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The Chair and Members of
Employment and General Committee

Please ask for Donna Cairns
Direct Line 01246 345277
Fax 01246 345252

27 October 2014

Dear Councillor,

Please attend a meeting of the EMPLOYMENT AND GENERAL COMMITTEE to be held on MONDAY, 3 NOVEMBER 2014 at 4.00 pm in Committee Room 2, Town Hall, Rose Hill, Chesterfield, the agenda for which is set out below.

AGENDA

Part 1(Public Information)

1. Declarations of Members' and Officers' Interests relating to Items on the Agenda
2. Apologies for Absence
3. Minutes of the Meeting held on 30 January 2014 (Pages 1 - 4)
4. Minutes of Council Health and Safety Committee Held on 23 January, 15 May and 13 August 2014 (Pages 5 - 24)
5. Review of Polling Districts and Polling Places in the Borough of Chesterfield (EC000) (Pages 25 - 54)
6. Introduction of Individual Voter Registration Update (EC000) (Pages 55 - 64)
7. Zero Hours Policy (EC130) (Pages 65 - 88)

Chief Executive
Huw Bowen



8. Smoking Policy (EC130) (Pages 89 - 104)
9. Flexible Working Policy (EC130) (Pages 105 - 126)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Randy', written in a cursive style.

Local Government and Regulatory Law Manager

EMPLOYMENT AND GENERAL COMMITTEE MEETING

Thursday, 30th January, 2014

Present:-

Councillor Elliott (Chair)

Councillors	Blank	Higginbottom
	Bradford	King
	Fanshawe	Simmons

*Matters dealt with under the Delegation Scheme

10 **DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS
RELATING TO ITEMS ON THE AGENDA**

No declarations were received.

11 **APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Gibson.

12 **MINUTES**

RESOLVED - That the minutes of the meeting of the Committee held on 16th December, 2013 be approved as a correct record and signed by the Chair.

13 **MINUTES OF COUNCIL HEALTH AND SAFETY COMMITTEE - 31ST
OCTOBER, 2013**

The Minutes of the meeting of the Council Health and Safety Committee held on 31st October, 2013 were submitted.

(For Minutes see Appendix 'A'.)

***RESOLVED -** That the Minutes be received and noted.

14 CALCULATION OF TAX BASE 2014/15

The Head of Finance submitted a report seeking Members approval of the tax base calculation for 2014/15.

The Local Authorities (Calculation of Tax Base) Regulations 1992 (as amended) required the Borough Council, as billing authority, to calculate the tax base for the Borough and the Parishes and to notify the major precepting authorities (Derbyshire County Council and Derbyshire Policy Authority) and those Parishes requesting it by the 31st January each year.

The report gave details of how the tax base was calculated and the legal implications.

- *RESOLVED:** (1) That the report for the calculation of the Council's Tax Base for the whole and parts of the area for 2014/15 be approved.
- (2) That pursuant to the report and in accordance with Local Authorities (Calculation of Tax Base) Regulations 1992 (as amended), the amount calculated by Chesterfield Borough Council as its Tax Base for the year 2014/15 shall be:

Table – 2014/15 TAX BASE (Equivalent Number of Band ‘D’ Dwellings)

	2013/14	2014/15	Increase / (Decrease)	
			No.	%
Chesterfield (whole area)	27,153.97	27,463.85	309.88	1.1
Brimington Parish Council	2,176.71	2,188.09	11.38	0.5
Staveley Town Council	3,889.06	3,932.98	43.92	1.1

15 NON-DOMESTIC BUSINESS RATES 2014/15

The Head of Finance submitted a report seeking Members approval of the National Non-Domestic Rates (NNDR) estimates and NNDR1 Return for 2014/15.

The Local Authorities (Calculation of Tax Base) Regulations 1992 (as amended) required the Borough Council, as billing authority, to calculate the tax base for the Borough and the Parishes and to notify the major precepting authorities (Derbyshire County Council and Derbyshire Policy Authority) and those Parishes requesting it by the 31st January each year.

