be considered if agreed at the point of employment.

### Professional qualifications

#### Funding and support

5.5 The following factors are taken into consideration when making a decision on funding and support:

- links to objectives identified in corporate/departmental business plans
- links to your performance and development requirements (as shown through the performance management system)
- input from Head of Profession where applicable or relevant Director
- Learning and Development priorities
- existing commitments against training budgets.

5.6 Funding for professional qualification programmes will normally be granted as follows:

- 100% where the course is basic or foundation and provides an expected level of competence for the role, for example, Certificate of Personnel Practice for an HR administrator or AAT for a Finance Clerk
100% if the qualification is an essential element for the role and necessary for business performance, for example, Graduate Diploma in Purchasing & Supply for a Procurement Manager or CiLiP for a Library executive.

40% - 90% if the qualification is not essential, but would improve performance in a measurable way, for example, Diet and Nutritional Diploma for a Sous Chef; or if the House has already given you financial support to achieve a profession qualification. A weighting system is currently being developed to assist budget holders in allocating funding with this type of qualification.

80% if the qualification is related to long-term career development rather than a direct link with the current role, for example, MBA.

5.7 Funding for equipment and books should be agreed with Learning and Development and will normally be granted as follows:

- 100% funding where the Department purchases then retains equipment and books after the course.
- 50% reimbursement when the member of staff purchases the equipment and books and retains them afterwards, up to a limit of £100 per course.

5.8 For reimbursement of travel expenses, see chapter 10.

5.9 Funding for exams will normally be granted as follows:

- 100% for all exams if not included in course costs.
- 0% for any re-sits. These must be paid for by the employee.

Study leave

5.10 Paid study leave will normally be granted as follows:

- **foundation course:** five days per academic year including exam days.
- **intermediate and advanced qualification:** 10 days per academic year including exam days. Certain professional qualifications such as accountancy may require additional time because of the intensity of the subject. This will be agreed between the Line Manager and Head of Profession.
- **Open University degrees:** 10 days per academic year including attending summer schools and exam days, but excluding time off to attend evening classes.

5.11 You should give your Line Manager as much notice as possible when booking study leave.

5.12 You have the right to request unpaid time off from work for training and study for accredited, recognised training or for specific unaccredited business skills.
6. **Other Further Education**

6.1 The House of Commons encourages you to continue your education and may be able to offer financial support for courses that are not directly relevant to your current role, but they must be relevant to the needs of the business overall. All applications for financial assistance should be made to your Line Manager who approves the course. Your Line Manager will then pass your application onto Learning and Development for budget consideration. The following criteria for approval of your application by your Line Manager will applied:

- attendance will mainly be in your own time
- you will be able to describe the benefits you will gain from the course
- you should be able to describe how the course will benefit your current and future work
- the course should lead to a recognised educational certificate or diploma
- the course should be available under the public education system. In exceptional circumstances, a course at a private college or correspondence course may qualify for assistance.

### Course funding for further education

6.2 If your application is approved, assistance is considered within the following limits:

- 80% funding of any amount not paid by your local education authority (LEA).

### Resource funding

6.3 For approved courses, the House may be able to help with a contribution towards the cost of fees, books and travelling:

- 50% of the total costs of books up to £100 per course
- for reimbursement of travel expenses see chapter 10
- study leave may be approved at the discretion of the Line Manager. Up to 10 days including exam days can be taken per academic year.

6.4 In general, you may receive financial assistance for up to two further education courses during your career. Any funding will be considered in light of previous funding.
7. **Careers Advice, Coaching Service and Mentoring Scheme**

7.1 The House of Commons provides advice about developing your career through:

- your Line Manager
- your HR or Learning and Development Adviser
- a House of Commons Careers Adviser or Personal Coach
- the House of Commons mentoring scheme.

**The Careers Adviser and Personal Coach**

7.2 A number of staff across the House have been trained as Career Advisers and/or Personal Coaches and are responsible for offering advice, information and guidance to individual members of staff on a one-to-one basis. They also work with small groups on a wide range of career development topics. They can provide information about working in other departments and are working to develop links with other organisations.

7.3 The range of advice available is tailored to individual needs and is based largely on coaching methods. Examples of the advice that can be provided include:

- review of skills
- completing internal applications and applying for vacancies
- drafting CVs
- learning and development opportunities available in House and through external organisations, including professional development and education
- long term career planning
- shadowing/informal development
- interview skills coaching
- options for developing current role and skills further
- information and advice about other departments and roles
- staff development and advice for Line Managers
- personal development planning.

7.4 You can book an appointment directly via e-mail to careercoaching@parliament.uk or you may telephone ext. 5597. Sessions on a one-to-one basis are held in confidence. Please ensure that time off to attend a careers session is agreed with your Line Manager. If you would prefer not to disclose this, a session can take place during the lunch period or before/after standard working hours.
Mentoring scheme

7.5 A mentor is someone outside your reporting line and your own department who will provide a ‘listening ear’, and be a ‘sounding board’ to discuss with you, from an impartial point of view, issues and ideas to help you reach the most useful conclusions.

7.6 The Learning and Development team manages the corporate mentoring scheme. The scheme is open to all staff who wish to have a mentor. There are also regular opportunities for experienced staff to train as mentors. For more information or to book an appointment, telephone the Learning and Development team on ext. 5597 or 0741.
Chapter 17:

Managing Poor Performance Procedures (Inefficiency Procedures)

1. About this Chapter
1.1 This chapter explains:

- the principles of managing poor performance in the House of Commons Service
- what to expect if your performance falls short of accepted standards.

2. Principles
2.1 Any areas of unsatisfactory or deteriorating performance will be brought to your attention by your Line Manager. This action can be taken at any time during the performance year (1 April to 31 March). In this way you can focus on the areas of performance that need improving.

2.2 You and your Line Manager may wish to consider both formal and informal development opportunities to improve your performance. More information is in chapter 16 and on the Intranet at:

http://intranet.parliament.uk/employment/careers-development/training/commons-corporate-ld-courses/

2.3 Sometimes, other procedures, such as respect, attendance, conduct or grievance, may be in progress at the same time as poor performance procedures. The poor performance procedures will normally run in parallel with these procedures.

3. Managing Poor Performance

Overview
3.1 Any action taken using the following procedures should be with the aim of improving performance. The actions are generally as listed below and should be read in conjunction with this section and sections 4 to 7 below:

- informal action:
  — identifying the problem and working towards improved attendance
— this is an informal discussion with a note of the meeting but the note is not placed on your personal file
— if sufficient improvement is shown after a reasonable time, then no further action is required.

■ **first formal action:**
— giving formal written warning and first trial period if there has been no or insufficient improvement
— includes the right to appeal
— a record is placed on your personal file
— if sufficient improvement is shown after the trial period, then no further action is required.

■ **final formal action:**
— includes final warning and final trial period if there has still been no or insufficient improvement
— includes the right to appeal
— a record is placed on your personal file
— if sufficient improvement is shown after the trial period, then no further action is required.

■ **final action including dismissal:**
— includes dismissal or other actions, for example, move to another post or to a lower pay band, if there has still been no or insufficient improvement
— includes the right to appeal
— a record is placed on your personal file

■ **appeal against any formal action including dismissal:**
— you have the right to an internal appeal against any formal action
— if you are dismissed, in addition to your right to an internal appeal against that decision, you may also be able to bring a claim before the Employment Tribunal regarding your dismissal.

3.2 In most cases it is expected that improved supervision, guidance, counselling, coaching, training or advice at an early stage will be enough to correct problems, and only rarely will further action be needed. Line Managers will provide help and support before resorting to formal action as indicated below and will seek the advice of:

■ the Occupational Health Manager and/or the Welfare Officer if you have indicated that your health or other related issues are affecting your performance
■ the Diversity and Inclusion team if you have a disability and have indicated that your poor performance is related to the disability
■ the Occupational Health Manager if you are pregnant.
Right to be accompanied at formal meetings

3.3 Line Managers should note that members of staff have the right to be accompanied by a Trade Union Representative or fellow employee of the House of Commons during paid working hours for any interview or hearing which forms part of the formal procedures for managing performance.

Role of the Trade Union Representative or fellow employee

3.4 If you wish a Trade Union Representative or fellow employee to attend a formal interview with you, they may:

- put your case
- sum up your case
- respond on your behalf to any view expressed at the hearing
- confer with you during the hearing.

They may not:

- answer questions on your behalf
- address the hearing if you do not wish them to do so
- prevent your employer from explaining their case.

Right of appeal

3.5 You have the right to appeal any formal action taken to manage problems with your performance. Any appeal will not delay any trial period starting but the trial period end depends on the outcome of the appeal.

Staff on probation

3.6 In order to complete the probation period satisfactorily you must demonstrate that you are capable of meeting the requirements of the post to which you have been recruited. If your performance is not up to the required standard your appointment is unlikely to be confirmed.

3.7 Staff whose performance gives cause for concern and who are still serving their probationary period will generally be taken through these procedures. Any measures taken should be completed before the end of the probation period. Trial periods may, therefore, be reduced or steps omitted from the process at the manager’s discretion, in consultation with HR, in order to take this into account.
3.8 If appropriate, your Line Manager will encourage you to seek help from your doctor or from the Welfare Officer if you indicate that you have a health, personal or domestic problem.

3.9 Line Managers have discretion to consider an extension to the probation period in exceptional circumstances, but they will do so only where they have genuine reason to believe that your performance is likely to improve, and that you will achieve, and maintain, an acceptable standard during the extended probation period.

4. Procedures When Performance is Giving Cause for Concern: Informal Action

Identifying the problem and working towards improved performance (informal action)

4.1 If your performance is unsatisfactory, your Line Manager will meet with you to discuss their concerns.

4.2 Your Line Manager will talk with you and attempt to identify the cause. You should discuss with your Line Manager if you feel there are health or other factors affecting your performance. The other factors may include personal or domestic problems, adverse working conditions or harassment, discrimination or bullying by others. At this stage they may ask for comments from others, for example, other managers or customers. Line Managers will seek advice from the Diversity and Inclusion team where harassment, discrimination or bullying by others is alleged, if you have a disability or you are pregnant.

4.3 Your Line Manager will consider referring you for advice to the Occupational Health Manager, Welfare Officer or the Diversity and Inclusion team if:

- they have not already referred you for advice to the Occupational Health Manager, Welfare Officer or the Diversity and Inclusion team
- they have already referred you for advice to the Occupational Health Manager, Welfare Officer or the Diversity and Inclusion team but some time has elapsed since the original referral
- they believe that health or welfare problems may have contributed to your poor performance
- you believe that health or welfare problems may have contributed to your poor performance. You may refer yourself.
- they believe that the poor performance may result from a medical condition which would make medical retirement appropriate
- you wish to apply for medical retirement
- your disability may be affecting your performance
- you are pregnant.
4.4 Your Line Manager will encourage and support you in working towards a solution. They will explain the level of performance required and make clear the consequences of any failure to meet the standard.

4.5 Measures which may prove helpful include:

- ensuring that you understand what is required
- ensuring that your PDM is completed with your objectives
- counselling or coaching
- extra training
- adjustments to your working pattern or working conditions
- changes to working conditions or working hours
- a move (temporary or permanent) to a different job at this point if it is believed that this would resolve the issue and restore satisfactory performance levels, and if it is possible to arrange
- reasonable adjustments if you have a disability.

4.6 You will be given a reasonable amount of time for improvement, and you will be kept informed of progress. As part of the informal discussion your Line Manager will ensure that they give you all of the information you need to understand their concerns, for example, the improvement required and the timescale for improvement.

4.7 It may be necessary for you to have more than one discussion to check that any measures have been put in place and are helping.

4.8 Your Line Manager will take a note of the meeting, agree the accuracy of the note with you and give you a copy. No record will be kept on your personal file at this stage but the meeting note will be included if a formal warning follows.

4.9 If sufficient improvement is shown, your Line Manager will confirm this with you and no further action will be taken.

4.10 If your performance does not sufficiently improve after a reasonable amount of time, your Line Manager will take formal action as described below.

5. Procedures When Performance is Giving Cause for Concern: First Formal Action and Trial Period

First formal action and trial period

5.1 If informal action has been taken and your level of performance does not improve sufficiently after a reasonable amount of time, more formal action will be taken.
5.2 Your Line Manager will invite you to a performance review meeting and will give you at least seven calendar days’ notice of the hearing. The meeting will normally be held after any report from the SHWS is made available, if applicable. The meeting is to:

- explain that your performance is still not up to the standard required
- explain the standard required
- give you the opportunity to put forward an explanation for poor performance
- explain what will happen if you fail to meet the standard.

5.3 If you are unable to attend a meeting at this stage, for instance if you are absent from work due to ill health, your Line Manager will decide, in consultation with HR, on the appropriate action to take. This may include arranging an alternative date for the meeting or seeing you at a more convenient location closer to your home. However, if despite making alternative arrangements, you still do not attend a meeting, a decision may be made in your absence. In this case you would be notified of any decision and given the right to appeal.

5.4 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 3 on their role at the meeting.

5.5 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

5.6 An HR representative acting in an advisory capacity will normally attend formal meetings. A note will be taken of the meeting by either the HR representative or another member of staff.

5.7 The formal meeting record will be placed on your personal file and a copy given to you.

5.8 At the meeting your Line Manager will explain why your performance is unsatisfactory, remind you of any current warnings, state what progress has been made and what improvement is still required. They should give you an opportunity to put forward your point of view and any explanations or reasons why a warning should not be issued. They should invite your views on possible remedial measures wherever possible.

5.9 Depending on the situation, your Line Manager may then adjourn the meeting to consider what has been said. If you have suggested that the problems may be due in part to health or welfare problems, or difficulties with working conditions, then they will consider how far these may have contributed to your poor performance.
They will also consider whether any action should be taken, including:

- referral to the Occupational Health Manager, Welfare Officer or Diversity and Inclusion team as described in paragraph 4.3
- any of the measures listed in paragraph 4.5
- seeking advice from other sources as appropriate, including senior HR managers.

5.10 If you have a disability or are pregnant, your Line Manager must seek additional advice from the Diversity and Inclusion team.

5.11 After the meeting and after obtaining advice if needed, your Line Manager may issue a first formal written warning. If a warning is being issued it will remain in force for six months.

5.12 Your Line Manager will give you written notification of their decision, including if a warning is being issued. It will explain the reasons for their decision. If a warning is issued, then the letter will also explain:

- the details of the warning
- where your performance is not up to standard
- what improvement is required
- the establishment of a trial period
- the timescale for improvement, normally, this will be no less than six calendar weeks
- the review date
- any additional help that will be given
- what will happen if you fail to meet the standard
- your right to appeal the decision. This includes the decision to issue a warning and/or establish a trial period.

5.13 You have a right to appeal the decision made following the performance review meeting. This includes the decision to issue a warning and/or to establish a trial period. See section 8 for further information about appeals.

**Trial period**

5.14 A trial period must always be set up under the first formal written warning procedure. Any supervision, guidance, counselling, coaching or training to be given must be properly recorded.
5.15 This first formal trial period must be long enough to provide you with a reasonable opportunity for improvement and for any remedial measures to take effect. It will normally be six calendar weeks in length but it may be longer, for instance if you have a record of good service, if you are a long-serving member of staff, the problem is intermittent or there is some reason which means that the required skills will be difficult to master. If you are on probation the trial period may be shorter.

5.16 During the trial period, your Line Manager will:
- supervise and monitor your performance
- keep you informed of your progress
- ensure that any agreed measures are in place.

Following the trial period

5.17 In most cases, the first formal action will bring satisfactory improvement. If so, your Line Manager will write to you, noting the progress made. The letter will make clear that the improvement must be sustained and that the formal warning will remain in force for six months.

5.18 If after six months, the procedures for managing poor performance are again necessary, final action, including a final warning, will not usually be taken without the first formal action being taken. However, expired formal actions may be taken into account as evidence of a pattern of poor performance. Expired formal actions may be considered in determining the length of any new trial period and whether it may be appropriate to issue a final warning immediately.

5.19 If your performance does not sufficiently improve by the end of the first trial period, your Line Manager, in consultation with HR, may extend the first trial period. This would be in exceptional circumstances and your Line Manager must have a realistic expectation that your performance will improve following the extension of the trial period. If it is decided to extend your trial period, you will be invited to a further formal meeting and your Line Manager will explain the reasons and details of the trial period extension.

5.20 If your performance does not sufficiently improve by the end of the first trial period, your Line Manager will take further formal action as described below.
6. Procedures When Performance is Giving Cause for Concern: Final Formal Action and Trial Period

**Final formal action and trial period**

6.1 If your level of performance does not improve sufficiently by the end of the trial period, more formal action will be taken.

6.2 Your Line Manager will invite you to a performance review meeting and will give you at least seven calendar days’ notice of the hearing. The meeting will normally be held after any report from the SHWS is made available, if applicable. The meeting is to:

- explain that your performance is still not up to the standard required
- explain the standard required
- give you the opportunity to put forward an explanation for poor performance
- explain what will happen if you fail to meet the standard, including the possibility of dismissal.

6.3 If you are unable to attend a meeting at this stage, for instance if you are absent from work due to ill health, your Line Manager will decide, in consultation with HR, on the appropriate action to take. This may include arranging an alternative date for the meeting or seeing you at a more convenient location closer to your home. However, if despite making alternative arrangements, you still do not attend a meeting, a decision on the outcome may be made in your absence. In this case you would be notified of any decision of the outcome.

6.4 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 3 on their role at the meeting.

6.5 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

6.6 An HR representative acting in an advisory capacity will normally attend formal meetings. A note will be taken of the meeting by either the HR representative or another member of staff.

6.7 The formal meeting record will be placed on your personal file and a copy given to you.

6.8 At the meeting your Line Manager will explain why your performance is unsatisfactory, remind you of any current warnings, state what progress has been
made and what improvement is still required. They should give you an opportunity to put forward your point of view and any explanations or reasons why a warning should not be issued. They should invite your views on possible remedial measures wherever possible.

6.9 Depending on the situation, your Line Manager may then adjourn the meeting to consider what has been said. If you have suggested that the problems may be due in part to health or welfare problems, or difficulties with working conditions, then they will consider how far these may have contributed to your unsatisfactory performance. They will also consider whether any action should be taken, including:

■ referral to the Occupational Health Manager, Welfare Officer or Diversity and Inclusion team as described in paragraph 4.3
■ any of the measures listed in paragraph 4.5
■ seeking advice from other sources as appropriate, including senior HR managers.

6.10 If you have a disability or are pregnant, your Line Manager must seek additional advice from the Diversity and Inclusion team.

6.11 After the meeting and after obtaining advice if needed, your Line Manager may issue a final formal written warning. If a warning is issued, it will remain in force for 12 months.

6.12 Your Line Manager will give you written notification of their decision, within 14 calendar days of the date of the hearing, including if a warning is being issued, and it will explain the reasons for their decision. If a warning is being issued, then the letter will also explain:

■ the details of the warning
■ where your performance is not up to standard
■ what improvement is required
■ the establishment of a trial period
■ the timescale for improvement, normally, this will be no less than eight calendar weeks
■ the review date
■ any additional help which will be given
■ what will happen if you fail to meet the standard, including the possibility of dismissal
■ your right to appeal the decision. This includes the decision to issue a warning and/or establish a trial period.
6.13 You have the right to appeal the decision made following the performance review meeting, within seven calendar days of receipt of the decision. This includes the issuing of a warning and/or the establishment of a trial period. See section 8 for further information about appeals.

**Trial period**

6.14 A trial period must always be set up under the final formal written warning procedure, and any supervision, guidance, counselling, coaching or training to be given should be properly recorded.

6.15 This final formal trial period must be long enough to provide you with a reasonable opportunity for improvement and for any remedial measures to take effect. It will normally be for no less than eight weeks, but it may be longer, for instance if you have a record of good service, if you are a long-serving member of staff, the problem is intermittent or there is some reason which means the required skills will be difficult to master. If you are on probation the trial period may be shorter.

6.16 During the trial period, your Line Manager will:

- supervise and monitor your performance
- keep you informed of your progress
- ensure any agreed measures are in place.

**Following the trial period**

6.17 In most cases, the final formal action will bring satisfactory improvement. If so your Line Manager will write to you, noting the progress made. The letter will make clear that the improvement must be sustained and that the formal warning will remain in force for 12 months.

6.18 If after 12 months, the procedures for managing poor performance are again necessary, final action, including a final warning, will not usually be taken without the first formal action being taken. However, expired formal actions may be taken into account as evidence of a pattern of poor performance. Expired formal actions may be considered in determining the length of any new trial period and whether it may be appropriate to issue a final warning immediately.

6.19 If your performance does not sufficiently improve by the end of the final trial period, your Line Manager will take further formal action as described below.
7. Procedures When Performance is Giving Cause for Concern: Final Action including Dismissal

Final action including dismissal

7.1 If your level of performance does not improve sufficiently by the end of the trial period, you will be invited to a meeting at which further action, including dismissal, will be considered.

7.2 Consideration of and the decision to dismiss will not be taken by anyone who is below the level of a band B1 manager. If your Line Manager is below this pay band, the decision will be passed up the appropriate line management chain.

7.3 Your Line Manager (or the appropriate manager) will invite you to a final action or dismissal meeting and will give you at least seven calendar days’ notice of the hearing. The letter will explain that following the meeting you may be dismissed. The meeting is to give you the opportunity to put forward:

- an explanation for poor performance and/or any extenuating circumstances
- a case why action, including dismissal, should not be taken.

7.4 If you are unable to attend a meeting at this stage (for instance if you are absent from work due to ill health), your Line Manager (or the appropriate manager) will decide, in consultation with HR, on the appropriate action to take. This may include arranging an alternative date for the meeting or seeing you at a more convenient location closer to your home. However, if despite suggesting alternative arrangements, you still do not attend a meeting, a decision on the outcome may be made in your absence. In this case you would be notified of any decision on the outcome.

7.5 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 3 on their role at the meeting.

7.6 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

7.7 An HR representative acting in an advisory capacity will normally attend formal meetings. A note will be taken of the meeting by either the HR representative or another member of staff.

7.8 The formal meeting record will be placed on your personal file and a copy given to you.

7.9 At the meeting your Line Manager (or the appropriate manager) will explain
why your performance is still unsatisfactory. They should give you an opportunity to put forward your point of view and any explanations or reasons why action, including dismissal for poor performance (inefficiency), should not be taken.