The Local Government Finance Act introduced the part-retention of income from Business Rates from 2013. The income generated was to be shared between the Government (50%), the County Council (9%), the Fire Authority (1%) and the Borough Council (40%). The Council would then have to pay a tariff from its share of the income into a national pool, and they must complete and approve a form, known as the NNDR1 Return which showed how the estimated income had been calculated and how it was to be shared. This form must then be sent to those entitled to a share of the income by 31st January 2014.

The NNDR1 return (at Appendix A to the report), showed that the estimated net rate yield excluding transitional arrangements was £35.8m and this was shared as follows:

Table 1			
Paid to:	2014/15 NDR Income £'000	2013/14 Surplus £000	Share %
Central Government	17,889	57.6	50%
Retained by CBC	14,312	46.1	40%
Derbyshire County Council	3,220	10.4	9%
Derbs. Fire Authority	358	1.1	1%
Total	35,779	115.2	100%

Billing Authorities were required to calculate the estimated surplus or deficit on the NNDR element of the Collection Fund each year and the estimated surplus for 2013/14 was £115,200. The Borough Council would receive £46,080 of this surplus, which equated to 40%.

***RESOLVED** - That the estimated National Non-Domestic Rates estimates as recorded on the NNDR1 Return at Appendix A to the report, be approved.

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COUNCIL HEALTH AND SAFETY COMMITTEE

Thursday 23 January, 2014

Present –

<p>M. Bollands (Sports and Leisure Manager)</p> <p>P. Breedon (UNITE) (in the Chair)</p> <p>A. Chapell (UNISON)</p> <p>I. Clay (Health and Safety Officer, Housing Services)</p> <p>T, Devereux (UNISON)</p> <p>Councillor H. Elliott</p> <p>M. Evans (Head of Business Transformation)</p> <p>C. Hayes (UNISON)</p> <p>R. Hemmings (Human Resources)</p> <p>Councillor A. Hill</p>	<p>Councillor J. Innes</p> <p>M. Jasinski (Corporate Health and Safety Advisor)</p> <p>D. Johnson (Corporate Health and Safety)</p> <p>A. Kaushik (Human Resources)</p> <p>Councillor G. King</p> <p>A. Lawlor (Health and Safety arvato)</p> <p>Councillor A. Slack</p> <p>D. Townsend (Assistant Manager, Healthy Living Centre)</p> <p>K. Vaughan (Human Resources)</p>
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Min. No.	<u>Item</u> Decision/Action	By Whom
0014	<p><u>Apologies for Absence</u></p> <p>Councillor R. Gibson, A. Fowler and P. Longley</p>	
0015	<p><u>Occupational Health and Safety Improvement Programme</u></p> <p>Reports were considered on progress in respect of health and safety issues in the following Service Areas:-</p> <p><u>Finance</u></p> <p><u>Pavements Shopping Centre</u></p> <p>Information was circulated by the Centre Manager, in relation to:</p> <ul style="list-style-type: none"> • staff absence • accident/incident report • accident reporting since opening of Market Hall • incidents attended by Security Staff • incidents of abuse of staff • health and safety inspections • printing of a Security Handbook • inspection by Kier Health and Safety Officer 	