7.10 Depending on the situation, your Line Manager (or the appropriate manager) may then adjourn the meeting to consider what has been said.

7.11 After the meeting, your Line Manager (or the appropriate manager), in consultation with HR, will decide what action to take, including:

- a move to an alternative post at the same pay band if it was felt it was better suited for your skills
- a move to a lower pay band or transfer to another post
- for Fast Stream staff a transfer to the main stream may be appropriate
- dismissal.

7.12 In deciding on any future action, your Line Manager (or the appropriate manager) will bear in mind the likelihood of useful service in the future and any previous record of service.

7.13 Your Line Manager (or the appropriate manager) will give you written notification of their decision within 14 calendar days of the date of the hearing and the reasons for that decision. If the decision is that one or more of the actions described above will be taken, other than dismissal, then the letter will explain the action to be taken, the effective date and any further details. The letter will also explain your right to appeal.

7.14 If the decision is to dismiss, the letter will explain the reasons for the dismissal, the date on which your employment will terminate and your right to appeal.

7.15 You have the right to appeal the decision made following the final action meeting, within seven calendar days of receipt of the decision. See section 8 for further information about appeals.

7.16 If you are dismissed under the procedures for poor performance, you will receive any final salary and payment for accrued outstanding leave due (see chapter 26).

8. Appeals

Internal Appeal

8.1 Grounds for appeal include:

- the formal action was inappropriate, inconsistent or too harsh
extenuating circumstances were not taken into account
the likelihood of useful service in the future and any previous record of service were not taken into account
the decision maker was biased
the hearing was not fair
the proper procedures were not followed
new evidence has come to light.

8.2 An appeal against formal action taken at any stage of the procedures, apart from informal action, must be made in writing to the decision maker’s manager within seven calendar days of the receipt of written notification of the decision. This appeal will normally be heard within 14 calendar days unless both parties agree otherwise.

8.3 The appeal will be heard by the decision maker’s manager. In the alternative, they may nominate another manager to hear the appeal who has not been involved in the events which led to the sanction or dismissal. Prior to the meeting, the manager hearing the appeal will review all relevant documentation and the reasons for the sanction or dismissal.

8.4 The manager hearing the appeal will:

- inform you in writing of the arrangements for the appeal hearing
- review all the relevant documentation and the reasons for the decision
- explore all the relevant issues
- let you know when you can expect a decision.

8.5 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 3 on their role at the meeting.

8.6 An HR representative acting in an advisory capacity will normally attend formal meetings. A note will be taken of the meeting by either the HR representative or another member of staff.

8.7 The formal meeting record will be placed on your personal file and a copy given to you.

8.8 Following the appeal meeting, and after obtaining advice if needed, the manager in consultation with HR, will decide what action to take, including:

- to confirm the original decision
- to rescind the original decision
- to rescind the original decision and either substitute a different sanction or refer the issue back to the manager who took the original action for reconsideration
in cases of dismissal where that decision is not upheld, reinstate the employee and substitute a formal or final warning or no sanction at all.

8.9 The manager who heard the appeal will give you written notification of their decision within 14 calendar days of the date of the hearing and the reasons for that decision.

External appeals
8.10 You also have the right to submit a claim of unfair dismissal to the Employment Tribunal if you have completed the relevant qualifying period. If you joined the House of Commons service before 6 April 2012, you must have been employed for at least one year. If you joined after 6 April 2012, you must have been employed for at least two years. If you wish to appeal to the ET you must do so within 90 days of the effective date of dismissal.

8.11 You may obtain further information from ACAS on their ET public enquiry line (08457 959 775) or on their website:

www.acas.org.uk

Compensation
8.12 In strictly limited circumstances you may be eligible for compensation if you are dismissed for inefficiency and have been employed by the House of Commons service for one year or more. You must submit any compensation appeal (for the non-payment of compensation or the amount of compensation paid) within 21 calendar days of the effective date of dismissal to the Department of Works and Pension (DWP), Complex Case Management Service. The contact details are:

Internet link:  http://www.civilserviceappealboard.gov.uk

Telephone:  0207 962 8017

Post:  DWP, Complex Case Management Services, The Adelphi, 1-11 John Adam Street, London  WC2N 6HT

9. Record Keeping
9.1 Details of poor performance cases resulting in a first written warning and/or final written warning will be kept on your personal file for six years after the warnings expire.

9.2 Poor performance cases resulting in loss of pay, movement to a lower pay band,
suspension or dismissal will be kept on your personal file until your 100th birthday for pension administration purposes.

9.3 HR will keep a record of all formal action taken under the procedures for poor performance, for future reference. This is to ensure that action taken is fair and consistent.
PART 5:
CONDUCT
CHAPTER 18:
Conduct, Conflicts of Interest and Business Appointment Rules

1. About this Chapter
1.1 This chapter outlines the conduct and behaviour expected of everyone employed by the House. The guidelines will help you:

- avoid difficult situations
- identify potential conflicts of interest
- know what you can expect from your colleagues and what they will expect from you
- understand some of the actions which can lead to disciplinary procedures. (The disciplinary procedures themselves are set out in chapter 20.)

1.2 None of the restrictions referred to below applies to the activities of representatives of Trade Unions recognised by the House and other members of such unions in performing legitimate Trade Union functions. You should, however, bear in mind the need to make clear, when appropriate, that you are speaking/acting as a Trade Union Representative rather than as a member of staff.

1.3 If you are unsure of how any part of this section applies to you or your job, or what to do in a particular situation, talk to your Line Manager.

2. Introduction
2.1 The House relies on the mutual trust and trustworthiness of those working within it. House of Commons staff must be, and must be seen to be, honest and impartial in the exercise of their duties. They must not allow their judgement or integrity to be compromised, or seen to be compromised.

2.2 You are expected to observe the following principles while working at the House of Commons:

- be impartial
- safeguard official information
- work with your Line Manager and comply with reasonable instructions
- uphold the reputation of the House
- be honest and do not use your job for private advantage.
3. **Honesty and Avoidance of Conflict of Interest**

3.1 You should not let your judgement or honesty be compromised. You must not put yourself in a position where your duty and private or other interests might conflict, and do not use your official position to further your own interests or for financial gain.

3.2 Areas which could lead to conflicts of interest include:

- lobbying Members of Parliament on matters related to your area of work
- using your position as an employee of the House to lobby Members of Parliament for private purposes
- any activity where your work activities could be used for private purposes, such as using information gained at work to invest in particular companies
- acceptance of gifts and hospitality which might reasonably be seen as designed to influence you in the performance of your duties
- buying goods or services in an official capacity from a company in which you have personal or financial interests.

3.3 Seek advice from your Line Manager or HR immediately if you are aware of:

- any transaction, arrangement or contract which has been, or may be, executed by any department if you (or a relative, friend or partner) have a direct or indirect financial interest in that transaction, arrangement or contract
- any private or financial interests which might result in a conflict of interest with your official duties. This is especially important if you are involved with purchasing decisions. The Commercial Services Directorate offers guidance and assistance to all staff of the House involved in procurement
- a close personal relationship with a colleague which could result in a conflict of interest, for instance if they sign off or authorise transactions undertaken by you.

4. **Business Interests and Outside Appointments**

4.1 You must consult your Line Manager before accepting another job, and before taking on any outside work or any position (paid or unpaid). Your Line Manager, in consultation with HR, will make a decision. Your Line Manager will then inform you of that decision including the reasons if your request is declined.

4.2 SCS staff and those in band A involved in procurement and purchasing must become familiar with and follow the rules on the acceptance of outside appointments. The aim of the rules is to avoid:

- any suspicion that the knowledge and decisions of a House employee might be influenced by the expectation of future employment in a particular organisation
- the risk that an organisation might gain an improper advantage over its
competitors by employing someone who, in their official duties, has access to technical or other information which competitors might regard as useful.

**Appointments within two years of leaving House of Commons employment**

4.3 Staff at SCS level should not continue with, or take up any form of full-time, part-time or fee-paid employment either during their employment with, or within two years of leaving, the House of Commons Service, without first seeking permission from the Director General of HR and Change, or the Clerk of the House.

4.4 Staff below SCS must obtain prior approval from their Head of Department before taking any form of full-time or part-time employment or consultancy based employment while employed by or within two years of leaving the employment of the House if they:

- have had any official dealings with their prospective employer during their employment at the House
- have had access to commercially sensitive information of the competitors of their prospective employer in the course of their official duties during the last two years before leaving the employment of the House
- during the last two years before leaving the employment of the House, their official duties involved giving advice or making decisions benefiting their prospective employer, for which the offer of employment could be seen as reward.

4.5 Approval is required for both an initial appointment, and also for any further appointment(s) within two years of leaving the House employment.

4.6 Staff on secondment from the House who take up permanent employment with the seconding employer at the end of the secondment are subject to the rules above.

4.7 Applications may be granted with unconditional approval or approved subject to conditions. Approval with conditions can apply for up to two years depending upon the circumstances of the case and may include the following:

- a waiting period effective from the final date in House employment
- an absolute or qualified ban on the involvement of the applicant in dealings between the prospective employer and a named competitor of that employer
- a ban on the involvement by the applicant in dealings between the prospective employer and a named competitor(s) of that employer
- in the case of consultancies, a requirement to seek approval before accepting commissions of a particular nature or from named employers.
4.8 In cases in which it is proposed to impose a waiting period or other condition the applicant is entitled to have a meeting with the decision maker to discuss this further.

5. Political Impartiality

5.1 The core tasks of the House service include supporting the House and its committees and supporting individual Members. Members are entitled to expect that these services are provided with complete political impartiality and that briefing and advice are not influenced by the personal political opinions of individual members of staff.

5.2 Staff who advise Members must be, and clearly appear to be, impartial. When the impartiality of such staff is compromised, not only may their ability to do their job be impaired, but the reputation of the House Service may also suffer.

5.3 Impartiality is a fundamental requirement for the following staff:

- members of the Senior Commons Structure and staff in band A including members of the Fast Stream Graduate Entrants Programme
- staff who are in direct contact with Members in support of the business of the House and its committees
- staff who provide information, briefing or advice to Members on subjects of political significance.

5.4 Staff in these categories will not generally be given permission to take part in any political activity.

5.5 Impartiality is not as important a requirement for other staff. Catering staff, craft staff, Vote Office porters and cleaners may take part in political activities without restriction. If you work in any other area you may be subject to restrictions if you seek to take part in any political activity. You must obtain the permission of your Line Manager before engaging in such activity.

5.6 In addition, you must obtain the permission of your Line Manager if you wish to take part in any activity in which, irrespective of your intention, it is likely that you will be brought prominently to public notice in a matter of political controversy.

5.7 Political activity includes, but is not restricted to:
At national level:
- holding office in a party political organisation
- speaking in public on matters of national political controversy
- expressing views on political matters in letters to the press, or in books, articles or leaflets
- being a candidate for Parliament (including the European Parliament)
- canvassing on behalf of a candidate for Parliament or a political party
- attending conferences or functions arranged by party political organisations
- being involved in a national referendum campaign.

At local level:
- speaking in public on matters of local political controversy
- expressing views on political matters in letters to the press, or in books, articles or leaflets
- being a candidate or canvassing on behalf of a candidate for election to a local authority.

5.8 If you apply for permission to engage in a political activity your Line Manager will consider:
- the extent to which your impartiality may be compromised by the activity, or by your participation in the activity being brought prominently to public notice
- the extent to which impartiality is a requirement of your post
- the possible impact on the House Service of your impartiality being compromised.

5.9 If you are given permission to engage in a political activity you must not do so in circumstances where it could reasonably be assumed that you were acting as a representative of the House of Commons Service.

5.10 If your Line Manager refuses your request to engage in a political activity you will be given a full explanation of the reasons for the decision.

6. Criminal Offences and Conduct and Behaviour Off Duty

6.1 Your conduct and behaviour off duty must not bring the House into disrepute. If in doubt talk to your Line Manager or your HR Adviser.

6.2 You must let your Line Manager, HR Adviser or Head of Department know as soon as practicable if you are arrested and refused bail or convicted by a court of any criminal offence. Any information collected as a result of this process is held in compliance with the Data Protection Act 1998 and the Rehabilitation of Offenders Act 1974. This paragraph does not apply to a traffic offence unless the penalty includes imprisonment.
6.3 You do not have to notify the House if you receive a caution. If, however, you receive a conditional caution you must inform your Line Manager, HR Adviser or Head of Department without delay as this will be unspent for a period of three months.

6.4 A criminal offence is not an automatic reason for dismissal. Each offence will be considered on its merits. An offence will normally be of concern if it:

- is relevant to your duties as an employee
- affects working relationships with your fellow employees or third parties
- is likely to affect the reputation of the House of Commons Service.

6.5 Details of any unspent convictions will be identified by the House when conducting vetting for the purpose of issuing you with security clearance. Any information collected as a result of this process is held in compliance with the Data Protection Act 1998 and the Rehabilitation of Offenders Act 1974.

6.6 Failure to report an unspent criminal conviction may result in disciplinary action against you and possible dismissal.

7. Gifts and Hospitality

The House of Commons policy on Gifts and Hospitality is on the Intranet at:


8. Publications, Speeches and Broadcasting

8.1 If you are asked to publish an article or book, to give a speech or broadcast on radio or appear on television on any subject in any way connected with your official duties, you must seek the permission of your Head of Department who may consult the Clerk of the House. Similarly, you need permission to take part in your official capacity in surveys or research projects, even anonymously, if they deal with attitudes or opinions on political matters or matters of government or party policy.

8.2 Those working for the House of Commons Information Office follow special rules, which are available from their Line Manager.

8.3 Your Line Manager should always be consulted before any fee is accepted for speeches, articles or attendance at seminars in your capacity as an employee of the House of Commons Commission.

8.4 If you are elected as national, departmental or branch representative or officer of a recognised Trade Union, or if you hold the TUSA post, you may publicise union
views on an official matter which directly affects the pay and conditions of service of members of the union as employees, without permission. In all other circumstances, however, you must follow the procedures above.

8.5 You should also read the rules covering use of social networking sites such as Facebook and Twitter in a work context (chapter 22).

House of Commons Information Office

8.4 Staff working in the Public Information and Outreach team follow special rules, which are available from their Line Managers.

National, departmental or branch representative or officer of a recognised Trade Union

8.5 If you are elected as national, departmental or branch representative or officer of a recognised Trade Union, or if you hold the Trade Union Side Administrator (TUSA) post, you may publicise union views on an official matter which directly affects the pay and conditions of service of members of the union as employees, without permission. In all other circumstances, however, you must follow the procedures above.

9. Contact with the Media

9.1 You must not talk to the media about your work, or about matters relating to it, without authority from your Head of Department. If you receive a call from a journalist, take details of the enquiry (name, publications, phone, email, and, briefly, what information they need) and pass it on to the Media and Communications Service (MCS) on ext. 0969.

9.2 Your department (especially in relation to staff in the Committee Office) may have more detailed guidance on dealing with the media. Check with your Line Manager, or with the Media and Communications Service.

10. Official Property and Use of Official Equipment and Supplies

10.1 You must take reasonable precautions to ensure the safekeeping of official property and equipment, such as mobile phones and laptops. The deliberate or negligent loss or damage of official equipment or property is a serious offence and may lead to disciplinary action. All losses should be reported to your Line Manager immediately. If you suspect theft, notify Security Control on ext. 3333 as soon as possible. Precautions you should take include:

- ensure that desks, drawers, filing cabinets and cupboards are kept locked when not in use and that keys are not left in easily accessible places
lock away all private and confidential papers and articles of value when you leave your desk for a significant period of time and in particular overnight
ensure that items such as memory sticks, CDs, laptops, mobile phones and other data storage devices are left in a safe and secure place at all times.

10.2 Remember that the safekeeping of your official papers and equipment is your personal responsibility. In the event of any information or equipment that contains data being lost or stolen you should report it to your Line Manager and complete an information and equipment form immediately. More information is on the Intranet at:

Official stationery
10.3 Official stationery should be used only for House of Commons business. Official paid envelopes and franking stamps must not be used for private correspondence. Use of official stationery other than for official purposes may result in disciplinary action.

Telephone calls
10.4 The House of Commons Service recognises that we all need to make the occasional personal telephone call. Please keep these to an absolute minimum. Making personal calls is a privilege, so take care not to abuse it. If you need to make a personal international call, you must do so through the switchboard and a charge will be made.

11. Private Property
11.1 You are responsible for looking after your private property. Personal property, particularly money, should not be left in vulnerable places such as on desktops, in unlocked drawers or in empty rooms.

11.2 If you lose or damage any personal property, report it immediately to your Line Manager, preferably in writing. If you suspect theft call Security Control on ext. 3333 as soon as possible.

12. Private Financial Affairs
12.1 You must not lend money to, or borrow money from, another member of staff as a matter of business.
12.2 If you become bankrupt or have serious financial difficulties you must report this to your Line Manager. If this could pose any risk in your current post, your Line Manager will discuss the matter with HR. Your Line Manager may also suggest you see the Welfare Office.

12.3 The Welfare Officer can provide confidential advice on request with a view to assisting you to overcome any financial difficulties. It is however best to seek such advice before the situation becomes serious. You can make an appointment to see the Welfare Officer on ext 4789.

13. **Staff Involved in Legal Proceedings Related to Official Duties**

13.1 You should seek advice from the Legal Services Office on ext. 3877 as soon as you become aware that proceedings are to be taken against you in respect of the performance by you of your official duties.

13.2 Legal assistance and representation will be provided if you are sued for damages resulting from actions carried out in the course of your employment. However, the right to provision of legal assistance and representation will not apply if:

- it is considered that you acted outside the scope of your terms of employment
- you refuse to instruct your personal solicitor in terms approved by the Legal Services Office.

13.3 You will not be normally be asked to pay for any loss or damage that results from actions carried out honestly and in good faith during the course of your employment, provided your actions are not deemed to be reckless. However, if it is proven you have committed a disciplinary offence which has resulted in loss or damage you may be asked to pay for it.

14. **Photography and Filming**

14.1 You must not record the image or the voice of any person without their express permission, anywhere within the Parliamentary Estate, unless you have obtained a permit to do so. Applications for a permit should be made to the Events Team, Black Rod’s Office, Director of Catering & Retail Services or the appropriate Head of Department, depending on the location concerned.

14.2 Anyone who attempts to market, publish or transmit such information obtained without a permit will be referred to the Serjeant at Arms or Black Rod and their future admission to the Houses of Parliament could be prejudiced.

14.3 Owing to the nature of the Parliamentary Estate and surrounding environment there is very often media recording equipment in use. You should, therefore,
realise that your image or voice could be recorded while you are on or about the Parliamentary Estate and may be broadcast or used for other journalistic purposes. This is particularly the case in some locations, such as Central Lobby, Portcullis House Atrium and St Stephens’s entrance.

14.4 Regulations governing the photography and filming within the precincts of the Parliamentary Estate are on the Intranet at:

http://intranet.parliament.uk/access-buildings/access-security/filming/.

Mobile Phones

14.5 It is a criminal offence to use a hand held mobile or similar device while driving. Mobile phones or similar devices issued by the House should be switched off so that messages can be left. Staff should not make or receive calls, pictures, text messages or access the Internet or blogging sites on a hand held mobile phone or similar device while driving. If you anticipate you will receive calls, you should use voice mail or call diversion and stop regularly, in a safe place, to check messages and return calls. Any fine which is imposed for driving while using a hand held mobile phone or similar device will be your sole responsibility to pay.

14.6 If a member of staff commits a driving offence as a result of using a work issued mobile phone or similar device, they may be subject to disciplinary proceedings.
CHAPTER 19: Disclosing Malpractice or Impropriety (‘Whistleblowing’), Allegations of Dishonesty at Work and Crisis of Conscience

1. About this Chapter
1.1 This chapter explains:

- the House of Commons policy on disclosing malpractice or impropriety (‘Whistleblowing’) and the procedures to be followed
- what you should do if you suspect that a theft or other crime has been committed in the workplace
- what will happen if you suspect, or are suspected of, dishonesty at work
- what you should do if you object strongly to doing, or not doing, something in connection with your work because it appears to be illegal or improper or may raise questions of maladministration (crisis of conscience).

2. Disclosing Malpractice or Impropriety
2.1 The House of Commons Service is committed to maintaining the highest standards of professionalism and integrity. We serve the House of Commons, its Committees and Members, and the public, with honesty, probity and political impartiality. The House Service will, therefore, treat malpractice or impropriety very seriously whether it is committed by managers, employees, suppliers or contractors.

When this policy applies
2.2 Although the House of Commons Service is not expressly covered by Part IVA of the Employment Rights Act the procedures below are intended to be broadly in line with Part IVA of the Act. The procedures are designed to encourage and enable employees to raise serious concerns within the House of Commons Service, rather than overlooking a problem or ‘blowing the whistle’ outside the House.

2.3 Employees should also use this policy to raise concerns regarding malpractice or impropriety by Members. Employees are often the first to realise that there may be something seriously wrong within an organisation and this policy provides a means for them to raise concerns so that these can be investigated properly, sensitively and in confidence.
2.4 Where a concern is proved ill-founded, internal resolution also avoids unwarranted damage to the House’s reputation. The policy is also designed to ensure that individuals are protected from suffering detriment if they have a reasonable belief that they raised a concern in good faith.

2.5 These procedures provide a means of dealing with issues of malpractice or impropriety such as:

- criminal activity, for instance fraud (see the Finance & Procurement Rules, chapter 5 on Prevention of Theft and Fraud), corruption, bribery or blackmail
- abuse of office or position
- failure to comply with any legal duty
- a miscarriage of justice (or deliberate and serious misrepresentation of information)
- endangering the health and safety of an individual or groups of individuals, including risks to the public
- environmental damage
- any deliberate attempt by any person to conceal any of the above.

2.6 The policy additionally covers any conduct not included above which appears likely to harm the reputation of the House of Commons Service.

2.7 In other circumstances alternative policies, as set out in this Handbook and on the Intranet, should be used when raising and dealing with issues on:

- grievances
- equal opportunities
- discipline matters
- performance management
- health and safety
- security.