	<ul style="list-style-type: none"> • EMAS assessment • review of General Risk Assessment • review of COSHH Risk Assessment • DSE Risk Assessment • Fire Risk Assessment review in February 2014 • Health and Safety checks on tenants' premises • Fire Alarm activations, mostly false alarms • Six-monthly fire drills • Health and Safety Training and Development, including Level 2 • Health and Safety Culture, working with trade unions. <p><u>Occupational Health</u></p> <p>Information was circulated in relation to:</p> <ul style="list-style-type: none"> • Stress Risk Assessments • Staff attending OHP. <p><u>Plans for 2014/15</u></p> <p>These included:</p> <ul style="list-style-type: none"> • improvement plan for Security Service • improved sickness levels • Shopfitters guidelines • programme of refresher training • completing induction training for new starters • completing Stress Risk Assessments • attention to floor surface in Pavements Centre, to reduce slips • additional training for staff on how to handle difficult incidents • work with Legal to investigate issues raised in recent incidents involving members of the public • making more use of Police assistance. <p><u>Accountancy and Audit</u></p> <p>The Head of Finance reported on:</p> <ul style="list-style-type: none"> • work being done to reduce the accident/incident rate • efforts to improve the CHaSPI rating • improvements to the Health and Safety climate • work to reduce overall reported work-related ill health, with assistance from the trade union. <p>Progress reported included:</p> <ul style="list-style-type: none"> • a reduction in the accident rate to one incident 	
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	<ul style="list-style-type: none"> • issuing a Stress Risk Assessment questionnaire • one referral to OH • Risk Assessments up to date • On line Fire Awareness training • Health and Safety on team meeting agendas • DSE assessments up to date, eye test available. <p><u>Governance</u></p> <p>Information was provided by the Head of Governance and the Business Transformation Manager on the following:</p> <p><u>Occupational Health</u></p> <p>Information was circulated in relation to:</p> <ul style="list-style-type: none"> • tidying the first floor strong room • tidying the basement strongrooms • prioritising improvement and use of the Staff Caution List • Risk Assessments for Regulatory Committees • temporary relocation of Election Room, with attic room used only for storage • Health and Safety Week tour • updating Health and Safety training records • PAT testing update • Health and Safety as standing item at team meetings • EvacSafe slider training • representation at quarterly Health and Safety Service Managers Forum • Dump It days in service culture. <p><u>Plans for 2014/15</u></p> <p>Short term</p> <ul style="list-style-type: none"> • review of Governance Risk Assessments • update of Governance Fire Risk Assessments • monitor/develop effectiveness of Regulatory Committee Risk Assessment • using Staff Caution List with staff involved in election work, to reduce risk, with appropriate training. <p>Medium term</p> <ul style="list-style-type: none"> • oversee and facilitate implementation of ICT solution to data security of Staff Caution List 	
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- develop Governance Health and Safety Policy.

Senior Management Team for Housing

An update was provided by the Operational Services Manager on:

- work to reduce accidents
- increased reporting of accidents
- addressing poor practice
- considering upgrading PPE e.g. gloves
- RIDDOR reportable injuries, including a needle-stick injury.

The Operational Services Division was promoting good health and safety by:

- increasing staff awareness at team briefs
- membership of manual handling working group
- working at height safety
- in depth induction for new contractors
- improved control of contractors in line with the Corporate Control Contractors Group
- membership of Service Managers' Health and Safety Group
- monthly safety inspections with trade unions
- regular senior management site inspections
- review of all Risk Assessments
- participation in European Health and Safety Week
- piloting a Lone Worker system, working with Careline to monitor the safety of employees working alone
- promoting a Health and Safety Culture
- comparing practice in Housing with other corporate Health and Safety practice.

Occupational Health

To reduce risks to health and safety, the following measures are being taken:

- encourage early intervention by OHS
- make use of Chiropractic/Physio service
- provide lighter duties or different job roles for staff returning to work, until fit for normal duties
- full annual stress Risk Assessment.

Occupational Health and Safety Improvement Programme 2012 – 2015 Performance Update Report

	<p>The Head of Business Transformation and the Health and Safety Advisor reported on the Council's performance to January 2014, using a new format for their report The Business Transformation Manager and Human Resources Officers had contributed to the report and actions.</p> <p>Accident reports are viewable on line.</p> <p>The report provided an update on:</p> <ul style="list-style-type: none"> • overall performance against the OH&S Improvement Programme (55% on target, and 18% close to target) <p><u>Target 1:Non fatal Injury incidence</u></p> <ul style="list-style-type: none"> • performance on reduction of non-fatal injury incidence • identification of accident trends in non-fatal injuries, including slips, trips, falls and being struck by moving objects • new trends in non-fatal injuries and incidents including accidents with machinery, manual handling and verbal abuse • costs of non-fatal injuries <p><u>Target 2:Accidents leading to employees having time off work</u></p> <ul style="list-style-type: none"> • performance on reduction in accidents leading to employees having time off work • trends in accidents resulting in time off, including slips, trips, falls and musculoskeletal injuries • costs of accidents resulting in time off <p><u>Target 3:Average number of days lost due to accidents</u></p> <ul style="list-style-type: none"> • performance on reduction of average number of days lost due to accidents • details of four accidents resulting in prolonged absence <p><u>Target 4:CHaSPI Score of 6.6</u></p> <ul style="list-style-type: none"> • progress achieving a 6.6 Corporate Health and Safety Performance Index (CHaSPI) score <p><u>Target 5:Development of a Contractor Management System</u></p> <ul style="list-style-type: none"> • progress by a Contract Management Working Group in developing a Contract Management System • progress developing a corporate contracts register, contract management spreadsheet • training for officers on contract management • external audit of arrangements and improvement action plan 	
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<p><u>Target 6: Effectiveness of the Contractor Management System</u></p> <ul style="list-style-type: none"> • progress developing a contract management spreadsheet to log contractor performance <p><u>Target 7: Improved Health and Safety Climate/Culture</u></p> <ul style="list-style-type: none"> • progress on improving 2011 score on accident reporting, barriers to Health and Safety and supervision, through Employee Health and Safety opinion survey • survey to be repeated in service areas in 2013/14 • survey to be repeated across Council in 2014/15 • details of survey results from Environmental Services <p><u>Target 8: Comprehensive system to recode cases of work-related ill-health</u></p> <ul style="list-style-type: none"> • development of Resource Link to capture more detailed absence data • managers to obtain more detailed information in Return to Work interviews using amended S2 form <p><u>Target 9: Obtain a benchmark level for incidence of work-related ill-health</u></p> <ul style="list-style-type: none"> • use of more detailed information on days lost due to work-related absences to produce a benchmark for April-December 2013 • mental health and musculoskeletal issues identified as main causes of work-related absence <p><u>Target 10: Reduce level of work-related ill-health</u></p> <ul style="list-style-type: none"> • reduction of number of cases of occupationally related anxiety, stress and depression, and days lost because of them • reduction of number of cases of occupationally related musculoskeletal conditions, and days lost because of them <p><u>Target 11: Implementation of Stress Management Policy</u></p> <ul style="list-style-type: none"> • implementation of new Managing Workplace Stress Policy • stress training programme for senior managers <p><u>Summary of Costs</u></p> <p>The report summarised the cost to the Council of accidents, near misses, days lost because of ill health or working reduced duties, and the cost of insurance claims lodged against the Council.</p> <p><u>Occupational Health and Safety Improvement</u></p>	<p>MJ, KB</p> <p>Dem. Services</p> <p>Service</p>
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	<p><u>Programme</u></p> <p>Attached for information. It included:</p> <ul style="list-style-type: none"> • Targets to be met by 2015. • Used to identify reasons and locations of accidents and of work-related ill health. • To identify training priorities at all levels. <p>Improvements to report were suggested:</p> <ul style="list-style-type: none"> • scales more clearly shown on graphs • minimum sample size to ensure reliability of data • print in colour, to show graphs and traffic light system more clearly • action plan to address any negative responses to survey of employee attitudes to Health and Safety. <p>Report to be presented to CMT, Cabinet and Council.</p>	<p>Managers</p> <p>ME</p>
0016	<p><u>Update on action taken following European Health and Safety Week</u></p> <p>The Health and Safety Advisor reported on workshops held during European Health and Safety Week 2013, and comments received at a travelling display in a bus.</p> <p>It summarised comments made by employees, and provided a written response detailing the practical measures taken on suggestions made at the workshop – increased employee engagement – engage staff in finding solutions.</p> <p>Reported in Borough Bulletin.</p>	
0017	<p><u>Stress Management Group</u></p> <p>The Terms of Reference for this group, renamed the Workplace Well-being Working Group, were circulated by the Health and Safety Advisor.</p> <p>Minutes of the meeting held on 11 December 2013 were provided, for information.</p> <p>Task and Finish group to monitor impact of restructures.</p> <p>Proactive – to identify issues and suggest measures to deal with them.</p>	