Confidentiality

2.8 In raising a concern about wrongdoing we will endeavour to make sure that only those House of Commons employees investigating it will know your identity. All concerns will be treated in confidence and every effort made to not reveal your identity outside this group except:

- where we are legally obliged to do so
- where the information is already in the public domain
- on a strictly confidential basis to a professionally qualified lawyer, accountant or other professional when getting advice
- to the police in any follow-up proceedings involving a criminal investigation.
2.9 If there are any other circumstances in which we are required to reveal your identity outside those identified above, for instance if concerns cannot be resolved without revealing the identity of the employee raising the concern (for example, if evidence is required in court), we will discuss this with you first and appropriate support will be provided to you.

Anonymous allegations

2.10 Concerns that are expressed anonymously are much less capable of being investigated but will be considered at the discretion of the investigator in discussion with the Director General of HR and Change (or if the allegation concerns that person, with another member of the Management Board). In exercising this discretion factors to be taken into consideration include the:

- seriousness of the issues raised
- credibility of the concern
- likelihood of being able to confirm the allegation from attributable sources.

Untrue allegations

2.11 If you have a reasonable belief that you are making an allegation in good faith, but it is not confirmed by the investigation, no action will be taken against you as a result of making the allegation. If, however, the investigation shows, or it subsequently becomes clear, that you made an allegation frivolously, maliciously, vexatiously or for personal gain, disciplinary action may be taken against you.

What happens if I am implicated?

2.12 If you raise concerns and actively cooperate with an investigation in which you may be implicated in any wrongdoing, you are likely to receive a lighter sanction than might otherwise have been the case (unless the misconduct is so serious that no amount of co-operation or other mitigating conduct can justify this).

How do I raise a concern?

2.13 If you have a concern regarding malpractice or impropriety of the type set out above you should:

- wherever possible first raise concerns with your immediate Line Manager or within your line management chain. This can be done face to face or in writing.
- if you believe that your line management is involved you should approach your Head of Section, Director, or Head of Department
- allegations which involve your Head of Section or Director should be made to the relevant Head of Department
allegations which involve your Head of Department should be made to the Clerk of the House
allegations involving the Clerk of the House should be addressed to Alex Jablonowski (External Management Board Member).

2.14 Allegations regarding malpractice or impropriety that involve Members of the House of Commons should be made to the Clerk of the House.

2.15 A register of all allegations made, and any actions taken, under this policy will be kept by the Department of HR and Change. Notification of allegations should be registered when they are first raised whether or not it is decided that further investigation is appropriate.

2.16 Where possible you should raise your concerns in writing setting out the background and history of your concerns (giving names, dates and places where possible) and indicating the reasons for your concerns. You should make it clear that you are raising concerns under the Disclosing Malpractice or Impropriety Policy.

2.17 You must not raise your concerns outside the House of Commons administration (for instance the press/media) without first giving the House authorities the opportunity to address them internally. The only exception to this is that if you feel you need independent advice at any stage of the process the House has agreed that you may contact the independent charity Public Concern at Work, which gives free and confidential advice on disclosure of malpractice matters. Its telephone number is 020 7404 6609, and its website address is:

http://www.pcaw.org.uk/index.htm

2.18 Other than through discussions with Public Concern at Work as outlined in paragraph 2.17 above, disclosing concerns to anyone outside the House of Commons without first following the House of Commons disclosing malpractice procedures could result in disciplinary action.

What happens after you raise a concern?

2.19 Following discussions with you, the person to whom you have reported your concern will decide how to proceed. Preliminary enquiries may be made to decide whether a further investigation is appropriate and, if so, what form it should take. Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted (for example, on health and safety issues).
2.20 You will be informed if, following preliminary enquiries, the person you raised your concern with decides that an investigation would be inappropriate and the allegation is effectively dismissed, for instance if it is decided that:

- there is no substantive case to the allegation
- the issue is trivial
- the normal grievance procedure is more appropriate.

2.21 Where an investigation is not carried out you may appeal to the relevant Head of Department, or, if they were involved in the decision, to another member of the Management Board.

2.22 If it is decided that an investigation is merited, the person you have raised the concern with may investigate the allegation themselves, or appoint another independent investigator.

2.23 It is not always possible to follow exactly the same procedure as circumstances may differ in each case, and it is important that any investigation is proportionate and as independent as possible. However, if a further investigation is required the investigation will generally follow the steps set out below:

- the investigator will obtain as full details as possible
- any members of staff required to attend meetings held as part of the investigation can be accompanied by a fellow employee of their choice, who may be a friend or colleague, or a Trade Union Representative
- you will be informed of any investigation, and any action taken in relation to your concern.

2.24 The investigator, in consultation with the Director General of HR and Change and/or the Director of Finance where appropriate, will consider whether to involve the House of Commons auditors or the police. There may be occasions where it is appropriate that external investigations, such as those by the police, are undertaken before any formal internal investigation.

2.25 Owing to the varied nature of potential allegations under these procedures and the possibility of police involvement, it is not possible to lay down precise time scales for investigations. The investigator will aim to ensure that the investigation is undertaken as quickly as possible, without affecting the quality and depth of the investigation.
What happens after the investigation?

2.26 The investigator will write a report setting out their findings in relation to the allegation, containing a conclusion as to its validity, and a recommendation for further action. The report will be sent to:

- the Head of Department responsible for the area concerned
- if the Head of Department responsible for the area concerned conducted the investigation, to another Head of Department or to the Clerk of the House
- if the Clerk of the House conducted the investigation, to Alex Jablonowski (External Board Member).

2.27 They will decide what action, if any, to take. If the allegations are shown to be justified, appropriate action will be taken as quickly as possible. If malpractice or impropriety is found to have taken place, those staff of the House responsible may be subject to House of Commons disciplinary procedure and may be reported to the police if it potentially involved a criminal act.

2.28 Where evidence supports an allegation, and it is believed a member of staff is implicated, the investigator will inform the member of staff against whom the allegation is made, and provide the evidence supporting it, and the member of staff will be allowed to comment before the investigation is concluded and the report made.

2.29 The outcome of the investigation will be communicated, as far as is possible without any infringement of a duty of confidence owed by us to someone else, to:

- you as the person raising the concern
- staff who were interviewed as part of the investigation
- the House of Commons Management Board
- external authorities, if appropriate, who may need to consider whether other action should be taken on the basis of the findings.

2.30 If you are not satisfied that your concern has been properly dealt with by the investigator you may raise it in confidence with Alex Jablonowski (External Board Member).

2.31 Records of proceedings will be kept for seven years by the Department of HR and Change, after which they will be reviewed and destroyed unless there are reasons for their further retention.
3. **What to Do if You Suspect that a Theft or Other Criminal Activity has been Committed in the Workplace**

3.1 The House of Commons is committed to protecting its assets, including the public funds under its control, from theft or other criminal activity. This section describes what you should do if you suspect that a theft or other crime has been committed in the workplace. The approach adopted may need to be modified if the whistleblowing procedure (see section 2 above) is being used.

**How to report a crime**

3.2 Any credible evidence that a crime may have been committed should immediately be reported your Line Manager, your Head of Department or your HR Adviser, who will then report the matter to the Legal Services Office (LSO). If this is not possible the matter should be reported to the Director of the Internal Audit Service (IAS) on ext. 6460, who will again report the matter to the LSO. You should try to preserve any evidence material relating to the event.

3.3 You may report any suspicions you might have anonymously to your HR Adviser or to the Director of IAS. However, information given in this way may be less valuable than information provided by a named person and may not result in appropriate action being taken.

3.4 Staff should not make malicious or unsupported accusations. Making such accusations may lead to disciplinary action.

**Investigation process**

**Preliminary enquiries**

3.5 The Line Manager (of the member of staff against whom an allegation is made) will investigate, or if appropriate will nominate another manager to conduct an investigation. If necessary, the HR Business Partner will arrange for the Line Manager concerned to receive prior briefing on how an investigation should be conducted.

3.6 The investigating Line Manager will begin by undertaking preliminary enquiries. The purpose of these enquiries is to:

- establish the initial facts
- look at any available evidence
- assess the nature and quality of the evidence
- make a written record of facts and any subsequent decisions made or action taken.
3.7 From these enquiries, it will be established with the LSO whether a full internal formal investigation, or a criminal investigation, is necessary. Preliminary enquiries can be curtailed and progressed to a full investigation if it becomes obvious that there is a need to do so. If, at this stage, there is evidence that a theft or other crime has been committed, the police will be alerted.

**Internal formal investigation**

3.8 Where there is only a suspicion that a crime may have been committed, a full internal investigation may be conducted. The relevant HR Adviser, in consultation with their Head of Department, will decide who will carry out the investigation. This may be a different manager from the person who carried out the preliminary enquiries.

3.9 The aim of the internal investigation is to fully assess whether there is enough evidence to warrant referral of the matter to the police as a criminal investigation, and to inform any decision on whether disciplinary action is necessary.

3.10 Staff have the right to be accompanied by a colleague or Trade Union Representative during any investigation interviews.

**Suspension from duty**

3.11 If you are the subject of an investigation your Line Manager may decide, in consultation with the Head of HR Operations to suspend you, with or without pay, pending the conclusion of the investigation. Before reaching their decision they must consult the Legal Services Office and the Head of Pay, Policy and Employee Relations. The Director General, HR and Change should be kept informed on any decisions. If the police are conducting their own investigation and decide not to take further action, or if a prosecution is not proceeded with or results in acquittal, your Line Manager, in consultation with the HR Adviser, will consider whether internal disciplinary procedures are appropriate (see chapter 20). You will be informed promptly if it is decided that no action will be taken against you and arrangements will be made for you to return to duties as soon as possible.

**Disciplinary action**

3.12 If, following the preliminary investigation, it is decided that the formal disciplinary process should be followed, then the policy in chapter 20 will apply.

**4. Crisis of Conscience**

4.1 Your personal opinions are not a valid reason for you to refuse to carry out reasonable requests by management or Members. However, you may raise a grievance
in accordance with the procedures set out in chapter 21 where you believe that you are being asked to act in a way which:

- is illegal, improper or unethical
- is in breach of a professional code
- may involve maladministration.

4.2 If, however, the matter cannot be resolved through the normal grievance procedure, and you object strongly to doing, or not doing, something in connection with your work because it appears to be illegal or improper, or may raise questions of maladministration, you have the right to appeal to your Head of Department. In the last resort, you may also appeal to the House of Commons Commission.
CHAPTER 20:  
Disciplinary Procedures

1. About this Chapter
1.1 This chapter explains:
- the House of Commons disciplinary procedures
- what to expect if your conduct falls short of accepted standards.

2. Introduction
2.1 The House of Commons disciplinary procedures are aimed at upholding standards of individual conduct. They are designed to ensure that all cases are handled consistently and fairly and that any alleged disciplinary offence is fully and properly investigated.

2.2 If your conduct falls short of the expected standards, your Line Manager will normally try to bring about an improvement through training, coaching, counselling, advice and encouragement or an informal action. In most cases, these informal methods will be successful in improving conduct.

2.3 However, where informal methods do not succeed and conduct does not improve, it may be necessary to begin disciplinary procedures. Your Line Manager may also instigate formal disciplinary procedures without going through an informal stage if the case involves something which is regarded as serious or gross misconduct, or has had a considerable impact on others.

2.4 Your Line Manager must always consider disciplinary cases against as full an understanding of the situation as possible, including relevant personal, domestic or social circumstances. Managers must also take into consideration any advice or assistance which the Diversity and Inclusion Manager, Welfare Officer (WO) or Occupational Health Manager (OHM) may be able to give.

2.5 In some cases, such as those where there are attendance or performance issues, and there are interactions between procedures set out in chapters 15 and 17, it may be more appropriate to run these in parallel and for the processes to be adjusted if necessary. HR should be consulted in such cases.
Departure from the disciplinary process

2.6 The disciplinary process is a formal process designed to respond to alleged breaches of conduct. Generally, Managers should not depart from the process. However, there could be circumstances where a particular case does not lend itself to following the procedures as described. In such limited circumstances and only in prior consultation with HR and with the member of staff if this is reasonably possible, some variation may be justified. This would simply be an alternative method of reaching an outcome and must align as much as possible with the disciplinary process and protect the rights of the employee.

3. Authority to Exercise Disciplinary Powers

3.1 Your Head of Department, acting on delegated authority from the House of Commons Commission, has the authority to exercise disciplinary powers. On a day-to-day basis this power is delegated to Managers. Managers will administer formal procedures, and act as decision makers, in consultation with HR.

3.2 If your Line Manager is not available, or their involvement is deemed to be inappropriate, the Departmental Director of Business Management or their designated officer may nominate an alternative Manager to administer the disciplinary procedure, and act as decision maker. To ensure consistency in approach the Head of HR Operations, or an HR Manager with delegated responsibility, must be consulted on any sanction(s) in a disciplinary case.

3.3 A decision to dismiss will only be taken by someone at band B1 or above after the appropriate investigations and interviews have taken place. You have the right of appeal against disciplinary sanctions or dismissal to the decision maker’s Manager. If you are dismissed, in some circumstances you will also have a right of appeal to an employment tribunal (see section 11).

3.4 In cases involving SCS staff, the Director General of HR & Change and the Clerk of the House will make the decision to dismiss.

4. Special Considerations: Trade Union Officials

4.1 Normal disciplinary standards apply to the conduct of Trade Union officials as employees. If any disciplinary action is considered (including an investigation which could lead to disciplinary action), the case should be discussed, after obtaining the employee’s consent, with the Trade Union Side President, the relevant national officer and the Director of HR Services. Managers should take care that disciplinary action on a Trade Union Representative is not seen as an attack on the Trade Union’s functions.
5. **Informal Action**

**Preliminary enquiries**

5.1 In some cases it may become obvious very quickly that informal proceedings are inappropriate, at which stage preliminary enquiries should be curtailed and a formal investigation set up. Preliminary enquiries may be carried out to establish the facts before any formal procedures are considered. These are to establish whether any further action is required. The breadth and depth of any preliminary enquiries will vary from case to case.

5.2 Information gathered from preliminary enquiries can be used as part of the formal investigation. If during informal discussions it becomes apparent that a formal investigation is required the manager should not pursue the discussion further until it can be undertaken as part of the formal process.

5.3 The person conducting the preliminary enquiries may be your Line Manager, or an appropriate manager. At this stage they may decide:

- there is no further case to answer and the matter can be dropped
- matters can be resolved informally, for instance through advice or guidance
- to proceed to formal investigation.

**Informal action**

5.4 When it appears that a member of staff may have committed a minor offence Line Managers may decide to deal with the matter informally, for example, through discussion with the staff member concerned, advice, training, coaching or counselling. This approach may be appropriate, for example, to bring to the attention of a member of staff some unsatisfactory aspect of their behaviour such as general bad manners or ill-temper, which they may regard as trivial, but which is unacceptable at work.

5.5 The purpose of informal action is to discuss problems with the objective of encouraging and helping staff to resolve the situation. However, incidents of serious or gross misconduct must always be dealt with formally.

5.6 As part of the informal discussion your Line Manager will ensure that they give you all of the information you need to understand their concerns, including the following, although all of these will not apply in every case:

- what level of conduct is required
- the improvement required
- the date by which these must be made
- any help which may be available, for example where ill health may be affecting your behaviour.
5.7 Your Line Manager will take a note of the meeting, agree the accuracy of the note with you and give you a copy. No record will be kept on your personal file at this stage but the meeting note will be included if a formal warning follows.

Cooling-off periods

5.8 Sometimes incidents which lead to disciplinary action involve emotional behaviour, and a cooling-off period may be needed before the matter can be dealt with sensibly. When, for instance, a member of staff loses their temper in the office, Line Managers may, if necessary, send the person home for the remainder of the day (it should never be for a longer period) to cool off. Sending a person home in these circumstances is not regarded as suspension from work and should not be referred to as such.

Counselling

5.9 Sometimes domestic, personal or health problems can be at the root of the problematic behaviour. If staff do not wish to discuss the matter with their Line Manager, they are encouraged to talk with their HR Adviser, a doctor, Welfare Officer (SHWS) or Trade Union Representative.

6. Suspension

6.1 Suspension during a disciplinary investigation and proceeding is not in itself a disciplinary sanction or a sign of guilt. It is simply a way to progress enquiries or an investigation smoothly or to protect the health and safety of the individual(s) involved. In many cases employees will not be suspended during the disciplinary process. If you are suspended, your Line Manager will write to you stating the reason for the suspension, whether it will be with or without pay, and the length of the suspension. The length of the suspension will be reviewed regularly by HR.

6.2 If the allegation is of serious misconduct, your Line Manager may decide, in consultation with the Director of HR Services, to suspend you while enquiries take place.

6.3 If you are accused of gross misconduct, you will normally be suspended for seven to 14 calendar days (usually on full pay) while investigations are made.

6.4 In cases involving SCS staff, the Director General of HR & Change will need to be involved in the decision on whether to suspend.

6.5 Suspension may be made with or without pay, depending on the nature of the allegation and the particular circumstances. A suspension made with pay can be changed to a suspension without pay, depending on the nature of the allegation and
the particular circumstances. A decision on suspension without pay (i) at the SCS level will be made by the Director General of the DHRC, and (ii) for bands A to E, Catering and Retail will be made by the HR Head of Operations in consultation with the HR Head of Employee Relations Pay and Policy. If suspension without pay is being considered, you will be invited to a meeting at which you have the right to be accompanied by a Trade Union Representative or colleague.

6.6 If you are suspended without pay but the subsequent disciplinary action concludes with no sanction being taken against you then retrospective payment for the period of suspension will be made. However, if the disciplinary proceedings result in a disciplinary sanction, the Director of HR Services has discretion to decide that pay which has been withheld should be wholly or partly forfeited.

6.7 During the suspension you will remain an employee of the House of Commons and must be available to return to work when required to do so.

7. **Formal Disciplinary Procedures**

7.1 It is most important to the House of Commons that staff should maintain high standards of conduct. Most breaches of conduct will be handled by informal means as detailed above. However more serious misconduct, gross misconduct, or repeated minor breaches are likely to warrant formal action. The purpose of such action is to correct the misconduct, in the interests of the organisation and the individual, rather than to punish the employee. It is the policy of the House that if you are subject to formal disciplinary procedures:

- you should be told of the alleged misconduct as soon as formal procedures start, if not before
- you should be subject to formal procedures only if there is good reason and evidence of an alleged offence, normally compiled through preliminary enquiries
- any investigation and sanctions should be appropriate to the nature of the alleged offence
- any sanctions should be demonstrably fair and consistent with previous action in similar circumstances
- you have the right to be represented by a Trade Union Representative or fellow employee of the House during any interview or hearing which could lead to a warning or some other disciplinary procedure
- you have the right of appeal against any disciplinary action.

**Right to be accompanied at formal meetings**

7.2 Managers should note that members of staff have the right to be accompanied
by a Trade Union Representative or fellow employee of the House of Commons during paid working hours for any interview or hearing which forms part of the formal disciplinary procedures.

**Role of the Trade Union Representative or fellow employee**

7.3 If you wish a Trade Union Representative or fellow employee to attend a formal interview with you, they may:

- put your case
- sum up your case
- respond on your behalf to any view expressed at the hearing
- confer with you during the hearing.

They may not:

- answer questions on your behalf
- address the hearing if you do not wish them to do so
- prevent your employer from explaining their case.

**Formal investigations**

7.4 Any potentially formal case will require an investigation of the evidence. The purpose of the investigation is to establish, fairly, whether there is a case for the employee to answer. Formal investigations may include:

- interviewing witnesses
- collecting witness statements
- reviewing relevant documentation or other evidence
- overseeing or commissioning searches
- preparing an investigation report.

7.5 Further details can be found in the management guidance on the Intranet at:


**Interviewing witnesses**

7.6 Investigating managers may interview you and other potential witnesses. This interview is part of the formal investigation and your evidence may be considered as part of the disciplinary hearing. You are entitled to be accompanied by a colleague or Trade Union Representative. As a matter of good practice, a note of these interviews will be made and you will be asked to sign the record.
Conducting searches of House of Commons Service employees

7.7 The House reserves the right to search employees, their desk, locker, personal property and effects, as appropriate, where there is a reasonable belief that some unauthorised or criminal activity has taken place.

7.8 Unauthorised activities may include actions such as:

- secreting or withholding work-related documents (for example, secreting invoices which require processing)
- unauthorised possession of official equipment or property
- accepting inappropriate gifts.

7.9 Any such search will be conducted by the Serjeant at Arms, or their designee. The search will be undertaken by an officer of the same sex as the employee wherever possible. The manager requesting the search and/or an HR representative will also be in attendance if felt necessary. You will be entitled to be accompanied during any such search by a colleague or Trade Union Representative.

7.10 In addition, the House also reserves the right to search any vehicle entering, leaving or on the parliamentary estate at any time.

7.11 If you are found to be in unauthorised possession of House property or property belonging to a third party, you may be suspended from duty until the matter has been investigated (see section 6 above). Staff should bear in mind that during their absence, to avoid disruption to services, their managers may need to gain access to any cupboards, drawers or cabinets they may use for the storage of work-related items.

Disciplinary hearings

7.12 The purpose of the disciplinary hearing is to consider all the evidence relating to the allegations, decide based on that evidence whether the allegations are true and decide what sanction, if any, is appropriate. The hearing will be conducted by a manager advised by a representative from HR.

7.13 Depending on the nature of the case, for example, when there is an allegation of harassment, it may be necessary to appoint a manager to hear the case who has not been involved in, and does not have a detailed knowledge of, the investigation, the allegation or the person who brought the complaint against the employee. It is, however, unrealistic to insist that panel representatives will have no prior knowledge at all of the case.

7.14 You will be given in writing:

- at least seven calendar days’ notice of the hearing
details of the alleged offence, and supporting evidence
- an opportunity to respond to the allegation in writing
- notice that the interview is a disciplinary one
- details of your rights to be accompanied by a Trade Union Representative or a fellow employee of the House of Commons Service (see paragraphs 7.2 and 7.3).

7.15 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

7.16 An HR representative acting in an advisory capacity will normally attend formal meetings. A note will be taken of the meeting by either the HR representative or another member of staff.