	Planned task completion date October 2014.	
0018	<p><u>Any Other Business</u></p> <p>Control of contractors working in the Town Hall – managed by Kier and the Client Officer.</p> <p>Not notifiable under CDM because project too small and short-lived.</p>	
0019	<p><u>Minutes of the Meeting held on 31 October, 2013</u></p> <p>The Minutes of the Council Health and Safety Committee held on 31 October, 2013 were agreed.</p>	
0020	<p><u>Dates of Future Meetings</u></p> <p>To be arranged by the Democratic Services, in consultation with the Chair.</p>	Dem.Services
0021	<p><u>Retirement of Vice-Chair</u></p> <p>Pete Breedon was retiring – thanked for his work on the committee.</p> <p>New Vice Chair to be nominated by trade unions.</p>	Trade unions

COUNCIL HEALTH AND SAFETY COMMITTEE

Thursday 15 May, 2014

Present –

M. Bollands (Operational Services Manager)
 A. Chapell (UNISON)
 I. Clay (Health and Safety Officer, Housing Services)
 T, Devereux (UNISON)
 Councillor H. Elliott
 M. Evans (Head of Business Transformation)
 Councillor R. Gibson
 M. Hayden (Head of Regeneration)
 C. Hayes (UNISON)
 Councillor A. Hill
 Councillor J. Innes

M. Jasinski (Corporate Health and Safety Advisor)
 D. Johnson (Corporate Health and Safety)
 A. Kaushik (Human Resources)
 Councillor G. King
 P. Longley (UNISON)
 Councillor A. Slack
 B. Tomlinson (Environmental Services)
 D. Townsend (Manager, Healthy Living Centre)
 D. West (Head of Environment)
 R. Wilkes (Unite)

Min. No.	<u>Item</u> Decision/Action	By Whom
0001	<p><u>Apologies for Absence</u></p> <p>A. Fowler (UNISON) and A Freeman (UNISON)</p>	
0002	<p><u>Occupational Health and Safety Improvement Programme</u></p> <p>Reports were considered on progress in respect of health and safety issues in the following Service Areas:</p> <p><u>Regeneration</u></p> <p>Regeneration continuing to make good progress on the management of health and safety which has been strengthened by the new management structure. Particular improvements included:</p> <ul style="list-style-type: none"> • The reduction in the number of accidents and 	