7.17 The formal meeting record will be placed on your personal file and a copy given to you.

7.18 If you are unable to attend a meeting, for instance if you are absent from work due to ill health, the manager hearing the case will decide on the appropriate action to take. This may include arranging an alternative date for the meeting or seeing you at a more convenient location closer to your home. However, if despite making alternative arrangements, you still do not attend a meeting, a decision on the outcome can be made in your absence. In this case you would be notified of any decision on the outcome.

7.19 The hearing will normally adjourn before any decision is made. This will provide an opportunity, if necessary, to obtain and consider any additional evidence and to consult HR. Following the adjournment the decision, based on all the evidence, will be one of the following:

- to drop the matter and take no further action
- to take informal action (see 5.4 to 5.7 above)
- to issue a formal sanction (formal warning, final warning or dismissal)

7.20 When deciding on the outcome, and on what, if any, sanction should apply, the manager will consider the extent to which standards have been breached, precedent, your general record, role, length of service and special circumstances which might make it appropriate to adjust the severity of the penalty.

8. **Disciplinary Sanctions**

8.1 The appropriate level of disciplinary sanction be will be affected by the circumstances of the offence. It is not necessary in every case to begin with a First Written Warning and to proceed to a Final Written Warning. For example, for
serious misconduct, an immediate Final Written Warning may be appropriate. In cases of gross misconduct, summary dismissal may be appropriate.

**First Written Warning**

8.2 In isolated instances of misconduct where your conduct does not meet agreed standards (see section 9), you may be given a First Written Warning by your Line Manager, however, this will depend on the severity of the case.

8.3 A First Written Warning will state:

- the reason for the warning
- the improvement required
- the date by which improvement must be made
- the expiration date of the warning
- your right to appeal.

8.4 If there is no sustained change in behaviour or misconduct is repeated during an unexpired previous warning, further action under the disciplinary procedures may be taken which could result in a Final Written Warning. Further misdemeanors could lead to a Final Warning or your dismissal.

8.5 A record of the warning will be stored on your personal file and a copy will be given to you. Subject to satisfactory conduct, a First Written Warning will be disregarded for disciplinary purposes 12 months after it is issued.

**Final Written Warning**

8.6 A Final Written Warning will be issued when:

- there is still a failure to improve and conduct is unsatisfactory or
- a further offence occurs within the 12-month period or
- if the initial misconduct is sufficiently serious but not serious enough to justify summary dismissal.

8.7 A Final Written Warning will state:

- the reason for the warning
- the improvement required
- the date by which improvement must be made
- warn that dismissal will result if there is no satisfactory improvement within a given timescale
- the expiration date of the warning
- your right to appeal.
8.8 If there is no sustained change in behavior, misconduct is repeated or other misdemeanors occur during an unexpired previous warning, further action under the disciplinary procedures may be taken which could result in your dismissal.

8.9 A record of the warning will be stored on your personal file and a copy will be given to you. Subject to satisfactory conduct, a Final Written Warning will be disregarded for disciplinary purposes 24 months after it is issued.

Dismissal

8.10 If your conduct remains unsatisfactory after a Final Written Warning, dismissal may result.

8.11 Consideration of and the decision to dismiss will not be taken by anyone who is below the level of a band B1 Manager, and only after the appropriate investigations and interviews have taken place. If your Line Manager is below this pay band, the decision will be passed up the line management chain. You will be provided with written reasons for dismissal, the date on which the employment will terminate and the right of appeal, within 14 calendar days of the date of the hearing.

Summary dismissal

8.12 If on completion of the investigation and the disciplinary hearing, the person taking the decision to dismiss is satisfied that it is more probable than not (on the balance of probabilities) that you have committed gross misconduct, the result will normally be summary dismissal without notice.

Additional sanctions

8.13 In addition to, or instead of, the sanctions outlined above, the manager concerned may, in appropriate circumstances, apply any of the following sanctions:

- suspension for a specific period with loss of pay
- payment for any loss or damage you have caused
- loss of pay for unauthorised absence
- ban on promotion or on consideration for promotion (including temporary promotion or substitution) for a specified period
- movement to a lower pay band for a specified minimum period, after which you will be eligible for consideration for promotion
- removal from a post attracting additional allowances
- loss of privileges if they are abused, such as the right to further season ticket loan if a previous loan for this purpose has not been spent on a season ticket.
8.14 In dismissal cases involving loss of public money, any unpaid salary may be withheld and offset against the loss. Similar set-offs can be made if a member of staff resigns before the dismissal can be put into effect. The decision to withhold unpaid salary should be made by the Director of HR Services.

8.15 Pension benefits may be withheld in whole or in part if you are convicted of any criminal offence that is gravely injurious to the state or may lead to a serious loss of confidence in the House of Commons Service. The decision to withhold pension benefits is a matter for the Director General of HR & Change and the Pensions Unit will administer the decision. If you have been employed by the House of Commons Service for one year or more, you may be eligible to appeal against the withholding of any of your pension benefits. For further information or to submit an appeal, you should contact the Department of Work and Pensions (DWP) as follows:

Website: http://www.civilserviceappealboard.gov.uk

Telephone: 0207 962 8017

Post: DWP, Complex Case Management Services, The Adelphi, 1-11 John Adam Street, London WC2N 6HT

8.16 If you are dismissed or suspended (subject to any appeal) you must not return to the Parliamentary Estate without first having sought guidance from the Head of HR Operations. Dismissed or suspended employees are entitled to gain access to their Trade Union Representative, having first sought guidance on access arrangements from the Head of HR Operations.

8.17 Where in the view of the House the nature of an offence makes it inappropriate for you to continue in your present post, the House may consider:

- moving you to another post in the department
- transferring you to a suitable post in another department
- if no suitable alternative can be found, dismissal.

9. Levels of Misconduct

9.1 There is no code automatically assigning particular sanctions to particular offences. The disciplinary hearing panel will take full account of the circumstances in deciding what the sanction should be. The following is set out for guidance only and the list is not definitive. Some items are listed under more than one heading. The seriousness of the offence will depend on the circumstances of the case.
Informal action

9.2 Examples of misconduct where informal action may be appropriate might include an isolated incidence of:

- bad time keeping
- inappropriate offensive language
- insubordination
- minor violations of, or failure to maintain appropriate standards of dress or personal hygiene
- other minor misbehaviour.

Misconduct

9.3 Examples of misconduct where a First Written Warning may be appropriate might include:

- refusing or neglecting to follow an instruction by management
- misuse of alcohol or illegal drugs in the workplace (this could be more serious depending on the circumstances - see below)
- rude, offensive or unacceptable behaviour to colleagues, Members or others
- misuse of official equipment or property
- unauthorised possession of official equipment or property
- bad time keeping or unauthorised absence
- refusing or neglecting to follow prescribed working procedures
- minor breaches of confidentiality
- more serious violations of, or failure to maintain appropriate standards of dress or personal hygiene
- excessive use of the email and Internet systems for personal, social or recreational reasons during work time.

9.4 Particularly grave, or repeated, instances of the above might be viewed as serious misconduct. Alternatively, if there were powerful mitigating circumstances, an offence which would normally be serious misconduct might be regarded as misconduct.

Serious Misconduct

9.5 Serious misconduct where a Final Written Warning may be appropriate might include:

- consumption of alcohol during duties or working after consuming alcohol for those engaged in hazardous or dangerous work, working at a height, or whose actions might cause a danger to third parties
persistent bad timekeeping or unauthorised absence
breaches of health and safety procedures
theft or fraud, including false claims for travel, subsistence or overtime payments
misuse of telephones, computers or office stationery
misuse of personal information, as prohibited under the Data Protection Act
conviction for a criminal offence other than a traffic offence (but see section 10 below)
circulation of material of an offensive or discriminatory nature.

9.6 Particularly grave, or repeated, instances of the above might be viewed as gross misconduct. Alternatively, if there were powerful mitigating circumstances, an offence which would normally be gross misconduct might be regarded as serious misconduct.

Gross misconduct

9.7 Gross misconduct, where summary dismissal may be appropriate, might include:

fighting or assault at work
serious theft, fraud, falsification or corruption
unauthorised possession or misuse of controlled drugs at work
harassment or bullying
acts of discrimination on the grounds of, for example, race, sex or disability
breaches of health and safety procedures which led, or could have led, to serious loss, damage or injury
certain criminal offences which call into question your ability or suitability to work in your current post, or for the House of Commons (see section 10 below)
circulation or retrieval of obscene material or the visiting of web sites which contain such material.

10. Criminal Offences

10.1 You must let your Line Manager, departmental HR Business Partner or Head of Department know as soon as practicable if you are arrested and refused bail or convicted by a court of any criminal offence, so that the appropriate action can be taken. This does not apply to a traffic offence unless the penalty includes imprisonment.

10.2 Being charged with or convicted of a criminal offence is not an automatic reason for dismissal. Each offence will be considered on its merits. An offence will normally be of concern if it:
is relevant to your duties as an employee
• affects working relationships with your fellow employees or third parties
• may affect the reputation of the House of Commons Service.

11. Appeals

Internal appeal

11.1 The appeal will be heard by the decision maker’s Manager. In the alternative, they may nominate another manager to hear the appeal who has not been involved in the events which led to the sanction or dismissal. Prior to the meeting, the Manager hearing the appeal will review all relevant documentation and the reasons for the sanction or dismissal.

11.2 If you have received a disciplinary sanction, including dismissal, you will be notified in writing of the appeals procedure, which include the following elements:

• any appeal against a disciplinary decision must be made in writing within seven calendar days of receipt of the written notification of the decision
• your appeal will be heard within 14 calendar days unless both parties agree otherwise
• you may be accompanied by a fellow employee of the House or a Trade Union Representative (see paragraphs 7.2 and 7.3).

11.3 You must indicate clearly the grounds for your appeal, which should fall into one or more of the following categories:

• new facts or evidence that have not been considered at the original hearing
• procedures have not been correctly followed
• the penalty given was too severe, disproportionate or inconsistent with penalties given for similar offences
• the decision was arbitrary or unfair.

11.4 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See paragraphs 7.2 and 7.3 on their role at the meeting.

11.5 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

11.6 An HR representative acting in an advisory capacity will normally attend formal meetings. A note of the meeting will be taken by either the HR representative or another member of staff.
11.7 The formal meeting record will be placed on your personal file and a copy given to you.

11.8 The manager hearing the appeal may decide to:

- confirm that the decision was appropriate
- refer the issue back to the manager who took the action so that it can be reconsidered
- substitute some lesser sanction
- vary the conditions attached to the sanction
- allow the appeal entirely and dismiss the allegation.

11.9 Where an allegation is dismissed entirely, any details relating to appealed action will be removed from your personal file. However, a successful appeal against a Final Written Warning does not imply that previous actions such as a First Written Warning will be removed.

**External appeal**

11.10 If you are dismissed, you also have the right to appeal against dismissal to an employment tribunal if you have been employed by the House for one year or more prior to 6 April 2012 or two years if you are employed from 6 April 2012. If you wish to appeal to the ET, you must do so within 90 days of the effective date of dismissal.

11.11 You may obtain further information from ACAS on their ET public enquiry line (08457 959 775) or on their website: www.acas.org.uk

12. **Record Keeping**

12.1 Managers should normally keep notes for six months of any informal actions and informal support given to help improve conduct.

12.2 The following details will be kept of any disciplinary hearing:

- the full circumstances of any offence
- evidence presented during the hearing
- the decision of the disciplinary panel and the reason for that decision
- the action taken
- whether an appeal was lodged
- the outcome of the appeal
- any subsequent developments
12.3 Disciplinary cases resulting in an informal warning, First Written Warning and/or Final Written Warning will be kept on your personal file for six years after the warnings expire.

12.4 Disciplinary cases resulting in loss of pay, debarred promotion, movement to a lower pay band, suspension or dismissal will be kept on your personal file until your 100th birthday for pension administration purposes.

12.5 A summary of all formal disciplinary actions will also be kept centrally for future reference to ensure consistency and fairness of approach.

12.6 Depending on the nature of the offence, reference may be made to the disciplinary action in PDMs, promotion proceedings or references.

12.7 Records of any anonymous or unsubstantiated allegations will be destroyed if allegations of misconduct are proven to be unfounded.
CHAPTER 21: Grievances

1. About this Chapter
1.1 This chapter outlines what happens if you have a grievance against the House. It explains:

- how to raise a grievance
- the informal procedures for resolving your grievance
- the formal procedures to follow if the grievance cannot be resolved informally
- who is involved in helping you to resolve your grievance and their role.

2. Introduction
2.1 Managers and staff are expected to make every effort to resolve grievances informally, as described in section 3 below. Managers will take a proactive approach to tackling any grievance in consultation with HR where necessary. However, if your grievance is not resolved informally you may use the formal procedures, which are explained in section 4 below.

2.2 Managers and staff may ask for advice at any stage from HR or the Diversity and Inclusion team.

2.3 You may use the grievance procedures if your complaint is about a management decision, about a management act or failure to act which affects you, your workplace relations with other employees or people working at the House of Commons under external contract arrangements.

2.4 It is likely to be more difficult to resolve a grievance if it is raised long after the event(s) giving rise to it.

Other dedicated policies and procedures
2.5 There are other dedicated policies and procedures to follow if your concern or complaint relates to one of the areas below:

- **your concern is about health and safety:** raise it first with your Line Manager and after that with the Departmental Safety Co-ordinator (DSC), in accordance with the health and safety policy guidelines in chapter 5. You may also seek advice from the Safety, Health and Wellbeing Service (SHWS).

- **you want to complain about harassment, bullying, or feel you are being victimised by an individual or the organisation:** you should use the dedicated
procedures in chapter 6 and in the Respect Policy. More information about the Respect Policy is on the Intranet at:


- **you have concerns about the storage, collection, use or disclosure of personal information about you:** you should write to the person who holds the information about you. If you are unsure who to contact you should speak to your Line Manager or HR Adviser. If you do not receive a satisfactory response, write to the relevant data protection representative. More information is available in chapter 24.

**Departure from the grievance process**

2.6 The grievance process is a formal process designed to respond to problems raised by employees. Generally, Managers should not depart from the process. However, there could be circumstances where a particular case does not lend itself to following the procedures as described. In such limited circumstances and only in prior consultation with HR and with the member of staff, if that is reasonably possible, some variation may be justified. This would simply be an alternative method of reaching an outcome and must align as much as possible with the grievance process and protect the rights of the employee.

**Relationship with other processes**

2.7 The grievance process should not normally be used by employees who feel that during another process (such as the disciplinary or poor performance processes) a decision has been unfair. Employees can raise those sorts of issues at meetings in those processes or appeal decisions if they feel those processes have not been applied fairly to them. Where an appeals process is embedded in a procedure you must use that process instead of the grievance procedure.

3. **Stage One: Informal Grievance Procedures**

3.1 Grievances can often be resolved quickly and informally through discussion with managers, and you are expected to try to resolve matters informally before resorting to formal procedures if required.

3.2 You are encouraged, if possible, to talk directly, politely and objectively with the person with whom you have a grievance. It may be sufficient to explain clearly to the person the nature of your grievance and how it impacts on you.

3.3 You can also try and resolve the problem informally by asking your Line Manager for help. They can discuss your concerns in confidence with you, make
discreet enquiries if required and attempt to resolve the matter by talking to the individual on your behalf. Both you and your Line Manager may find it helpful to keep a note of any discussions.

3.4 If it is not possible to approach your Line Manager because the grievance is with them you should approach your countersigning officer who is normally your Line Manager’s manager, or raise the issue with an HR Adviser.

3.5 You may also wish to speak with your Trade Union Representative for help in resolving matters informally.

Counselling or mediation

3.6 Managers and employees should follow the process set out in the sections below when dealing with problems and complaints. However, workplace counselling or mediation may help resolve the problem and should be considered at any stage of the process. Any further grievance procedure should only be considered after any agreed counselling or mediation has taken place.

3.7 Counselling is likely to be appropriate when someone is experiencing personal, domestic or welfare problems. Such problems, whether they are at home or at work, can affect an employee’s workplace relations with their colleagues. A welfare service, which offers confidential counselling and support to staff, is provided to help.

3.8 Mediation is likely to be appropriate in cases involving workplace disagreement. There may, however, be other circumstances in which non-adversarial discussions may promote a speedy resolution.

3.9 Mediation is voluntary and will take place only if all the parties agree. It is hoped, however, that staff will recognise the benefits of seeking to resolve issues via mediation and will be amenable to, and co-operate with, this approach.

3.10 For more information on counselling, please contact Safety, Health & Wellbeing Services (SHWS) on ext. 1484. For more information on mediation, please contact the Diversity and Inclusion team on ext. 2948. More information about counselling or mediation is on the Intranet at:


4. **Stage Two: Formal Grievance Procedures**

**Making a formal, written grievance**

4.1 If the issue continues, or it is not possible to resolve your grievance informally, you should raise the matter formally and without unreasonable delay. You should do this by putting the grievance in writing to your Line Manager. You should include what you would like the outcome to be. You can ask a colleague or your Trade Union Representative to help you with your letter and/or to attend any follow-up meeting or hearing.

4.2 If your grievance is about your workplace relations with your Line Manager or a decision made by your Line Manager, you should put your grievance in writing to your Line Manager’s manager. If that individual is also implicated, you should put your grievance in writing to the Director of HR Services. An appropriate manager will then be identified to deal with your grievance.

4.3 If your grievance is against a Head of Department or Director General, the Clerk of the House will either consider it himself or arrange for it to be considered by another member of the Management Board.

4.4 If your grievance relates to a specific person, the individual involved will be informed in writing of the nature of the complaint and will be given the opportunity to submit a response.

**Right to be accompanied at formal meetings**

4.5 Managers should note that members of staff have the right to be accompanied by a Trade Union Representative or fellow employee of the House of Commons during paid working hours for any interview or hearing which forms part of the formal grievance procedure.

**Role of the Trade Union Representative or fellow employee**

4.6 If you wish a Trade Union Representative or fellow employee to attend a formal interview with you, they may:

- put your case
- sum up your case
- respond on your behalf to any view expressed at the hearing
- confer with you during the hearing.

They may not:

- answer questions on your behalf
- address the hearing if you do not wish them to do so
prevent your employer from explaining their case.

**Preliminary steps**

4.7 Your Line Manager will take the necessary steps to try to resolve the grievance. In order to do this, they may:

- discuss the matter with you to find out more about your grievance
- make further enquiries
- conduct an investigation into the background facts or into the allegations.

**Grievance hearings**

4.8 Within 14 calendar days of receipt of your grievance, your Line Manager will invite you to a grievance hearing. The purpose of the grievance hearing is to listen to the employee’s grievance and go through the issues with them. The Line Manager may be advised by a representative from HR.

4.9 The Line Manager will:

- give you a minimum of seven calendar days’ notice, in writing, of any hearing, unless all parties agree to a shorter period
- if your grievance is against a specific person, inform them of your grievance and give them an opportunity to respond

4.10 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 4 on their role at the meeting.

4.11 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

4.12 An HR representative acting in an advisory capacity will normally attend formal meetings. A note of the meeting will be taken by either the HR representative or another member of staff.

4.13 The formal meeting record will be placed on your personal file and a copy given to you.

4.14 If the Line Manager determines that further investigation is not necessary, then they may adjourn the meeting to consider what was said at it before making a decision. In that event, they will notify you in writing of their decision, the reason for their decision and your right to appeal.

4.15 If the Line Manager determines that further information or a formal investigation is necessary, then they will adjourn or postpone the meeting. The
Manager will keep you informed of progress. They may need to meet with you again.

**Formal Investigation**

4.16 If an investigation is appropriate the Line Manager may conduct it or appoint someone else to do it. If your grievance relates to a specific person, then your Line Manager will write to the individual and inform them of the nature of your complaint. The individual will be given an opportunity to submit a response.

4.17 The results of the investigation will be put in an investigation report. The report will be made available to you.

**Interviewing witnesses**

4.18 Investigating managers may interview you and any possible witnesses. This interview is part of the formal investigation and your evidence may be considered as part of the grievance hearing. You are entitled to be accompanied by a colleague or Trade Union Representative. As a matter of good practice, a note of these interviews will be made and you will be asked to sign the record.

**Outcomes**

4.19 The manager responsible for hearing the grievance must decide on the outcome of the grievance, in consultation with HR as appropriate. They may:

- not uphold the grievance
- uphold part of the grievance
- uphold all of the grievance.

4.20 The manager may:

- recommend some action by a responsible manager
- recommend further action such as training, mediation or counselling.

**Notification of decision**

4.21 The manager will give you written notification of their decision within 14 calendar days of the date of the hearing. It will explain the reasons for their decision and, if part or the entire grievance is upheld, it will state the steps that have been or will be taken. The letter will also explain your right to appeal.

**Right to appeal**

4.22 You have the right to appeal the decision made following the grievance meeting. See section 5 for further information about appeals.
5. **Stage Three: Appeals**

5.1 Grounds for appeal include:
- the decision maker was biased
- the hearing was not fair
- the proper procedures were not followed
- new evidence has come to light.

5.2 An appeal against the grievance decision must be made in writing to the decision maker’s manager within seven calendar days of the receipt of written notification of the decision. The appeal, which may be delegated to another appropriate manager, will normally be heard within 14 calendar days unless both parties agree otherwise. If it cannot be done within this timescale, the manager hearing the appeal will let you know of the delay, the reasons for it and the timescale.

5.3 You have a right to be accompanied by a Trade Union Representative or a colleague from the House of Commons Service at this meeting. See section 4 on their role at the meeting.

5.4 If you are unable to find a representative or if your representative is not available on the date of the hearing you can ask that the hearing be delayed (for not more than seven calendar days) so you can make further arrangements.

5.5 An HR representative acting in an advisory capacity will normally attend formal meetings. A note of the meeting will be taken by either the HR representative or another member of staff.

5.6 The formal meeting record will be placed on your personal file and a copy given to you.

5.7 The manager hearing the appeal will consider your grievance and the points you raise at the appeal meeting. They may adjourn the meeting to consider what was said at the meeting and/or to make further enquiries before making their decision.

5.8 Following the appeal meeting, the manager will inform you in writing of their decision and the reasons for it within 14 calendar days of the date of the meeting. The decision made by the manager at this stage is final and there is no further internal right of appeal.

6. **Timescales**

6.1 If it is not possible to hold a grievance or appeal meeting, or to respond within the set time frames, you will be told the reason for the delay and when a response can be expected.
7. **Record Keeping**

7.1 All managers who consider grievances are responsible for record keeping. They should ensure that notes are taken of any hearings and copies given to the individual(s) concerned (after any amendments needed to protect the confidentiality of others). Records will be maintained on a central, confidential register. This information will be made available to the Diversity and Inclusion Manager in order that they may fulfill their duties with regard to monitoring grievances by diversity category.

7.2 Records should include:

- the nature of the grievance
- copy of the original written grievance (if any)
- original written response by individual(s) to whom grievance relates, or notes if response was given verbally
- what was decided and actions taken
- the reasons for the actions
- whether an appeal was lodged
- the outcome of the appeal
- any subsequent developments

7.3 The information will be kept securely for a period of six years.

8. **Complaints by Former Employees**

8.1 If you leave the House of Commons you should have an opportunity to raise issues through the exit interview. If you feel you are unable to raise your grievance through that procedure, you should raise it within three months of leaving.

8.2 A modified process will apply. This involves the former employee putting their complaint in writing and the basis for it. They should send their complaint to the Head of HR Operations within the time frame set out above. The complaint will be considered and a response with the decision will be sent to the former employee. This decision is final and there is no further appeal stage.
PART 6: COMMUNICATIONS AND INFORMATION SECURITY
CHAPTER 22: The Parliamentary Network

1. About this Chapter
1.1 This chapter explains the principles and procedures for using the Parliamentary network and the rules governing the following:
- procedures in place to ensure privacy of data
- data storage and disposal
- computer viruses
- treatment of computer
- computer monitoring
- use of the Internet
- use of social networking sites (including Twitter)
- your responsibilities when using the network to ensure data security.

2. Principles
2.1 It is every computer user’s responsibility to ensure the confidentiality, integrity and availability of data stored on computers and to use computers in a proper manner. Following the procedures set out below will help you to fulfil this responsibility. These procedures are the basic minimum and your department may operate stricter procedures locally.

2.2 Remember that computers are supplied for business use. Any personal use should be incidental. Unauthorised access to any Parliamentary or external system is prohibited. Any non-compliance with this policy may lead to disciplinary action being taken against you.

2.3 All staff should read and be aware of the Parliamentary ICT Security Policy, which is at Annex A and on the Intranet at:
http://intranet.parliament.uk/Documents/intranet/computer-services/assets/it-pict-security-policy.pdf

3. Procedures
3.1 To ensure the privacy of data and to prevent unauthorised users gaining access to systems, you should log-in to the Parliamentary network. Confidential documents should be password protected.
3.2 Passwords must follow PICT guidance:

- minimum of eight characters, including upper and lower case letters and a number and/or symbol
- must not be based upon easily guessed words or obvious attributes, such as addresses, telephone numbers and car registration numbers
- must be changed on other systems according to local guidelines
- ideally should not be written down unless absolutely necessary, for instance if you have to use multiple passwords. If you do have to write passwords down the information must be kept secure in a locked drawer or cabinet.
- should not be disclosed to others. If you have to reveal your password to the PICT Service Desk or to PICT to enable them to reconfigure your computer or account, change your password immediately afterwards.

Absences from your desk

3.3 To prevent unauthorised access to your systems you should lock your workstation when you intend to be away from your desk (use the Windows symbol key plus L to lock/unlock). All machines will automatically lock after a fixed period, but you should not rely on this when leaving your desk.

Data storage and disposal

3.4 Data stored on your PC’s hard disk are not backed-up and are vulnerable to corruption and/or loss. All business documents should be saved to the appropriate parts of the SPIRE system or departmental network fileshares in limited cases. Otherwise, you should seek guidance from the PICT Service Desk on ext. 2001 if you have a specific requirement to store sensitive information.

3.5 Only work-related data should be stored on the network. Your personal fileshare is provided primarily for the temporary storage of files to which you wish to restrict access, such as staff performance, your own HR records, or other sensitive material.

4. Removing Parliamentary Data from the Estate

4.1 You must not remove Parliamentary data from the Estate unless authorised to do so by your Line Manager and/or Departmental Information Risk Officer (DIRO).

4.2 Where it is necessary to remove sensitive electronic data from the Estate and permission to do so has been obtained, only encrypted laptops or encrypted USB memory sticks provided by PICT should be used). Standard mobile phones should always be protected with a password or pin number.
4.3 Storing or transporting sensitive Parliamentary data to the Parliamentary Estate work or away from the Parliamentary Estate should be the exception rather than the rule. Managers are expected to consider the scope to rearrange existing duties to allow staff to work on sensitive data within the secure environment of the estate in the first instance. Authority to remove data and work on it away from the Parliamentary Estate should be given only where there is a clear business need to do so and where steps have been taken to minimise risks or mitigate the impact of loss or breach.

4.4 You should also be aware of the Parliamentary ICT Security Policy concerning the use of personal email accounts for processing Parliamentary data. The policy is available on the Intranet at:

http://intranet.parliament.uk/Documents/intranet/computer-services/assets/it-pict-security-policy.pdf

4.5 Authorisation from your Line Manager is required before forwarding official documentation to private email accounts or using externally provided services for the production and/or storage of official data or documentation. You should never set-up automatic arrangements for forwarding work-related emails to a private or external email address.

4.6 Further tips and best practice on safer remote working are on the Intranet at:

http://intranet.parliament.uk/Documents/employment/data-protection-security/Interim_tips_for_safer_remote_working_v03.pdf

5. **Viruses**

5.1 Viruses and other malicious software programs have the potential to cause many problems, including corrupting or stealing your data. As a rule:

- never load anything onto your computer without virus checking first
- never download programs from the Internet
- always virus check portable media such as USB sticks, CDs, or DVDs before use
- do not attach personal, or free, USB sticks (sometimes given out at events) to Parliamentary computers.

5.2 If you suspect that your computer has become infected with viruses or malware you should immediately contact the PICT Service Desk on ext. 2001.

5.3 If you have any questions about the information above or need assistance with virus checking, you should contact the PICT Service Desk on ext. 2001.
6. Treatment of Computers

6.1 Computers and related equipment should be used in a responsible manner and respected as complex tools and treated with care. As a rule:

- do not load software without the knowledge and assistance of PICT as this may corrupt your set up
- do not pirate software or use any unlicensed copies
- do not drink or eat too close to the computer keyboard (coffee and crumbs do not mix well with electrical equipment)
- keep laptop computers under lock and key when not in use.

7. Email

Statement on monitoring

7.1 At the discretion of a Department’s Director General, Director of Business Management or their equivalent, the House reserves the right to monitor incoming and outgoing emails, and other use of the Parliamentary network including access to the Internet, to establish that the system is being used properly and for necessary and lawful purposes.

7.2 Any access or monitoring will be conducted in accordance with the requirements of the Data Protection Act 1998, the Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 SI 2000/2699, and the Regulation of Investigatory Powers Act 2000. The Parliamentary network may apply automatic message monitoring, filtering, and rejection systems as appropriate, and deny transmission of messages with content that is unacceptable in the terms of the Parliamentary ICT Policy.

Email use

7.3 At the discretion of a Department’s Director General or Director of Business Management, emails may be reviewed for the purpose of responding to requests for disclosure under legislation such as the Data Protection Act, the Freedom of Information Act or the Environmental Information Regulations 2004. When writing emails you must be aware that they form part of the official business record and that the House may be required to disclose their content in response to a request and as part of evidence for formal proceedings such as Employment Tribunals.

7.4 You are permitted to make occasional personal use of the email system provided that this does not interfere with the performance of your normal duties. However, the House authorities reserve the right to monitor emails, so privacy cannot be guaranteed (see the statement on monitoring at paragraphs 7.1 and 7.2). You must not:
send or distribute email messages, attachments or other material which employ language or contain images that may reasonably be considered to be discriminatory, obscene, derogatory, offensive, threatening, insulting, illegal, harassing or harmful to recipients

7.5 If you receive a malicious or threatening email from any source you should inform your Line Manager immediately.

7.6 If you receive what you consider to be an inappropriate internal email you should forward a brief note to the sender explaining that you do not wish to receive any further emails of that nature. If the sending of inappropriate emails continues you should advise your Line Manager immediately.

7.7 If you receive an inappropriate email from outside the House of Commons which falls into the category of Spam, move the item to the HOP Spam samples folder in Outlook public folders. This will assist in blocking future occurrences. Guidance on how to do this is on the Intranet at PICT security:

http://intranet.parliament.uk/computers-equipment/computer-services/security/ict-security/

7.8 Always be aware that unsolicited emails may contain malware or enable malware to be downloaded to your computer. Never open attachments or follow links in emails unless you are sure about the sender of the message.

7.9 If you intend to be away from the office for any length of time, remember to use the Out of Office Assistant (MS Outlook) to inform people that you are away. Please remember to include details of how long you will be away and who will be dealing with your work in your absence. If you are away unexpectedly, your Line Manager may contact the PICT Service Desk to activate your Out of Office Assistant with an appropriate message.

7.10 Any non-compliance with this policy on the use of the email system may lead to the application of the House of Commons disciplinary procedure (see chapter 20), which in serious cases could lead to your dismissal.

8. Internet Use

8.1 You are permitted to make occasional personal use of the Internet provided that this does not interfere with the performance of your normal duties. You should understand that the House may monitor your use of the Internet (see the statement on monitoring at paragraphs 7.1 and 7.2).
8.2 When using the Internet **DO NOT:**

- use it for any illegal purposes
- download information or pictures which are likely to cause offence to any other potential observers unless you have to do so in the proper discharge of your duties.
- use the Internet for commercial activities, except in connection with your official duties.

8.3 You must not deliberately visit websites or disseminate or retrieve information or software which contains material of an offensive, obscene or discriminatory nature.

8.4 In the event that you inadvertently access an inappropriate Internet site (as described above) you should immediately use the ‘Back’ button on the browser to return to the previous page or the ‘Home’ button to return to the Parliamentary Intranet home page.

8.5 PICT blocks access to websites which potentially constitute a threat to the Parliamentary network and its users. If it is necessary for you to access such a website in the course of your duties, you should contact the PICT Service Desk on ext. 2001 for advice on the possibility of obtaining a temporary easement.

**Disciplinary sanctions**

8.6 As a guide to Line Managers and staff, the policies on conduct and disciplinary procedures are set out in chapters 18 and 20. However, listed below are examples of unacceptable behaviour relating to computer usage and the levels of misconduct that may be considered:

- excessive use of the email and Internet systems for personal, social or recreational reasons during work time could be classed as misconduct
- circulation of material of an offensive or discriminatory nature could be classed as serious misconduct
- circulation or retrieval of obscene material or the visiting of web sites which contain such material could be classed as gross misconduct.

8.7 This policy also applies when accessing the Parliamentary network via a remote link.
9. **Use of Social Networking Websites**

9.1 When using social networking facilities (including Twitter and any other blogging facilities), you must ensure that confidential or sensitive information is not disclosed that might bring Parliament into disrepute or undermine the security, confidentiality or integrity of Parliamentary ICT services or other services provided to Members and the public. Advertising Parliamentary email addresses and similar contact information on personal web-pages should be avoided.

9.2 Except where use of social networking sites has already been ratified for official, Parliamentary purposes, you should first seek permission from your Line Manager before commenting on a subject connected with your work via a social networking site.

9.3 Any non-compliance with this policy on the use of the Internet may lead to the application of the House of Commons disciplinary procedure (see chapter 20), which in serious cases could lead to your dismissal.

10. **Use of Parliamentary Instant Messaging (Microsoft Office Communicator)**

10.1 Office Communicator is another way of communicating in an easy and efficient manner with people around Parliament. It enables you to instantly text an individual or group of people and allows you to see the individual’s availability or presence at the touch of a button. It also integrates with Microsoft Office and Outlook.

10.2 The use of Office Communicator for social conversations should be kept to a minimum and should not interfere with the performance of your normal duties. Your Office Communicator conversation is not saved, archived or journaled. Once your conversation is over, it is deleted from the system. You should use more appropriate methods, such as email and written documents, if you wish to save, archive or journal a conversation in accordance with the records management policy.

10.3 You should also be aware of the bicameral Parliamentary Records Management policy (see chapter 24). In general, Office Communicator is well suited to ephemeral conversations, but should not be used for making formal decisions. It should not be used to:

- approve financial transactions
- enter into binding agreements with third parties
- enter into internal commitment for resources
- direct or approve official work to or from others
- attach files to the conversation
- send links to files held on the network
- communicate information that you would not want others to read.
10.4 You must not send, formulate or distribute any material which employs language or contains images that may reasonably be considered to be:

- discriminatory
- obscene
- derogatory
- offensive
- threatening
- insulting
- illegal
- harassing
- harmful to the recipients

10.5 The House of Commons Data Protection Act policy is on the Intranet at:

10.6 Any non-compliance with this policy on the use of the Office Communicator may lead to the application of the House of Commons disciplinary procedure (see chapter 20), which in serious cases could lead to your dismissal.

10.7 If you receive what you consider to be an inappropriate message, you should forward a brief note to the sender explaining that you do not wish to receive any further messages of that nature. If the sending of inappropriate messages continues you should not close the conversation window, and you should advise your Line Manager immediately.

10.8 Office Communicator must only be accessed via your personal user account and you must not attempt to use another user’s accounts. The Office Communicator environment will not provide archive or journal functions, you should not rely on PICT being able to obtain any historical correspondence as none will be kept.

10.9 You should not use Office Communicator to disseminate long pieces of information as more appropriate media are in place to address this type of communication, for example, emails.

11. Further Advice

11.1 If you have any queries about computer use, contact PICT on ext. 2001 or the PICT Training team on ext. 8284. If you require specialist advice or guidance, please contact the Parliamentary ICT Security & Risk Manager on ext. 4455.
CHAPTER 23: Information Security Responsibilities

1. About this Chapter

1.1. This chapter provides information about handling information and how to meet the House of Commons obligations in keeping information secure. This chapter will cover:

- what is information security
- legal obligations relating to information
- what is sensitive Parliamentary information
- handling and protecting sensitive information
- what to do when information is compromised
- where to go for help or further advice.

2. What is Information Security?

2.1 Information security refers to the security of all of the information held by an organisation. The terms ‘data protection’ and ‘data security’ are also frequently used, often interchangeably. However, it is important to know the difference between them.

2.2 Data or information security tends to be used to describe the wider technical and organisational measures that the House needs to take to look after the information in its possession, no matter how it is held. This is particularly important for any sensitive information which may cause harm or distress to an individual, or compromise the House if it was lost, stolen, tampered with, or accessed without authorisation.

2.3 Information and data are key business assets. The House of Commons Service needs to collect, use and manage information as part of its day-to-day business activities.

2.4 Further details are on the Intranet at:

http://intranet.parliament.uk/employment/data-protection-security/information-security1/
3. **Legal Obligations Relating to Information**

**Data protection**

3.1 Data protection is concerned with the protection and lawful use of personal data (data about living individuals) under the Data Protection Act 1998.

3.2 The House is obliged to comply with the principles set out in this Act, which sets conditions for processing personal data, for example, holding, obtaining, recording, using and sharing. The Act protects individuals if they can be identified from that data or from that data along with other information.

3.3 The Clerk of the House is the data controller of the personal data held by the House. All staff are required to handle individuals’ personal data appropriately, with respect for those individuals’ privacy and their rights regarding information about themselves.

3.4 You **MUST NOT**:

- gain access to personal data whether on paper or on a computer or use the data unless you have proper authority
- allow another person to access personal data or pass it to them unless you have proper authority
- destroy personal data unless you have proper authority.

3.5 If you knowingly contravene the Data Protection Act 1998 disciplinary action may be taken against you.

3.6 You are entitled to ask to see any personal data that the House holds about you. The House will allow you to see this information unless there is a legal reason why you should not see it, such as if it includes legal advice and references of a confidential nature. If you wish to see any information you should send a written request to the person who holds the information, usually the Information Rights and Information Security team (IRIS).

3.7 If providing you with a copy of the information would involve disproportionate effort you may be allowed to see any file or information held about you, rather than receiving copies of specific documents.

**Freedom of Information (FOI) and Environmental Information Regulations (EIR)**

3.9 Under the Freedom of Information Act 2000 (FOI) people have the right to request information from public authorities, which includes the House.

3.10 Enquiries, including those received by phone, on topics such as energy consumption and waste disposal will need to be considered separately under the Environmental Information Regulations (EIR). Those regulations are more fully explained in our FOI guidance which is on the Intranet at:

http://intranet.parliament.uk/employment/data-protection-security/foi/

3.11 FOI or EIR requests received by the House are managed by the IRIS team under the guidance of Director General of the Department of HR and Change. If you receive a request for information under FOI or EIR, you should notify the IRIS team on ext. 8805 or email FOICommons@parliament.uk.

3.12 Detailed guidance about handling a request is on the Intranet at:

http://intranet.parliament.uk/employment/data-protection-security/foi/

3.13 When information could be and is routinely requested, for example, by journalists, the House may release such information proactively as part of its publication scheme. You should bear in mind that a wide range of information about work or employees may be released.

**Information about you**

3.14 Under the FOI Act the House may be required to release information about you. For example, if the House is asked for the names of senior staff, their pay band, job functions or decisions they have made in their official capacity, then this would normally be released.

3.15 On the other hand, information such as home addresses or internal disciplinary matters would not be volunteered and would be disclosed only in exceptional circumstances and after consultation with the member of staff concerned, if such disclosure was required by the Act.

3.16 If you have any concerns about your name or any other information about you in your official capacity being made public, you should talk to your Line Manager.

3.17 Further information about data protection is on the Intranet at:

http://intranet.parliament.uk/employment/data-protection-security/
4. Handling and Protecting Sensitive Information

What is sensitive Parliamentary information?

4.1 Any information that you access for work purposes may potentially be sensitive Parliamentary information. The scope should be interpreted broadly. The test of sensitivity relates to information in any format, hard copy or electronic, where the loss of it may:

- adversely risk the smooth running of operations and services
- damage the reputation of either House
- place individuals at risk for example, from identity theft, fraud or acts of terrorism
- potentially breach confidentiality
- affect anyone’s personal security or privacy.

4.2 Some examples are:

- personal information about living individuals including names, payroll details, staff performance and appraisals, disciplinary and other personnel matters
- sensitive personal information about individuals, for example, health information such as sickness records or union membership
- business continuity information, for example, detailed business recovery plans or contact cascades
- procurement bids and contractual details, internal business cases and project board discussions
- financial or business data
- statistical profiles and responses
- draft select committee reports and evidence
- administration working papers, including minutes and agendas
- risk assessments and consultancy reports
- detailed Estate layouts and security plans.

4.3 You should bear in mind that information may become more or less sensitive throughout the stages of the work in progress. You should consider its relative sensitivity and security at all stages, and whether two pieces of information may be more sensitive when combined.
Your responsibilities

4.4 In handling and protecting sensitive information you are expected to act with caution at all times and follow the advice and guidance below.

4.5 All Parliamentary staff are responsible for protecting information, both paper and electronic, and keeping the Parliamentary network safe. Staff must familiarise themselves with and follow the relevant policy and procedures on information security.

4.6 Taking unnecessary risks with sensitive Parliamentary information may harm the reputation of Parliament and/or the safety and privacy of individuals.

4.7 Any non-compliance with the policy and guidance in this chapter may lead to disciplinary action being taken against you.

4.8 More information on handling and protecting information is on the Intranet at:

Protective Marking Scheme

4.9 The bicameral Parliamentary Protective Marking Scheme is an important element of the information security responsibilities shared by all staff and its application is mandatory across the administrations of both Houses.

4.10 The scheme consists of only one level of marking for documents that need protection. This level is RESTRICTED ACCESS. It is used along with a descriptor, for example, MANAGEMENT or PERSONAL DATA, to describe the nature of the information. The use of the marking will set minimum standards of care in terms of storage, handling and transfer of both paper and electronic information. It will alert recipients that it is sensitive and must be handled appropriately.

4.11 It is your responsibility to:

- be familiar with the scheme
- correctly mark information requiring protection under the rules of the scheme
- apply the appropriate handling requirements to restricted access information that you create or receive
- notify your Line Manager of any issues that may be obstructing you from applying the scheme effectively
- notify your Line Manager immediately if any protected information may have been compromised.
4.12 Any non-compliance with the policy and guidance in this chapter may lead to disciplinary procedures being taken against you.

4.13 More information about the scheme is on the Intranet at:

Register of Sensitive Information Assets (RSIA)
4.14 The Register of Sensitive Information Assets (RSIA) will provide an overview of the more sensitive types of information handled within the organisation, state who has access, including third parties, and the arrangements in place to keep it secure.

Protection of sensitive information beyond the Parliamentary Estate
4.15 Loss or inappropriate disclosure of sensitive Parliamentary information can occur, either through theft, negligence or malicious misuse, when commuting to and from the Estate, working in a public place or even in your own home.

4.16 The Management Board has agreed that sensitive parliamentary information being removed or transferred for processing away from the Parliamentary Estate in hard copy or on electronic storage devices poses the greatest risk to information security.

4.17 You must seek authority from your Line Manager before taking any sensitive information away from the Parliamentary Estate.

4.18 Managers must take all reasonable steps to ensure that staff are not required to remove sensitive Parliamentary information from the Estate unless it is absolutely necessary. You are expected to consider the scope to rearrange existing duties to allow staff to work on sensitive information within the secure environment of the Estate in the first instance.

4.19 Authority should only be given where there is a clear business need to do so and steps have been taken to minimise the risks and mitigate against the impact of loss.

4.20 You must ensure that sensitive Parliamentary information is protected by appropriate security to guard against its loss or inappropriate disclosure. As a rule:

- only the minimum amount of information required for the business need should be taken off the estate
- remove as much sensitive information, from documents, as is practicable, for example, by removing individuals’ names
transport paper documents in sealed envelopes marked with a return address, preferably within locked briefcases or bags, and not within clear plastic document wallets where the contents may be seen
lock away documents at your home or final destination when they are not being worked on
take great care when commuting or travelling on public transport that documents and electronic devices are not overlooked, mislaid or left unattended for any part of the journey
follow Parliamentary ICT Security Policies and Procedures on protecting electronic information, for example, remote access and use of encrypted memory sticks (see chapter 22).