	<p>sickness absence;</p> <ul style="list-style-type: none"> • Improvements in health and safety climate revealed by the staff survey; • Improved management of health and safety through regular meetings in Arts and Venues, fire evacuation and contract management. <p><u>Sickness Absence</u></p> <p>Sickness absence has reduced in 2013/14 to 675 person days from 790 in 2012/13. This equates to an average of 4.3 days/member of staff FTE.</p> <p><u>Plans for 2014/15</u></p> <p>Specific actions planned include:</p> <ul style="list-style-type: none"> • Introduction of handrails in the Market Hall to reduce customer slips and trips • Introduction of a new automated stage extension at the Winding Wheel to reduce the amount of manual handling • A review and update of all health and safety procedures within Cultural and Visitor services. <p><u>Corporate Health and Safety Improvement Programme</u></p> <p>The Health and Safety Advisor presented a report which summarised the Councils performance against its Occupational, Health and Safety Improvement Programme.</p> <p>The Improvement Programme contains 11 targets and currently 55% were on target or complete, 36% were off target and a further 9% were off target with a 10% tolerance.</p> <p>The overall performance in respect of Target 1 – Non-fatal injury incidence had decreased by 9.2%. The trends shown highlighted that action needed to</p>	
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	<p>be taken around, slips trips and falls, being struck by a moving object and contact with a fixed object and manual handling.</p> <p>It was noted that the CHaSPI score was improving and was 5.9 in February 2014.</p> <p>Targets 8 – 11 should see progress being made as a result of the implementation of the Managing Workplace Stress Policy.</p> <p><u>Business Transformation</u></p> <p><u>Planned Improvements</u></p> <p>There are two new initiatives for 2014/15:</p> <ul style="list-style-type: none"> • To focus on talking work related stress, the service will run a number of focus groups, with employees to help better understand the factors causing stress. An action plan will be developed in consultation with Unison. • The Business Transformation team will increase the number of informal and formal health and safety walks. <p><u>European Health and Safety Week</u></p> <p>Took place in October 2013 and was a huge success. Members asked for consideration to be given introducing a local Health and Safety week once or twice a year. It was agreed that this suggestion be taken to the Occupational Health and Safety Improvement Group for further discussion.</p> <p><u>Environment</u></p> <p><u>Accident Performance</u></p> <p>62 days lost in 2013/14, with 47.5 of this being due to one incident.</p>	MJ
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	<p><u>Plans for 2014/15</u></p> <p>Key areas which will be focussed on are:</p> <ul style="list-style-type: none">• Full H & S Improvement Plan is being developed within Environmental Services – delayed due to focus on the move to the Depot• Developing health and safety arrangements across building cleaning, waste management and bereavement services• Working Relationships Group at Environmental Services is developing a Code of Conduct• Review of delivery of health and safety training in Environmental Services is underway, with greater focus on training smaller groups of employees rather than in service briefings.• Manual Handling Training across Environment• Using the move to the Depot to review equipment that we keep and seeking to improve storage arrangements• Review of the health and safety survey results to identify how we can improve scores, particularly in leisure• Continued implementation of stress action plans• Improving safety arrangements at watercourses that we manage• Lone worker arrangements under review	
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0003	<u>Minutes of the meeting held on 23rd January, 2014</u> The minutes of the Council Health and Safety Committee held on 23 rd January, 2014 were agreed.	
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COUNCIL HEALTH AND SAFETY COMMITTEE

Wednesday 13 August, 2014

Present –

<p>M. Blythe (Sports & Leisure Manager) M. Bollands (Operational Services Manager) H. Bowen (Chief Executive) K Brown (Business Transformation Manager) I. Clay (Health and Safety Officer, Housing Services) J. Dackiewicz (Human Resources) A. Daley (UNISON) T. Devereux (UNISON) Councillor H. Elliott</p>	<p>R. Farrand (Housing Services) A. Fowler (UNISON) M.Henley (Landscape & Streetscene Services Manager) Councillor A. Hill Councillor J. Innes D. Johnson (Corporate Health and Safety) Councillor G. King Councillor A. Slack R. Wilkes (Unite) D. Winstanley (Kier)</p>
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Min. No.	<u>Item</u> Decision/Action	By Whom
004	<p><u>Appointment of Chair for 2014-15</u></p> <p>Councillor G King be appointed Chair for the Council Year 2014-15.</p>	
005	<p><u>Appointment of Vice-Chair for 2014-15</u></p> <p>A Fowler be appointed Vice-Chair for the Council Year 2014-15.</p>	
006	<p><u>Apologies for Absence</u></p> <p>Councillor R Gibson, C Hayes, M Jasinski and A Kaushik.</p>	
007	<p><u>Address by the Council's Chief Executive</u></p> <p>H Bowen complemented the work of Trade Union representatives, Members and managers in having achieved improvements in performance in respect of health and safety</p>	

	management, whilst recognising the need for continued improvement in the future.	
008	<p><u>Occupational Health and Safety Improvement Programme</u></p> <p>Progress Reports were considered as follows:</p> <p><u>Corporate Health and Safety Improvement Programme</u></p> <p>Performance considered against the 11 targets in the Improvement Programme for the period 1 April – 30 June, 2014 as detailed in the report, with particular emphasis to be given to:</p> <ul style="list-style-type: none"> • The most common causes of accidents, i.e. ‘Moving & Handling’ and ‘Struck by Moving Object’; • Those accidents most commonly leading to time off work, i.e. ‘Slip, Trip, Falls’ and those causing ‘Musculoskeletal Injuries’; • Further work on Stress Management and Contracts Management (through the Contracts Management Working Group) to further improve the CHaSPI score); • Progress report on Action Plan for the Contracts Management System to be considered at the next Health and Safety Committee meeting; • Importance of involving Safety Representatives in inspections of contractors’ activities; • Support to enable staff to return to work through Occupational Health and Chiropractic referral services; • Implementation of Stress Prevention Policy across all Services, including reviewing risk assessments and action plans; • Progress report from Workplace Well-being Working Group to be considered at 	<p>All</p> <p>All</p> <p>All Contracts Mgmt. Work. Gp</p> <p>K Brown</p> <p>All</p> <p>All</p> <p>Corporate Mgmt</p>