4.21 Further tips and best practice on the handling of sensitive Parliamentary information are on the Intranet at:-

http://intranet.parliament.uk/employment/data-protection-security/information-security1/

4.22 Further tips and best practice on safer remote working are on the Intranet at:

http://intranet.parliament.uk/Documents/employment/data-protection-security/Interim_tips_for_safer_remote_working_v03.pdf

4.23 Authorisation is required before forwarding official documentation to private email accounts or using externally-provided services for the production and/or storage of official data or documentation. Staff should never set-up automatic arrangements for forwarding work-related emails to a private or external email address.

5. What to Do When Information is Compromised

5.1 Any loss or compromise of sensitive Parliamentary information is a serious matter and it is essential that the following guidance is followed.

5.2 This procedure applies to the loss or theft of any Parliamentary information in electronic or paper format and/or loss or theft of equipment. It may also be applicable to a temporary loss if the information is considered sensitive.

5.3 The following actions must be taken promptly. Do not delay. Prompt reporting will allow the organisation to assess the likely impact of the loss and take any mitigating action accordingly. Any delay may cause serious harm. If you lose or mislay Parliamentary information you must:

- report it immediately to your Line Manager
- read the guidance and complete the information loss form which are on the Intranet at:
5.4 Depending on the circumstances and the severity of the incident it may be decided that other key personnel should be informed and an internal communications and media strategy established.

5.5 Failure to report loss or theft could result in disciplinary procedures being taken against you.

Your responsibilities

5.6 You must:

- understand your responsibilities to protect information
- ensure that personal and sensitive Parliamentary information is protected by appropriate security to guard against its loss or inappropriate disclosure both on and away from the parliamentary estate
- respect the rights of people to access information in a way provided for by the law
- report breaches and information losses promptly to your Line Manager
- make sure that information is not misused
- take particular care in protecting sensitive information
- ensure that information is used correctly and shared with the right people
- discuss with your Line Manager if you are unclear as to what action is necessary to keep information secure, or if you are in any doubt about how you should deal with certain personal or business sensitive information
- choose a secure, strong password on your PC
- only use PICT supplied encrypted memory sticks
- keep all portable devices (mobile phones, laptops, tablets, memory sticks) safe at all times and always protect these with a password or pin number as appropriate
- regularly attach your Parliamentary laptop to the network in order to receive the latest security updates
- lock your work station using Ctrl-Alt-Delete Return, even if you are away for only a few moments
- shred or arrange for secure disposal of sensitive information
- clear your desk at the end of the day
- lock filing cabinets containing sensitive hard copy information outside business hours and when rooms are left empty during the day
- ensure keys to cabinets which contain sensitive information are securely stored outside business hours, preferably in a combination key safe
- ACT FAST and report any information loss, hard copy or electronic, or breach to your Line Manager and follow the relevant procedure as a matter of urgency
always use the Protective Marking Scheme where required
ensure you are familiar with the policies and procedures outlined in this chapter and in the Parliamentary ICT Security Policy which are on the Intranet at:
http://intranet.parliament.uk/computers-equipment/computer-services/security/ict-security/

5.7 Managers must:
- take all reasonable steps to ensure that information concerning security procedures are provided to staff, including contractors and non-permanent staff permitted access to personal and business sensitive Parliamentary information
- report any information breaches or risks
- ensure system access rights are updated or removed when a member of staff moves or leaves
- ensure that the Parliamentary pass is collected and the Pass Office notified when a staff member leaves.

5.8 You must **NOT**:
- take sensitive Parliamentary information, hard copy or electronic, off the Parliamentary Estate without first receiving the authority of your Line Manager
- talk about confidential information to anyone outside the House or pass it on to anyone outside the House unless specifically authorised to do so. Such authority may arise as part of your employment with the House of Commons Service or from an express instruction by your Line Manager. You must continue to keep such information confidential even after your employment with the House of Commons Service has ended.
- share your password
- read or display sensitive information in public places or transport it in see-through folders or wallets
- forward sensitive information to your personal or internet email accounts
- use non-PICT memory sticks or non-encrypted laptops to transport sensitive electronic information off the estate
- download unapproved or unlicensed software on to your Parliamentary computer
- leave sensitive information in view on your desk
- store Parliamentary information on personal devices.
6. Where to Go for Help or Further Advice

6.1 You can get further advice and help from:

- The IRIS Service

The IRIS Service is working to help you make the right decisions about processing, protecting and disclosing information and data you are required to work on. Privacy, confidentiality, integrity and accessibility are the fundamental principles of the work of the IRIS service.

- SIRO/DIRO

**Senior Information Risk Owner (SIRO)**

The SIRO is the senior person responsible for overall information assurance for the House of Commons Service at Management Board level. The Director General of the DHRC is the SIRO.

**Departmental Information Risk Owner (DIRO)**

Each department has a designated DIRO. The DIRO is the senior person in each department with overall responsibility for information risk assessment, monitoring and mitigation. They will provide assurance to their Director General and to the SIRO that risks have been identified and addressed and that business practices accord with policies and guidance.

A list of DIROs can be found at the following Intranet link:

CHAPTER 24:
Records Management

1. About this Chapter
1.1. This chapter tells you about:

- records and records management in Parliament
- why records management is important
- what your responsibilities are
- where to go for further help and advice.

2. Introduction
2.1. We all keep records as part of our work. Records are our corporate memory. They ensure information exists about what actions or decisions were taken and why, how things were done, and who was involved. Records need to be managed so they can be found easily when needed and assist departments, and the House more widely, in operating effectively. This is particularly important as the amount of records being managed by Parliament increases every day.

3. What is a Record?
3.1. Whenever we create an email message, minute a meeting, draft a report, complete a training assessment form, schedule building works, order stationery and so forth, we are creating records. Records may be required for business purposes whenever there is a need to recall or prove what was done or decided in the past. The House also uses records to prove that it has met its obligations or complied with best practice.

3.2. “A record is information, irrespective of the format or media on which it is held, created, received and maintained as evidence and information by both Houses, in the transaction of business or in pursuance of legal obligations.” (Parliamentary Records Management Policy)

3.3. This definition refers to recorded information in any form, including (but not exclusive to):

- audio and video tapes
- computer data files
- correspondence (email or paper)
- completed forms
3.4 The terms ‘record’, ‘data’, ‘document’, and ‘information’ are often used interchangeably to describe records. For practical purposes, the records management policy does not distinguish between these terms.

3.5 It is important to understand that the term ‘records’ refers to the documents which you create, edit, file and consult in your working day and not just historical documents which are preserved in the Parliamentary Archives. Word documents, spreadsheets, emails and other electronic documents also fall within the definition of records.

4. What is Records Management?

4.1 Records management provides a practical and common-sense solution for ensuring that work is properly supported and informed by relevant records. It is responsible for the efficient and systematic control of the creation/receipt, maintenance, use and disposition (for instance, destruction or transfer to the Parliamentary Archives) of records in all formats, including processes for capturing and maintaining evidence of and information about business activities and transactions in the form of records.

5. Why is Records Management Important?

5.1 It is important to comply with records management policies to ensure the House:

- maintains adequate and proper documentation and evidence of its activities for the time required to meet business, legal and historical needs
- can access and retrieve information in a timely way
- maximises the usefulness of the records while active and allows for the sharing of records as appropriate
- safeguards records from loss, misuse, unauthorised access to or modification of information
- facilitates the identification and preservation of archives (such as permanent records).
6. **Roles and Responsibilities**

6.1 The records you create and receive in the course of your work, including email correspondence, are the property of the House of Commons. They do not belong to you. The security and timely availability of information you hold is also your responsibility. All staff are responsible for creating and receiving, organising and maintaining records in line with House policy and procedures, including:

- **Parliamentary Records Management Policy**: This document sets out the practices which Parliament must follow in relation to the creation, maintenance, management and destruction of its records, regardless of the media on which they are held, and describes the arrangements for reviewing records and transferring them to the Parliamentary Archives.

- **Classification Scheme for Parliamentary Records**: The corporate file structure, which describes how files/folders, irrespective of media, are named and organised across both Houses.

- **Authorised Records Disposal Practice**: Linked to the Classification Scheme, this states how long records are retained and what should happen to them subsequently.

6.2 A short e-learning tutorial on your records management responsibilities is available on the Intranet at:

http://intranet.parliament.uk/research-online/records-archives/records-management/training/

6.3 Each department, office and Committee is responsible for ensuring that it manages its records in accordance with the Parliamentary Records Management Policy and guidance issued by the Parliamentary Records Management team.

7. **Where to Go for Help and Advice**

**Record Officers**

7.1 Each department or office has a nominated Record Officer, responsible for liaising with the Parliamentary Records Management team to ensure that Parliamentary records management policy and procedures are being complied with in their area. A list of Record Officers can be found at the Intranet link listed in 7.3.

**The Records Management team**

7.2 The Records Management team is based in the Parliamentary Archives, which provides a shared service to both Houses. The team is responsible for developing, promoting and supporting the corporate records management policy and procedures.
across the administrations of both Houses and PICT. For more information contact the team on ext. 8483 or by email at RMAdvisory@parliament.uk.

**7.3** More information about records management in Parliament, including the records management policy, guidance, list of Record Officers and online tutorials is on the Intranet at:

http://intranet.parliament.uk/research-online/records-archives/records-management/
CHAPTER 25:  
House-wide Communications

1. About this Chapter

1.1. This chapter covers the main ways in which staff receive House-wide communications and how they can find further information about:

- changes to terms and conditions of service
- new or revised policies
- House-wide programmes and initiatives and other items of general interest.

1.2 You can find out more about departmental specific communication channels from your Line Manager.

1.3 The system for consultation with recognised Trade Unions is described in chapter 7. That chapter covers channels of communication across the departments of the House. It does not include channels of communication which are specific to departments.

2. Methods of Communication

Parliamentary Intranet

2.1 Everyone who is connected to the Parliamentary network, whether on the Estate or remotely, has access to the Parliamentary Intranet. The Intranet provides access to a wide range of useful information including:

- business and news about what is happening in Parliament
- messages and papers from the Management Board
- information about events
- learning and development opportunities
- vacancy details
- HR and finance information relating to terms and conditions of service for staff and guidance for managers
- details on how the House of Commons Service is structured and information on individual offices, key projects and their aims and objectives
- information about security and access to buildings, as well as catering
- House of Commons publications.

2.2 Information on the use of the Intranet can be found in chapter 24.
Staff notices

2.3 The main method of communicating management information on pay and terms and conditions of service is through the staff notice system. These notices are distributed to all staff either by email, or for those without access to email, as a paper copy. They are also published on the staff Intranet.

2.4 Previous staff notices are on the Intranet at:


Information notices

2.5 Information notices are published on the staff Intranet, they are usually sent via email and occasionally may be distributed in paper form. They are designed to brief Members, their staff and staff of the House about developments on the Estate, particularly about building works or security issues.

CAPS News

2.6 *CAPS News* is the House of Commons and PICT staff newsletter. It contains a variety of articles, such as news from the House Service, HR issues, updates by the Board, interviews with staff or teams, and learning and development material. Staff can contribute by submitting material for publication or by suggesting features. *CAPS News* is produced monthly, except for August, and is distributed to all staff via email. Staff without electronic access receive printed copies of the newsletter. *CAPS News* is also available on the staff Intranet at:


All-staff meetings

2.7 All-staff meetings take place regularly, usually every three to four months. Staff are invited to attend a meeting and encouraged to submit advance notice of a question or ideas about what the meetings should cover. Members of the Management Board and senior leaders or programme leaders update staff on latest developments. Staff have the opportunity to ask questions, offer feedback and share ideas. Summaries of the meetings are published on the Intranet and in CAPS News.
Staff consultation exercises

2.8 Staff consultation exercises are organised regularly to seek staff’s opinions about specific programmes and issues.

Departmental and team meetings

2.9 Departmental staff meetings take place regularly to discuss issues that affect staff of specific departments. Team meetings and one-to-one meetings between staff and their Line Manager are other forums where staff receive regular information about key developments and have the opportunity to contribute.

Ask the Management Board

2.10 Staff can ask any member of the Management Board a question at any time via Ask the Management Board on the staff Intranet. This is an initiative that aims to improve communications between the Management Board and staff at all levels. All questions receive a response from the Board, and the questions and answers are published on the Intranet and in CAPS News. Staff are also encouraged to offer feedback and comments or to make suggestions by contacting the Central Communications team or via the annual staff survey.

Notice boards

2.11 Departments may also communicate information about House-wide events and other important operational information on specific departmental notice boards. Each department is responsible for the contents of its own notice boards, which may include information on health and safety, current vacancies and general matters of interest, such as blood donor sessions. Staff should not post a notice on a departmental notice board without receiving prior permission from their Line Manager or the appropriate departmental contact.

Where to go for help and advice

2.12 The Central Communications team, based in the Office of the Chief Executive, promotes the work of the House Service to Members and Members’ staff. As the central point of contact, the work of the House Service can be communicated consistently and effectively. The team is also responsible for House-wide corporate communications to House of Commons and PICT staff.

2.13 The team assists the Clerk of the House and Chief Executive and the Management Board in their strategic leadership of the House Service by providing communication services and advice.
2.14 The team is also responsible for the authorisation and dissemination of global emails to staff, Members and Members’ staff.

2.15 The Central Communications team is based in SA4, Colonnades, Palace of Westminster. It may be reached on ext. 4801 or by email at communicationsoce@parliament.uk.

2.16 The Diversity and Inclusion team can advise staff and Managers on alternative methods of communication. It may be reached on ext. 1412 or by email at diversity@parliament.uk.
PART 7:
LEAVING THE HOUSE
CHAPTER 26: Resignation, Retirement or Dismissal

1. About this Chapter
1.1 This chapter explains:

- what to do if you want to resign from the service of the House
- what happens as you come up to retirement age
- the dismissal procedures.

1.2 The rules on confidentiality and acceptance of business appointments remain in force indefinitely, even after leaving the House. This applies whether you resign, retire or are dismissed.

2. Resignation
2.1 If you wish to resign from the House, write to your Line Manager. You do not have to give reasons for resigning. If you have a season ticket or other loan, you will need to contact the Payroll team, Department of Finance, as soon as possible so that arrangements can be made for you to repay any outstanding amounts.

2.2 You should also contact your HR Adviser if you receive childcare vouchers.

Notice periods
2.3 Your letter of appointment will state the amount of notice you need to give if you wish to resign from the House. In most cases this is one month. The exception is if you were recruited or promoted to pay band A1 or A2 after 1 April 1991, in which case your notice period is a minimum of three months. The majority of SCS staff have a notice period of six months.

Outstanding leave
2.4 You should normally take any outstanding leave during your notice period. However, this may not always be possible, for example, if you are required to give notice of leave. If your Line Manager agrees that it is not practicable to take all outstanding leave, you may be paid for any days that are left. If you have exceeded your leave entitlement, the appropriate amount will be deducted from your final pay.
Exit interviews

2.5 Your Line Manager will usually hold an exit interview with you prior to your leaving date. If you would rather this be conducted by someone else, please let your HR Adviser know.

House of Commons property

2.6 On your final day, please ensure that you hand in your photo identity pass, car parking permit (if you have one), any equipment or uniform belonging to the House, and other work items such as desk keys and other materials to your Line Manager.

References

2.7 The House may in the future be asked to supply a prospective employer with a reference about you. You will be asked in your leaver letter what information (if any) you agree to the House releasing.

Pension benefits

2.8 You may have some choice of what to do with your pension benefits under the House of Commons Staff Pension Scheme (HOCSPS) when you leave:

- if you have less than two years of qualifying service, you can either transfer your pension benefits to a new registered pension scheme, or apply for a refund of contributions. If you apply for a refund of contributions, an amount will be deducted from this refund to cover the cost of reinstating you in the State Second Pension scheme (S2P). An amount for tax will also be deducted.
- if you have two or more qualifying years of service, you can either transfer your pension benefits to a new occupational or personal pension scheme, or your benefits can be retained in the scheme and paid at age 60 (Classic, Classic Plus and Premium schemes) or age 65 (Nuvos scheme). If you are a member of the Partnership Pension Scheme you should contact your provider for details.

2.9 Information about the HOCSPS is given in chapter 27.

3. Retirement

3.1 The House of Commons Service operates a ‘no retirement age’ policy. This means that there is no specific age at which staff must retire. You can still retire at any time after your 60th birthday (65th birthday for staff in the Nuvos pension scheme) and draw benefits based on the number of years of service to date of retirement. You can also partially retire under the partial retirement scheme outlined
in paragraphs 3.12 to 3.17 below. Early retirement before age 60 (65 for staff in Nuvos) is also possible on the terms set out in paragraphs 5.1 to 5.4 below.

3.2 While the House does not operate a specific retirement age policy, your 65th birthday will be treated as a trigger point to prompt administrative processes. You will receive a letter from HR at least six months before your 65th birthday. An accompanying form will set out the options available, and you should respond to this as soon as possible.

3.3 The options are to:
- retire on your 65th birthday
- continue working in your current post, retaining terms and conditions
- continue working with a change in your terms and conditions (for example, reduced hours)
- continue working in a different post
- continue working under the partial retirement scheme.

3.4 Requests to continue working under partial retirement, in a different post or with different terms and conditions will be considered by your Line Manager, the Departmental Director of Business Management and HR using the flexible working procedures which can be found in chapter 11.

3.5 The purpose of the response is to confirm with your Line Manager and HR of what you wish to do when you reach your 65th birthday. This should be returned within 28 calendar days so that HR has enough time to consider your request.

Pension benefits

3.6 Each year you will be sent a pension benefits statement by the pension administrators, Capita Hartshead. These statements are an estimate of your pension at pension age (age 60 for Classic, Premium & Classic Plus; age 65 for NUVOS). If you are over pension age, the statements provide an estimate of benefits earned to the previous 31 March. You will, therefore, have an indication of your expected pension before retirement.

3.7 If you state on your form that you intend to retire at age 65, your HR team will notify Capita, who will then send you a retirement statement at least two months before your 65th birthday.

3.8 If you intend working beyond your 65th birthday, you may ask Capita to provide you with a forecast for retiring at a later age. Capita requires a minimum of three months’ notice of the date of your retirement. If, during the three-month period, changes are made to the retirement date, this could delay the payment of your
pension benefits. Capita will try to arrange for benefits to be paid on time, but this cannot be guaranteed. For Capita’s contact details please see chapter 27.

3.9 The Department for Work and Pensions (DWP) will send individuals approaching State Pension age separate information about entitlement to a State Pension. If you require information in advance of retirement you should ask your local social security office for form BR19. This form can also be found on the DWP website:

http://www.direct.gov.uk/prod_consum_dg/groups/dg_digitalassets/@dg/@en/@over50/documents/digitalasset/dg_180219.pdf

Staff working beyond normal occupational pension age

3.10 If you wish to continue working but with a change to your current job or terms and conditions, a meeting should be arranged with your Line Manager and HR to discuss your options. Requests will be considered by your Line Manager, the Departmental Director of Business Management and HR using the flexible working procedures that can be found in chapter 11.

3.11 If you continue to work beyond your normal occupational pension age and subsequently decide to retire, the House would appreciate as much notice as possible of your planned retirement date. You should bear in mind that Capita will require at least three months’ notice to ensure that pension benefits are paid on time. Once the retirement date is agreed, your Line Manager should contact your HR Adviser, who will in turn notify Capita via the Agresso alerts system.

3.12 Capita will arrange for you to be provided with further information, including a statement of the expected pension benefits. Benefits, terms and conditions and standards of performance, attendance and conduct are the same for all staff whatever their age. Where these standards are unsatisfactory, dismissal may occur, following normal House procedures. Please see chapter 20 for further information.

Partial retirement

3.13 Partial retirement arrangements allow you to “downshift”. Downshifting can be achieved by working fewer hours or at a lower level. This flexibility is intended to facilitate a gradual move from full-time work to full-time retirement. If you downshift, you carry on working (but fewer hours and/or at a lower level), your pensionable earnings are reduced by at least 20%, and you can draw some or your entire pension. You may also request to reshape your job but not yet take partial retirement.
3.14 If an agreed reduction in working hours occurs, but you have not drawn any pension, you can exercise the option to do so later. However, this has to be no later than three months after a reduction in pensionable earnings of at least 20% has occurred.

3.15 Partial retirement or job reshaping is subject to approval by your Line Manager, and the Departmental Business Manager, in consultation with HR, and is not an automatic right. There is also no right to demand changes to working hours or job level in order to facilitate partial retirement. Requests will be considered by your Line Manager and the Departmental Director of Business Management, in consultation with HR, using the flexible working procedures which can be found at chapter 11.

3.16 If you wish to take advantage of partial retirement, you must bear the following points in mind:

- pension benefits cannot be taken before age 50 (age 55 for staff who joined on or after 6 April 2006)
- benefits taken before pension age will be reduced for early payment
- pension benefits will continue to build up if you are still in work, subject to any overall pension scheme reckonable service limit
- abatement will apply where benefits in payment plus pay exceed pay before downshifting (this means the pension will be reduced or suspended)
- partial retirement will reduce reckonable service for subsequent benefits
- partial retirement can be taken only if the downshifting is expected to be permanent. If, exceptionally, your pay increases significantly in the future, the pension will be subject to abatement. Normal pay rises are unlikely to trigger abatement.

3.17 Further information on partial retirement can be found on the Civil Service website:


3.18 Please use form CSP15 found at the website above to apply for job reshaping. A partial retirement calculator is also available on the website above. Below is an example of a part-time retirement calculation.

**Example:**
Beth is 61 and agrees with her employer to move from full-time working to three days per week. Beth’s full-time salary is £20,000 and her part-time salary will be £12,000. Beth has built up an annual pension of £10,000 (based on 40 years) in Classic, but Beth realises that any pension drawn over £8,000 a year will be
abated (because pension drawn plus pay would then be more than pay before downshifting).

Because she is over pension age, she can draw pension without it being reduced for early payment. Beth decides to draw £8,000 pension a year (and a lump sum of £24,000), which represents 32 years’ service.

Beth has eight years’ reckonable service left and this, combined with her reckonable service in her part-time job, will build up further pension and lump sum in Classic, which Beth will take when she finally retires.

Pre-retirement seminars

3.19 A pre-retirement seminar, ‘Adjusting to a New Lifestyle’, is organised by the Learning and Development team and advertised through the staff Intranet and on the HAIS Learning and Development calendar. The course is available to all staff, although it is most useful to those five years or less away from their likely retirement date. You can secure a place on this course by booking it through the HAIS Employee Self Service or contacting the Learning and Development team on ext. 1422.

4. Retirement on Health Grounds

4.1 If your health deteriorates to a point where you cannot carry out your duties effectively and your incapacity is likely to be permanent, you may:

- want to apply for early retirement on health grounds, or
- be approached by the House to consider ill-health retirement.

4.2 Once an application for ill-health retirement is received the case is referred to the Safety, Health and Wellbeing Service (SHWS). A consultant from SHWS will consider the available medical evidence and, if necessary, ask for your consent to arrange for you to have a medical examination. This could be with your own GP or with a hospital specialist, who is then asked to write a report. You have the right to see this report under the Access to Medical Reports Act 1988.

4.3 The decision as to whether to authorise medical retirement rests with the Director General, Department of HR & Change. You may appeal to the Director General, HR & Change if you are not happy with a decision to retire you (or a refusal to retire you) on medical grounds and if you have additional medical evidence. Appeals should be made through the SHWS.
4.4 Details of the pension benefits for early retirement on medical grounds are set out in a booklet which is on the Civil Service Pension website:

http://www.civilservice.gov.uk/ill-health-retirement-guide-for-members

5. Early Retirement and Severance

5.1 Benefits payable on Early Retirement are paid under the rules governing your particular section of the HOCSPS. The benefits payable under severance are paid under the House of Commons Compensation Scheme (HOCCS), which mirrors the Civil Service Compensation Scheme (CSCS).

Early retirement - actuarially reduced retirement

5.2 From age 50 (55 if you joined the HOCSPS after 6 April 2006), you can retire and draw an actuarially reduced pension. This means that both the pension and any lump sum are reduced on a permanent basis by around 5% for each year before pension age 60 (age 65 if you belong to Nuvos). The reduction takes into account the longer period your pension is likely to be in payment for.

5.3 To claim an actuarially reduced pension, you need to give six months’ notice. The administrators, Capita Hartshead, will provide estimates of the benefits payable. The reduction can be considerable, and you should not take this course of action without careful consideration.

5.4 Please note that your reduced pension will have to pass a test to show that it is at least equal to your Guaranteed Minimum Pension (GMP). This is broadly the pension you would have received if you had been in the second tier of the State Pension system (see chapter 27).

Voluntary redundancy and voluntary exit

5.5 The HOCS specifies the benefits payable if you leave the House early as part of an announced exercise, where staff are asked to apply for voluntary redundancy or voluntary exit. These are shown in the table below:

<table>
<thead>
<tr>
<th>Age on exit</th>
<th>Benefits payable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Below normal pension age on exit</td>
<td>One month’s pay for each year of service up to 21 months maximum</td>
</tr>
<tr>
<td>Above normal pension age on exit</td>
<td>One month’s pay per year of service up to a maximum of six months</td>
</tr>
</tbody>
</table>
5.6 All staff will be given three months’ notice, which, subject to mutual agreement between the House and the employee, may be paid in lieu of working through the notice period, for example, where the parties agree a release date before the end of the notice period.

5.7 Staff who have reached the minimum pension age (either 50 or 55) can choose to opt for early retirement on their current pension entitlement. This will be the pension that staff are entitled to for their work in the House at their point of departure, that is the pension that has been earned at that point in the latest period of continuous service (previous service, transferred in service and added years will not normally be included).

5.8 Staff will be asked to surrender some (or all) of any severance payment to meet the cost of receiving their pension early. Where the severance payment is not sufficient to fund an unreduced pension, the employer will make a top-up payment. Where all of the severance payment is not required to fund an unreduced pension, the balance will be paid as cash compensation.

5.9 A Voluntary Exit (VE) programme can be run at any time, at the discretion of the House. Staff can apply to exit under VE only when a scheme is running. The House has some discretion over the terms on offer for each exercise that is run.

6. **Compulsory Redundancy**

6.1 All staff who face compulsory redundancy will first have had the opportunity to exit under voluntary redundancy terms when it will be made clear to them that they are at risk of redundancy.

6.2 Voluntary redundancy (one month’s pay for each year of service up to a maximum of 21 months) must be offered when there is a risk to an individual of compulsory redundancy following the start of formal consultation.

6.3 In the event that an individual who has been informed that their post is at risk following the start of formal consultation does not apply for the voluntary terms and is then subsequently selected for compulsory redundancy, the compulsory redundancy terms will apply. These are one month’s pay per year of service up to 12 months. There will be no further opportunity to apply for voluntary terms.

7. **Ending of Fixed-term Contracts**

7.1 If you are on a fixed-term contract, your end date will have been indicated on your initial contract of employment or subsequent extension letters. This will be confirmed in writing at least six weeks before your contract is due to end, unless your contract is to be extended further.
7.2 You will be invited to a meeting with your Line Manager to discuss the ending of your contract and are entitled to be accompanied by a Trade Union Representative or a work colleague. A note of the meeting will be made and you will receive a copy.

7.3 You should notify your Line Manager by email or in writing if you do not wish to attend a meeting to discuss the ending of your contract. In either case you will receive a formal letter notifying you of your last day of service, any outstanding leave and any other relevant matters.

7.4 You have the right of appeal against the ending of your fixed-term contract if you feel that you have been discriminated against or have been treated unfairly. Any appeal must be made in writing to your countersigning manager within seven calendar days of receiving the letter confirming your last day of service.

7.5 Your appeal will be considered by your countersigning manager using the steps laid out in the House of Commons grievance policy (see chapter 21). The appeal date may be after your last day of service. You will be notified in writing of the outcome of any appeal.

8. Dismissals

8.1 Managers at B1 and above normally take responsibility for dismissals, in consultation with HR. Some of the reasons for dismissal are:

- poor performance
- poor attendance
- inefficiency
- misconduct
- non-renewal of a fixed-term contract.

8.2 If you are dismissed after being continuously employed for six months or longer, you are entitled, under current legislation, to receive a written statement of the reasons for your dismissal.

Notice periods for dismissal

8.3 Staff of the House cannot demand a period of notice as of right if their appointments are terminated. Normally, however, if the dismissal is on any grounds other than gross misconduct, the House may apply the following periods of notice:

- less than four years of continuous service: five weeks’ notice
- four years or more of continuous service: the minimum period is not less than one week per year of continuous employment plus one extra week up to a maximum of 13 weeks.
8.4 For security reasons, due to the nature of working on the Parliamentary Estate, if staff are dismissed and a notice period is given, they are usually paid in lieu of notice and not allowed to retain security access to the Estate.

**Effect of dismissal on pay**

8.5 When a member of staff is dismissed, the House may apply appropriate rules to recover any losses to public funds. This means that your pension benefits can be withheld (in whole or in part) if you are convicted of any criminal offence that might lead to serious loss of confidence in the House of Commons Service.

8.6 For dismissals involving loss of public money, any unpaid salary may be withheld and offset against the loss. The balance can be recovered from your pension benefits.

**Appeals against dismissal**

8.7 If you are under notice of dismissal you may appeal. You should put your appeal in writing to the Decision Maker’s manager within seven calendar days of receiving the dismissal notice.

8.8 You also have the right to appeal against dismissal to an employment tribunal if you have been employed by the House for one year or more prior to 6 April 2012 or two years if you are employed from 6 April 2012. If you wish to appeal to the ET, you must do so within 90 days of the effective date of dismissal.

8.9 You may obtain further information from ACAS on their ET public enquiry line (08457 959 775) or on their website: www.acas.org.uk
CHAPTER 27:
House of Commons Staff Pension Schemes

1. About this Chapter
1.1 This chapter provides general information about the pension schemes for House of Commons staff. It explains:

- how the schemes work
- where to obtain more information.

1.2 The House of Commons Staff Pension Scheme (HOCSPS) operates by analogy to the Civil Service pension arrangements. This means pension arrangements are identical in most respects to the Civil Service pension arrangements.

1.3 The information given represents a summary of the House of Commons Staff Pension Scheme. In case of any conflict with the rules of the Scheme, the rules take precedence. The rules of the HOCSPS follow those of the Civil Service Pension Scheme, which can be found on the Civil Service Pensions website.

2. Schemes Available
2.1 There are five pension schemes which are available according to when you started your service in the House:

- **Nuvos**: for staff who join on or after 30 July 2007
- **Premium**: for staff who joined on or after 1 October 2002, and before 30 July 2007; also for staff in service before 1 October 2002 and who opted to join this scheme from this date
- **Classic**: for staff in service before 1 October 2002
- **Classic Plus**: for staff in service before 1 October 2002 who opted to join this scheme from this date
- **Partnership Scheme**: offered as an alternative option to the Premium scheme for staff who joined between 1 October 2002 and 29 July 2007, and as an alternative to the Nuvos scheme for staff who join on or after 30 July 2007.

2.2 Most staff who join the House of Commons on or after 30 July 2007 and are offered an appointment for 12 months or more will be entered automatically into the Nuvos scheme, will be able to join Partnership instead, or to opt out of Nuvos. Please read section 12 below if you are considering opting out of the HOCSPS.
2.3 Staff who are offered an appointment for less than 12 months will not be entered automatically into Nuvos, but may join Nuvos or Partnership if they choose to do so.

3. **Nuvos Scheme**

3.1 This scheme is one of two pension arrangements available to staff who join from 30 July 2007. It is a career average revalued earnings (CARE) scheme.

**Contributions**

3.2 Your contribution rate will be a percentage of your pensionable earnings dependant on your salary and will have been specified in your letter of appointment. This contribution will increase as your salary and permanent pensionable allowances increase. This is your contribution towards all the benefits in the scheme. You receive tax relief on your contribution, so the net cost to you is less. Your pensionable earnings consist of your basic salary, plus any other allowances deemed pensionable by the House, in agreement with the Trade Unions. The cost to the House of Commons varies from year to year.

**Pension**

3.3 Each year your pension account is credited with an amount of annual pension calculated as a proportion of your pensionable earnings in the year. The pension build-up factor is currently 2.3%. Each year’s pension is then increased up to retirement in line with price inflation.

**Example:**

Ahmed joins the House of Commons in September 2009 and has pensionable earnings of £10,000 in the period to 31 March 2010. At 31 March 2010, Ahmed will have earned a pension of £230pa (£10,000 x 2.3%) which will then be increased each year up to retirement. The first increase will be as at 31 March 2011. If the increase in price inflation to September 2010 was 2.6%, Ahmed’s pension at 31 March 2011 is increased to £236pa (£230 x 1.026).

Suppose Ahmed earns £22,000 in the year to 31 March 2011. This would earn him a further pension of £506pa bringing his total pension earned to £742pa.

If the increase in price inflation was then 2.4%, his pension would be increased to £759.81pa (£742 x 1.024).
Lump sum

3.4 When you retire you will have an option to exchange part of your pension for a tax-free lump sum. Every £1 of surrendered pension currently buys £12 of lump sum. Limits apply to the amount of lump sum you can take.

Pension increase

3.5 Once your pension comes into payment, it will be increased each year in line with price inflation.

Normal retirement

3.6 Currently the normal retirement age in Nuvos is 65. This is the date from when your pension benefits can be paid in full. This is also known as the pension age. You may, however, continue to work beyond age 65. See chapter 26 for further information on the House's retirement policy. See chapter 26 for what happens to your pension if you work beyond age 65.

Early retirement

3.7 You can retire at any age from 55 but your benefits will be permanently reduced to take into account the fact that your pension is likely to be paid for a longer period.

Late retirement

3.8 If you retire after age 65, your pension will be increased to take into account the likely shorter period of payment.

Ill-health retirement

3.9 An ill-health pension is payable at any age, subject to medical criteria being met. There are two levels of provision:

- **lower tier**: if you are unable to do your own or a similar job, a pension is payable upon retirement, with no reduction for early payment
- **upper tier**: if you are unable to do any job, an enhanced pension is payable upon retirement.

3.10 Further details on ill-health retirement may be found in chapter 26.
Death

3.11 In the following cases and provided you have had at least two years’ reckonable service, the scheme will pay an ongoing pension for life to your surviving spouse, civil partner, or nominated partner:

- **death in service:** a lump sum of twice your annual pensionable pay will be paid to your nominee(s), as detailed on the death benefit nomination form
- **death after leaving the scheme but before your pension comes into payment:** a lump sum of five times your deferred pension or a lump sum of twice your final pensionable earnings when you left the scheme, whichever is lower
- **death within five years of retirement:** a lump sum equal to the balance of five years’ worth of pension payments.

3.12 The pension will normally be 3/8ths of your pension. The pension may be enhanced if you die in service. The scheme will also pay a pension to any children who were dependant on you at death, up to a maximum age of 23. Reckonable service includes your service in the scheme, any transfers in and any added years or added pension.

3.13 Death nomination forms can be downloaded from the Civil Service Pensions website or obtained from Capita Hartshead. Completed forms should be sent to Capita Hartshead. If you die without having made a nomination, any lump sums will be paid to your estate.

Partners

3.14 If you are not married or in a civil partnership, but nevertheless live with someone as their partner, you may be able to nominate them to receive a pension. You should complete a partner declaration form and send it to Capita Hartshead. Partner declaration forms can be downloaded from the Civil Service Pensions website or obtained from Capita Hartshead. Your partner will not receive a pension after your death if you have not completed a partner declaration form.

Topping up your pension

3.15 You can top up your pension by any or all of the following methods, subject to contribution limits laid down by HMRC:

- added pension
- money purchase House of Commons Additional Voluntary Contributions (HOCAVCs)
the House’s designated stakeholder pension scheme with Standard Life
your own savings arrangements, including stakeholder pensions.

3.16 Added pension may be purchased either on a monthly basis or by lump sum. A maximum of one lump sum purchase is permitted each year. You will buy a fixed amount of pension, which will be paid with your Nuvos pension when you retire, and which will increase in payment in line with price inflation. You may purchase added pension either for yourself only, and/or your dependants. The amount a fixed sum will buy depends on your age and current interest rates.

3.17 The Civil Service Pensions website has an added pension calculator, which helps you find out how much it costs you to buy added pension. The Civil Service Pensions website address is:

http://www.civilservice.gov.uk/pensions

3.18 If you are interested in buying added pension, you should contact Capita Hartshead.

3.19 The HOCAVC Scheme gives you the opportunity to make additional contributions under a money purchase arrangement to secure additional pension payable on retirement based on contributions paid, investment returns, and annuity rates at retirement. These benefits are in addition to those you receive under the Nuvos scheme. You can choose to invest with one or more of the scheme’s two providers:

- Scottish Widows
- Standard Life.

3.20 You use your fund on or after retirement to buy an annuity from an insurance company – a pension for life. You can make your choice of which annuity you want to buy at any time between payment of your HOCSPS benefits and the day before your 75th birthday. You also have the option to take up to 25% of your AVC fund as tax-free cash.

3.21 The HOCAVC Scheme gives you flexibility in both the way you pay your contributions and the way you take your benefits. You can pay by a lump sum and/or regular payments. You can make lump sum payments from your salary throughout the year. Alternatively, you can make regular payments by percentage deductions from your salary each month. You can select the level you wish to invest and you can, within certain limits, increase or decrease your contributions, and start or stop them as you wish (providing you give appropriate notice).

3.22 If you are interested in paying HOCAVCs, you should contact Capita Hartshead.
4. **Premium Scheme**

4.1 This scheme was available for staff who joined on or after 1 October 2002 and before 30 July 2007 and staff in service before 1 October 2002 who opted to join Premium from this date. You may also have joined the HOC Premium scheme after 30 July 2007 if you had reserved rights to this scheme from previous House or Civil Service employment. It is a final salary scheme.

**Contributions**

4.2 Your contribution rate is a percentage of your pensionable earnings as determined by your salary. This will increase as your salary and permanent pensionable allowances increases. This is your contribution towards all the benefits in the scheme. You receive tax relief on your contributions so the net cost to you is less. Your pensionable earnings consist of your basic salary plus any other allowances deemed pensionable by the House. The cost to the House of Commons varies from year-to-year.

**Pension**

4.3 Your pension is calculated as final pensionable earnings (FPE) multiplied by reckonable service, divided by 60. FPE is your best pensionable earnings in the 13 years prior to leaving or retirement. Reckonable service includes your service in the scheme, any transfers in and any added years.

**Example:**
Davina retires after 20 years’ service. Her FPE is £20,000. Her pension is (£20,000 multiplied by 20) divided by 60 = £6,666.66 a year.

**Lump sum**

4.4 When you retire you will have an option to exchange part of your pension for a tax-free lump sum. Every £1 of surrendered pension currently buys £12 of lump sum.

**Example:**
Davina decides she would like a lump sum of £12,000. Taking the above example, this means that her pension is reduced by £1,000 to £5,666.66 a year.

4.5 Limits apply to the amount of lump sum that can be taken. For staff whose last day of service is on or after 1 October 2007 the limit is pension x 30/7.
Example:
Nita’s last day of service is 12 December 2007 and she has a pension of £10,000. The maximum lump sum she may have is £10,000 x 30/7 = £42,857.14.

Pension increase
4.6 Once your pension comes into payment, it will be increased each year in line with the cost of living. The increases are linked to price inflation.

Normal retirement
4.7 The normal retirement age in Premium is 60, and this is when your pension benefits can be paid in full. This is also known as the pension age. You may, however, continue to work beyond age 60. See chapter 26 for further information on the House’s retirement policy. See chapter 26 for what happens to your pension if you work beyond age 60.

Early retirement
4.8 You can retire at any age from 50 if you joined before 6 April 2006, or age 55 if you joined on or after this date. However, your benefits will be permanently reduced to take into account that the pension is likely to be paid for a longer period.

Late retirement
4.9 The maximum number of years of pensionable service you can have in Premium is 40 years (45 years from 1 March 2008). If you reach the maximum limit of 45 years, you can no longer remain in Premium, but may join the Partnership scheme.

Ill-health retirement
4.10 An ill-health pension is payable at any age, subject to medical criteria being met.
4.11 There are two levels of provision:
- lower tier: if you are unable to do your own or a similar job, a pension is payable upon retirement, with no reduction for early payment;
- upper tier: if you are unable to do any job, an enhanced pension is payable upon retirement.

4.12 Further details on ill-health retirement may be found in chapter 26.
Death

4.13 In the following cases and provided you have had at least two years’ reckonable service, the scheme will pay an ongoing pension for life to your surviving spouse, civil partner, or nominated partner:

- **death in service**: a lump sum of three times your annual pensionable pay will be paid to your nominee(s), as detailed on the death benefit nomination form
- **death after leaving the scheme but before your pension comes into payment**: a lump sum of five times your deferred pension or a lump sum of twice your final pensionable earnings when you left the scheme, whichever is lower
- **death within five years of retirement**: a lump sum equal to the balance of five years’ worth of pension payments.

4.14 This pension will normally be 3/8ths of your pension. The pension may be enhanced if you die in service. The scheme will also pay a pension to any children who were dependant on you at death, up to a maximum age of 23. Reckonable service includes your service in the scheme, any transfers in and any added years.

4.15 Death nomination forms can be downloaded from the Civil Service Pensions website or from Capita Hartshead. Completed forms should be sent to Capita Hartshead. If you die without having made a nomination, any lump sums will be paid to your estate.

Partners

4.16 If you are not married or in a civil partnership, but nevertheless live with someone as their partner, you may be able to nominate them to receive a pension. You should complete a partner declaration form and send it to Capita Hartshead. Partner declaration forms can be downloaded from the Civil Service Pensions website or from Capita Hartshead. Your partner will not receive a pension after your death if you have not completed a partner declaration form.

Topping up your pension

4.17 You can top up your pension by any or all of the following methods, subject to contribution limits laid down by HMRC:
4.18 Added pension allows you to buy specific amounts of additional pension. You can buy added pension by periodical contributions from pay or, after 12 months of service, by lump sum contribution. A maximum of one lump sum contribution is allowed per year. Payment of added pension by periodical contributions can only commence in April each year.

4.19 The cost to you of buying added pension varies according to your age and current interest rates. The Civil Service Pensions website has a calculator which you can use to get an indication of how much a particular amount of added pension will cost you as a one-off lump sum or by periodical contributions over a specified number of years.

4.20 If you are interested in buying added years or added pension, you should contact Capita Hartshead.

5. Classic Scheme

5.1 This scheme was available for staff who were in service before 1 October 2002. You may also have joined the HOC Classic scheme after 1 October 2002 if you had reserved rights to this scheme from previous House or Civil Service employment. It is a final salary scheme.

Contributions

5.2 Your contribution rate is split between 1.5% of your pensionable salary which is your contribution towards benefits for widows, widowers or civil partners, and is known as a WPS (widows’/widowers’ pension scheme) contribution, and an additional percentage of your pensionable earnings as determined by your salary. This will increase as your salary and permanent pensionable allowances increases. You receive tax relief on both your contributions so the net cost to you is less. If you are unmarried or not in a civil partnership when you leave the scheme, you will receive a refund of the WPS element of your contributions when you retire.
5.3 Your pensionable earnings (from which your additional percentage contribution is deducted), consist of your basic salary, plus any other allowances deemed pensionable by the House, as agreed with the Trade Unions. The cost to the House of Commons varies from year-to-year.

**Pension**

5.4 Your pension is calculated as final pensionable earnings (FPE) multiplied by reckonable service, divided by 80. FPE is worked out from whichever period of 12 months in your last three years of actual service as a member of Classic gives the highest figure. Reckonable service includes your service in the scheme, any transfers in and any added years.

**Example:**
Davina retires after 20 years’ service. Her FPE is £20,000. Her pension is (£20,000 multiplied by 20) divided by 80 = £5,000 a year.

**Lump sum**

5.5 The standard tax-free lump sum is calculated as three times the annual pension.

**Example:**
In the example above, Davina’s lump sum would be £15,000.

5.6 Limits apply to the amount of lump sum that may be taken. For staff whose last day of service in Classic is before 1 October 2007, the maximum lump sum payable is three times pension as explained above. For staff whose last day of service is on or after 1 October 2007, the standard lump sum of three times pension is still payable, but an additional element to the lump sum may be paid, calculated as pension x 33/14. Every £1 of surrendered pension currently buys £12 of lump sum.