009	<u>Update from the Workplace Wellbeing Group</u> Progress report from Workplace Well-being Working Group to be considered at next Health and Safety Committee meeting.	Corp. Mgmt. Team
010	<u>Minutes of the meeting held on 15 May, 2014</u> The minutes of the Council Health and Safety Committee held on 15 May, 2014 were agreed as a true record.	

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AGENDA ITEM

FOR PUBLICATION

**REVIEW OF POLLING DISTRICTS AND POLLING
PLACES IN THE BOROUGH OF CHESTERFIELD (EC000)**

MEETING: EMPLOYMENT AND GENERAL COMMITTEE

DATE: 3 NOVEMBER 2014

REPORT BY: DEMOCRATIC SERVICES MANAGER

WARD: ALL

COMMUNITY ASSEMBLIES: ALL

BACKGROUND PAPERS: NONE

FOR PUBLICATION

1.0 PURPOSE OF REPORT

- 1.1. To report on the statutory review of polling places and polling districts and seek approval to revised proposals.

2.0 BACKGROUND

- 2.1. The Electoral Registration and Administration Act 2013 introduced a requirement that each authority must undertake a review of parliamentary polling districts and places within a period of 16 months beginning with 1st October 2013 and every fifth year thereafter. The last review was conducted in 2011 and therefore the next must be completed by January 2015.

- 2.2. A polling district is a geographical sub-division of a larger electoral area such as a ward, county division, parliamentary constituency, etc.
- 2.3. A polling place is an area within the polling district in which a polling station is located. There is no legal definition of polling place so it could be defined very widely (perhaps even the whole polling district) or quite narrowly (the building concerned). The polling station is the actual room or part of the building where voting takes place. So, for example, where voting takes place at a school, the polling station is the room in which voting takes place, the polling place is the school itself or building in which the room is located and the polling district is the wider area within which the building is located.
- 2.4. The designation of polling districts and polling places is, by law, the responsibility of the Council for the area. The designation of polling stations is a matter for the Returning Officer who may, if he/she chooses, provide more than one polling station within a polling place. This has been our long standing practice for some polling places.

3.0 THE PROCESS FOR THE REVIEW

- 3.1. The steps that must be taken in carrying out a review, and the persons to be consulted, are determined by legislation.
 - (a) A review begins with the Council drawing up its proposals and publishing notice, at its offices and on its website, that the review is to be held. For this review that was done on 25 July 2014.
 - (b) The Returning Officers for any other parliamentary constituencies partly contained in this Borough must be consulted on the Council's proposals and invited to make comments on them. A copy of the proposals was sent to the Returning Officer for North East Derbyshire who had no comments.
 - (c) Representations on the proposals must be sought from persons having particular expertise in relation to access to premises or facilities for persons who have different

forms of disability. To this end views were sought from the Chesterfield Equality and Diversity forum whose comments have been taken into consideration.

- (d) Electors have the right to make representations and details were published in the press, on the council's website and through the Community Assemblies on how people could view the proposals and make comments.
- (e) In addition, comments were sought from Members of Parliament for the constituencies affected by the review, from borough councillors, parish councils and local political parties and election agents and these views have been taken into consideration.
- (f) Once all consultations necessary have been carried out the Council must consider the responses and decide whether to confirm its proposals with or without modifications. The results of the review must be published. There is then an opportunity for various categories of persons/bodies (parish councils, not less than 30 registered electors in a constituency, etc.) to make representations to the Electoral Commission that the Review has not been properly conducted. If the Commission agrees, following consideration of comments made on the objection by the Returning Officer, it may direct the Council to make any alterations it sees necessary to the polling places designated.