**Example:**
Ruth is retiring from Classic in November 2007. She has an initial pension entitlement of £10,000 a year plus a lump sum entitlement of £30,000. She can, if she wishes, take an additional lump sum up to a maximum of £10,000 x 33/14 = £23,571. If Ruth opts to take an additional £12,000 lump sum, her pension will be reduced by £1,000 a year. She would then end up with a tax-free lump sum of £42,000 and an annual pension of £9,000 a year.
5.7 If you are single and eligible to receive a partial refund of WPS (widows'/widowers’ pension scheme) contributions on retirement, you will have less scope to give up pension for an additional lump sum. This is because the total of any WPS refund plus any additional lump sum you choose to take cannot exceed the limit of 33/14 times your initial pension.

Pension increase
5.8 Once your pension comes into payment, it will be increased each year in line with price inflation.

Normal retirement
5.9 The retirement age in Classic is 60, and this is when your pension benefits can be paid in full. You can continue to work beyond age 60 as there is no retirement age in the House of Commons.

5.10 See chapter 26 for what happens to your pension if you work beyond age 60.

Early retirement
5.11 You can retire at any age from 50 but your benefits will be permanently reduced to take into account that the pension is likely to be paid for a longer period.

Retirement when over 60 years of age
5.12 Reaching age 60 before 1 March 2008, the maximum number of years of pensionable service you can have in Classic is 40 years up to age 60. If you have 40 years’ reckonable service, you can continue to build up further reckonable service up to 45 years provided you have reached age 60. If you reach the maximum limit of 45 years, you can no longer remain in Classic, but may join the Partnership scheme.

5.13 From 1 March 2008, the maximum number of years of pensionable service you can have in Classic is 45 years, and if you reach 40 years’ service before age 60, you no longer have to wait before age 60 before building up further pensionable service.

Ill-health retirement
5.14 An ill-health pension is payable at any age, subject to medical criteria being met. Upon retirement you will receive payment of your pension and lump sum. Your pension may be enhanced, but this depends on your length of service.

5.15 Further details on ill-health retirement may be found in chapter 26.
Death

5.16 In the following cases and provided you have had at least two years’ reckonable service, the scheme will pay an ongoing pension for life to your surviving spouse, civil partner, or nominated partner:

- **death in service**: a lump sum of twice your annual pensionable pay will be paid to your nominee as detailed on the death benefit nomination form
- **death after leaving the scheme but before your pension comes into payment**: a lump sum equal to the preserved lump sum that would otherwise have been paid to you if you had taken your pension
- **death after retirement**: a lump sum reflecting the difference (if any) between five times your annual pension on the date you died, and the total pension and lump sum payments you have already received.

5.17 This pension will in most cases be half of your pension, but variations may apply according to individual circumstances. The pension may be enhanced if you die in service. The scheme will also pay a pension to any children who were dependant on you at death, up to a maximum age of 23.

5.18 Death nomination forms can be downloaded from the Civil Service Pensions website or obtained from Capita Hartshead. Completed forms should be sent to Capita Hartshead. If you die without having made a nomination, any lump sums will be paid to your estate.

Partners

5.19 The Classic scheme will only pay benefits to your partner if you are married or in a civil partnership.

Topping up your pension

5.20 You can top up your pension by any or all of the following methods, subject to contribution limits laid down by HMRC:

- added years (this facility ceased on 1 March 2008, except for existing contributors and Classic members who committed, before this date, to a new contract starting from their next birthday, provided this fell before 1 January 2009)
- added pension (this facility commenced on 1 March 2008 for all Classic members, and on 1 October 2007 for Classic members over 60)
- money purchase House of Commons Additional Voluntary Contributions (HOCAVCs)
the House’s designated stakeholder pension with Standard Life
your own savings arrangements, including stakeholder pensions.

5.21 Added pension allows you to buy specific amounts of additional pension. You can buy added pension by periodical contributions from pay or, after 12 months of service, by lump sum contribution. A maximum of one lump sum contribution is allowed per year. Payment of added pension by periodical contributions can only commence in April each year. The cost to you of buying added pension varies according to your age and interest rates. The Civil Service Pensions website has a calculator which you can use to get an indication of how much a particular amount of added pension will cost you as a one-off lump sum or by periodical contributions over a specified number of years.

5.22 If you are interested in buying added pension, you should contact Capita Hartshead.

6. Classic Plus Scheme

6.1 This scheme was available for staff in service before 1 October 2002 and who opted to join this scheme from this date. It is a final salary scheme.

Contributions

6.2 Your contribution rate is a percentage of your pensionable earnings as determined by your salary. This will increase as your salary and permanent pensionable allowances increases. This is your contribution towards all the benefits in the scheme. You receive tax relief on your contributions so the net cost to you is less. Your pensionable earnings consist of your basic salary plus any other allowances deemed pensionable by the House. The cost to the House of Commons varies from year-to-year.

Pension

6.3 Your pension is based on your final pensionable earnings (FPE) and reckonable service. There are two elements to your pension. The Classic element relates to your service before 1 October 2002, and the pension is calculated as explained in paragraph 5.4 above. The Premium element relates to your service from 1 October 2002, and the pension is calculated as explained in paragraph 4.3 above.

Example:
Tom retires after 30 years’ service, of which 10 years were before 1 October 2002 and 20 years were from 1 October 2002. Tom’s FPE is £20,000. His pension based on his service before 1 October 2002 is (£20,000 x 10) divided by 80 = £2,500.
His pension based on his service from 1 October 2002 is (£20,000 x 20) divided by 60 = £6,666.67. His total pension therefore is £9,166.67.

**Lump sum**

6.4 Limits apply to the amount of lump sum you can take. For staff whose last day of service in Classic Plus fell before 1 October 2007, a tax-free lump sum of three times the Classic element of the pension is provided automatically. You can opt to take more lump sum by giving up some of the Premium element of your pension, up to a maximum of 2.25 times the Premium element of pension. Every £1 of Premium element pension surrendered will provide £12 of lump sum.

**Example:**
Justin is retiring from Classic Plus. For service before 1 October 2002, he has a pension of £8,000 a year plus a lump sum of £24,000. For service from 1 October 2002 he has a pension of £2,000, making a total pension of £10,000. If he wishes, he may take a maximum lump sum of £4,500 from the Premium element of his pension, making a total lump sum of £28,500. This would reduce the Premium element of his pension to £1,625, making a total pension of £9,625.

6.5 Increased limits for staff whose last day of service in Classic Plus fell on or after 1 October 2007 mean an additional lump sum made up of the total of:

- 33/14 times the initial pension relating to service before 1 October 2002 plus
- 30/7 times the initial pension relating to service from 1 October 2002.

Every £1 of pension surrendered will provide £12 of lump sum.

**Example:**
Justin is retiring from Classic Plus. For service before 1 October 2002, he has a pension of £8,000 a year plus a lump sum of £24,000. For service from 1 October 2002 he has a pension of £2,000.

Justin can, if he wishes, take an additional lump sum to the maximum of: (33/14 x £8,000) + (30/7 x £2,000) = £18,857.14 + £8,571.43 = £27,428.57

If Justin chooses to take the maximum additional lump sum, he will have to give up annual pension of £27,428.57/12 = £2,285.71.

Justin will end up with a total tax-free lump sum of £51,428.57 and an annual pension of £7,714.29 a year.
Pension increase

6.6 Once your pension comes into payment, it will be increased each year in line with the cost of living. The increases are linked to price inflation.

Normal retirement

6.7 The normal retirement age in Classic Plus is 60, and this is when your pension benefits can be paid in full. This is also known as the pension age. You may, however, continue to work beyond age 60. See chapter 26 for further information on the House’s retirement policy. See chapter 26 for what happens to your pension if you work beyond age 60.

Early retirement

6.8 You can retire at any age from 50, but your benefits will be permanently reduced to take into account that the pension is likely to be paid for a longer period.

Late retirement

6.9 The maximum number of years of pensionable service you can have in Classic Plus is 40 years (45 years from 1 March 2008). If you reach the maximum limit of 45 years, you can no longer remain in Classic Plus, but may join the Partnership scheme.

Ill-health retirement

6.10 An ill-health pension is payable at any age, subject to medical criteria being met. There are two levels of provision:

- lower tier: if you are unable to do your own or a similar job, a pension is payable upon retirement, with no reduction for early payment
- upper tier: if you are unable to do any job, an enhanced pension is payable upon retirement.

6.11 Further details on ill-health retirement may be found in chapter 26.

Death

6.12 In the following cases and provided you have had at least two years’ reckonable service, the scheme will pay an ongoing pension for life to your surviving spouse, civil partner, or nominated partner:

- death in service: a lump sum of three times your annual pensionable pay will be paid to your nominee(s) as detailed on the death benefit nomination form
- death after leaving the scheme but before your pension comes into
**payment**: a lump sum of your preserved lump sum for your service before 1 October 2002 plus the lower of:
(1) five times your preserved pension based on your service from 1 October 2002, or
(2) twice your final pensionable earnings when you left the scheme.

**death within five years of retirement**: a lump sum consisting of two elements:
(1) the balance of five years’ worth of pension payments based on your service from 1 October 2002, plus
(2) the balance of two years’ pension based on your service before 1 October 2002.

6.13 This pension will normally be based on two elements:
(1) 3/8ths of your pension relating to service from 1 October 2002, and
(2) 1/2 of your pension relating to service before 1 October 2002. The pension may be enhanced if you die in service. The scheme will also pay a pension to any children who were dependant on you at death, up to a maximum age of 23.

6.14 Death nomination forms can be downloaded from the Civil Service Pensions website or from Capita Hartshead. Completed forms should be sent to Capita Hartshead. If you die without having made a nomination, any lump sums will be paid to your estate.

### Partners

6.15 If you are not married or in a civil partnership, but nevertheless live with someone as their partner, you may be able to nominate them to receive a pension. You should complete a partner declaration form and send it to Capita Hartshead. Partner declaration forms can be downloaded from the Civil Service Pensions website or from Capita Hartshead. Your partner will not receive a pension after your death if you have not completed a partner declaration form.

### Topping up your pension

6.16 You can top up your pension by any or all of the following methods, subject to contribution limits laid down by HMRC:

- added years (this facility ceased on 1 March 2008, except for members who had already commenced payment of added years contributions)
- added pension (this facility commenced on 1 March 2008 for all Premium and Classic Plus members, and on 1 October 2007 for Premium and Classic Plus members over 60)
money purchase House of Commons Additional Voluntary Contributions (HOCAVCs)
the House’s designated stakeholder pension scheme with Standard Life
your own savings arrangements, including stakeholder pensions.

6.17 Added pension allows you to buy specific amounts of additional pension. You can buy added pension by periodical contributions from pay or, after 12 months of service, by lump sum contribution. A maximum of one lump sum contribution is allowed per year. Payment of added pension by periodical contributions can only commence in April each year.

6.18 The cost to you of buying added pension varies according to your age and current interest rates. The Civil Service Pensions website has a calculator which you can use to get an indication of how much a particular amount of added pension will cost you as a one-off lump sum or by periodical contributions over a specified number of years.

6.19 If you are interested in buying added years or added pension, you should contact Capita Hartshead.

7. Partnership Scheme

7.1 This is a money purchase stakeholder scheme, also known as a defined contribution scheme. It is available to staff as an alternative to Premium (from 1 October 2002) and as an alternative to Nuvos (from 30 July 2007). You have a choice of three pension providers:

Scottish Widows
Standard Life
TUC (Prudential)

Contributions

7.2 You do not have to contribute, but if you do, the House of Commons will match your contributions up to 3% of your pensionable earnings. For example, if you contribute 1% of your pensionable earnings, this will be matched by the House by 1%. If you contribute 4% of your pensionable earnings, this will be matched by the House by 3%. You receive tax relief on your contribution, so the net cost to you is less.

7.3 You can pay up to 100% of your pensionable earnings into your pension. Your pensionable earnings consist of your basic salary, plus any other pensionable allowances. In addition to any matching contributions, the House of Commons also pays age-related contributions. These are calculated according to your age at the
beginning of the current tax year (1 April last). The table below shows the age-related contributions:

<table>
<thead>
<tr>
<th>Age</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>under 21</td>
<td>3.0%</td>
</tr>
<tr>
<td>21 to 25</td>
<td>4.5%</td>
</tr>
<tr>
<td>26 to 30</td>
<td>6.5%</td>
</tr>
<tr>
<td>31 to 35</td>
<td>8.0%</td>
</tr>
<tr>
<td>36 to 40</td>
<td>10.0%</td>
</tr>
<tr>
<td>41 to 45</td>
<td>11.5%</td>
</tr>
<tr>
<td>46 and over</td>
<td>12.5%</td>
</tr>
</tbody>
</table>

7.4 The contributions are paid into your chosen provider, who invests them on your behalf. Each provider offers a range of investment funds, including a ‘default’ and ‘lifestyle’ option where the funds are selected for you.

**Pension**

7.5 The amount of your pension on retirement depends on:

- the amount of money that you and the House of Commons contribute
- the investment returns on the invested contributions
- the amount of any lump sum you take
- the type of pension you choose
- annuity rates at retirement.

7.6 You decide on retirement whether you want a pension for yourself only, or if you wish to also provide a pension for your spouse, civil partner or partner after death.

**Lump sum**

7.7 You can choose to take up to 25% of your pension fund as a tax-free lump sum.

**Pension increase**

7.8 You can choose to have a pension that will increase in payment for the rest of your life or one that is paid at a flat rate.
Retirement

7.9 You can draw your Partnership pension at any time between the ages of 55 and 75. You do not have to cease working at the House of Commons to take your Partnership pension benefits.

Ill-health retirement

7.10 An ill-health lump sum is payable at any age before age 60, subject to the House of Commons medical advisers agreeing that you cannot do your job because your health has broken down permanently. Depending on your circumstances, the maximum lump sum that will be paid is three years’ pensionable pay. You may also consider drawing your pension early, but your pension is likely to be smaller, as you will have fewer funds built up and also the pension is likely to be paid for a longer period. If you are so ill that you have a shorter life expectancy, your pension provider may take this into account when calculating your pension.

Death

7.11 In the following cases and provided you have had at least two years’ reckonable service, the scheme will pay an ongoing pension for life to your surviving spouse, civil partner, or nominated partner:

- **death in service:** a lump sum of three times your annual pensionable pay will be paid to your nominee(s) as detailed on the death benefit nomination form
- **death before drawing your pension:** the value of your pension fund to the person you have nominated. (If you die in service, this will be paid in addition to the three times annual pensionable pay mentioned above).

Topping up your pension

7.12 Since 6 April 2006, it is possible for anyone to contribute to one or more stakeholder or personal pension schemes, regardless of earnings, and in addition to their employer’s pension scheme. You may contribute up to 100% of your earnings towards your pension benefits or £3,600 if lower. You may also pay more into your Partnership pension.

Stakeholder scheme

7.13 Standard Life is the House’s designated stakeholder pension provider. This should not be confused with arrangements with Standard Life in the Partnership scheme. Any member of staff may contribute towards a stakeholder pension with one or more of the stakeholder providers available in the market. This is in addition to the main HOCSPS arrangements. As this is a personal arrangement, the House does not make contributions to your stakeholder pension.
7.14 When choosing a stakeholder pension provider, you are advised to take independent financial advice. If you choose Standard Life under the House’s designated arrangements, you have the choice of making your contributions through payroll, or by direct debit. If you choose a different stakeholder pension provider, you will not be able to make contributions through payroll.

8. State Second Pension

8.1 Staff who join the HOCSPS (with the exception of Partnership) are contracted out of the State Second Pension (S2P). As a result, both staff and the House pay a lower rate of National Insurance contributions on pensionable pay. In return, the HOCSPS has to guarantee that the pension paid in respect of service from 6 April 1978 to 5 April 1997, will be at least equivalent to the pension foregone by being contracted out of the S2P.

8.2 This pension is known as the Guaranteed Minimum Pension (GMP) and must be paid at State Pension Age, or within five years of SPA. The GMP forms part of the HOCSPS pension. For service after 6 April 1997, the HOCSPS must provide a pension that is at least as good as the State Second Pension foregone.

8.3 The Basic State Pension is also payable, subject to contribution limits. Staff in Partnership are not contracted out of the State Second Pension and pay the standard rate of National Insurance contributions. In return, staff in Partnership accrue rights in the S2P as well the Basic State Pension (subject to contribution limits), in respect of service in the House of Commons.

9. Annual Benefit Statements

9.1 Members of Classic, Classic Plus, Premium and Nuvos receive annual benefit statements each year from Capita Hartshead. Annual benefit statements are sent to home addresses. If you move house it is important for you to update HAIS or notify your HR Adviser. Change in marital status may also have an impact on your pension benefits, so you should similarly ensure your personal details are updated if you marry or register a civil partnership, or divorce or dissolve a civil partnership.

9.2 If you think your statement is incorrect, please contact Capita Hartshead.

9.3 If you are in the Partnership scheme, you will receive annual benefit statements each year from your chosen provider. You should raise any queries directly with your provider.
10. Transfer of Pension Benefits

10.1 If you have pension benefits with a previous employer or in a personal pension plan that you are considering transferring into the House of Commons, please note the following transfer time limits:

- **All schemes**: transfer in of public sector club benefits (for example Local Government Pension Scheme) – you must request the transfer within 12 months of joining the House of Commons

- **All schemes except Nuvos**: transfer in of non-club pension benefits from a previous employer’s (occupational) scheme – you may request the transfer up to one year before pension age 60. This includes transfers from schemes in the public sector transfer club, which are outside the 12-month limit.

- **Nuvos**: all transfers in – you must request the transfer within 12 months of joining the House.

10.2 If your previous employment was within a Civil Service Department please note that your pension benefits will not be automatically transferred to the House of Commons and you will need to apply for a transfer of your pension benefits.

10.3 Please contact Capita Hartshead if you wish to transfer any pension benefits.

11. Previous Membership of the HOCSPS, Civil Service Pension Scheme or a By Analogy Scheme – Re-joiners from Classic, Classic Plus, Premium or Partnership

11.1 All staff are asked to complete a pension questionnaire before starting work with the House of Commons, so that previous members of the HOCSPS, Civil Service pension scheme or a by analogy scheme can be identified.

11.2 In general, re-joiners will join the HOCSPS as outlined below, but the Pensions Unit will advise on individual cases.

**Returning to scheme within 28 days**

11.3 You will be put into the scheme you have left, for example, Classic, Classic Plus, Premium or Partnership. This is allowed, subject to your transferring your previous scheme benefits into the HOCSPS. Please note you have one year from the date of joining, to transfer in your benefits from the Civil Service Pension Scheme or a by-analogy scheme. A transfer is not required if you are in Partnership or if you were previously in the HOCSPS.
Break from scheme – 28 days to five years - former members of the HOCSPS only

11.4 If you resigned from your previous employment with the House with two or more years’ service, you will be given the choice of Premium or Partnership. This means you retain the right to a pension age of 60. In all other cases, you will be given a choice of Nuvos or Partnership.

Break from scheme – over five years

11.5 You will be given a choice of Nuvos or Partnership.

Re-employment after taking a pension

11.6 This section applies to you if you worked previously for the House of Commons and have received either:

- a pension (this includes only receiving a lump sum) or
- an annual compensation payment (ACP) or
- a compulsory early severance (CES) package that included a reserved rights ‘top up’ payment.

11.7 If any of the above applies to you, you should be aware that your pension may be subject to abatement upon re-employment. Abatement is the reduction or suspension of your pension if you are re-employed and your pension plus salary when you left your previous employment exceed your new re-employed salary.

11.8 Abatement is fully explained in the booklet ‘What is Abatement’ on the Civil Service Pensions website:


11.9 You are responsible for notifying the House of Commons if you are a re-employed pensioner, so that a check may be done to see whether or not abatement applies in your case. Failure to do this may mean an overpayment of pension which will later have to be recovered.

12. Opting Out of the Scheme

12.1 You do not have to be a member of any pension scheme although you will be automatically entered into the Nuvos scheme, provided your appointment is expected to last for at least 12 months upon joining the House of Commons. Although you can opt out of the HOCSPS, you should seek independent financial advice before doing so.
12.2 If you opt out of the HOCSPS, you will not be contracted out of the State Second Pension, and will pay a higher rate of National Insurance contributions. In return, you will accrue rights in the State Second Pension as well the Basic State Pension, in respect of your service in the House of Commons. The decision whether to opt out may have a significant impact on your own benefits and those benefits for your family.

13. Injury Benefits

13.1 The House of Commons injury benefit scheme provides for injury benefits to be paid to bring your income up to a guaranteed level if you are injured or killed while on duty. It may be paid to you or your dependants. The injury benefits scheme rules set out who can receive the benefits and the level of the guaranteed income.

13.2 If you would like further details on the injury benefit scheme please refer to the Civil Service Pensions website or contact Capita Hartshead.

14. Internal Dispute Resolution Procedure

14.1 If you have a problem with your benefit entitlement, the best way to resolve it is to discuss it with the Pensions Unit, or to telephone Capita Hartshead. If you are a union member you may also contact your Trade Union Representative for assistance.

14.2 House Trade Unions have regular meetings with Pensions Unit staff to discuss general pension issues. Other meetings on concerns relating to an individual or a specific group of staff may also take place. If, however, matters cannot be sorted out in that way, you may use the formal complaints procedure, known as internal dispute resolution (IDR). Please contact the Pensions Unit for details of this. If you are a Trade Union member you may also contact your Trade Union Representative for details and assistance with this procedure.

15. Useful Addresses and Contact Details

Pensions Unit
ext. 5759 or whitem@parliament.uk
ext. 1588 or martinp@parliament.uk

Capita Hartshead
(please quote your National Insurance number when contacting Capita Hartshead)
telephone: 01325 746080
e-mail: hoc.enquiries@capita.co.uk
address: HOCSPS Team, Mowden Hall, Staindrop Road, Darlington, Co Durham DL3 9EE
Pension pages on the Parliamentary Intranet
http://intranet.parliament.uk/finances/pensions/commons-staff-pensions/

Civil Service Pensions website
http://www.civilservice.gov.uk/pensions

Department for Work and Pensions website
http://www.dwp.gov.uk

Stakeholder Pensions

The Pensions Advisory Service
http://www.pensionsadvisoryservice.org.uk/

Trade Union Side Administrator (TUSA)
for further details on Trade Union Representatives
ext. 5611 or tusa@parliament.uk