3.2. The approach taken in carrying out the review of this Council's polling districts and polling places has been based on the electoral team's knowledge of the existing districts and places, informed by comments from the public, the owners of premises used as polling stations, the views of local councillors and feedback from presiding officers and inspecting officers in recent elections. These sources have identified a number of cases, almost all relating to polling places, where the situation is not ideal. Efforts have been made to address some of these in the review. A full audit of current polling places and polling stations was carried out on polling day 22nd May 2014 from which the draft proposals were drawn up.

3.3. A total of 10 comments were received from members and members of the public in support of current arrangements.

4.0 ACCESSIBILITY FOR PERSONS WITH PHYSICAL DISABILITIES

4.1. Returning Officers have been required for some years now to have regard to accessibility issues for people with disabilities when designating polling places. Extensive guidance and direction in this regard is issued by the Electoral Commission. All of the premises used for polling stations in this Borough are accessible 'so far as is reasonable and practicable'. Sometimes portable ramps are provided to assist voters confined to wheelchairs. Polling station staff are also asked to give whatever assistance is possible should this be required. This issue is one upon which feedback is sought from presiding officers after each set of elections.

4.2. It cannot be said, however, that every polling station is completely accessible to all voters no matter what their degree and kind of disability. For example, adequate parking very close to the entrance may not be available; there may be a ramped entrance but there may still be a lip or threshold to cross; the access path to the station may not be as smooth and even as would be desirable. In some locations it is only possible to use a mobile polling station which has more limited accessibility than larger, fixed premise.

4.3. The recent elections in May revealed that there are still several polling stations where access for disabled people is less than satisfactory in various ways. Those stations will be kept under review with a view to improvements being obtained, or alternative premises identified, in time for the next scheduled elections. However, most of the issues identified have been addressed in revised polling place proposals. In particular the number of mobile units used as polling stations has been reduced from 4 to 1. The one remaining is that sited on Hady Lane, adjacent to the pavilion.

4.4. This report recommends that the Returning Officer be authorised to designate different polling places for those where there are currently concerns should this prove possible.

5.0 PROPOSALS

- 5.1. The existing arrangements for this Borough are set out in the appendix which also contains the proposed amendments to polling places and polling districts and the reasons for the changes.

6.0 CONSIDERATIONS

- 6.1. In writing this report the following standard corporate issues have been considered:
- Risk Management
 - Equalities
 - Financial implications
 - Health and Safety

7.0 RECOMMENDATIONS

- 7.1. That the proposals arising from the 2014 review of polling places and polling districts detailed in Appendix 1 of the report to the meeting be approved;
- 7.2. That the Returning Officer be authorised to designate different polling places for those where there are currently concerns should this prove possible.

For further information on this report contact Peter Clark
01246 345806

Sandra Essex

Democratic Services Manager

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APPENDIX A TO CONSULTATION DOCUMENT

**CHESTERFIELD BOROUGH COUNCIL
REVIEW OF POLLING DISTRICTS AND POLLING PLACES 2014
SCHEDULE OF POLLING PLACES AND POLLING STATIONS DRAFT PROPOSALS DOCUMENT**

Parliamentary Constituency: Chesterfield (*North East Derbyshire)

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
Barrow Hill And New Whittington Ward					
*AA1	Newhaven Rest Room, Station Road, Barrow Hill, S43 2NL	723	<u>Location</u> In the context of the polling district, satisfactory. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in which the polling station is located is good for all users. Lighting and heating are good. <u>Parking</u> – There is on-street parking but none is dedicated for use by disabled persons	No change to polling district No change to polling place	Suitable location and venue
*AA2	St. Patrick's Church Hall, High Street, New Whittington, S43 2AL	2045	<u>Location</u> Centrally located in village centre. The premises are considered to be large enough for the electorate of the whole district. <u>Premises</u> – Access to the hall in which the polling station is located is good for all users. Lighting and heating are good. <u>Parking</u> – There is on-site parking including disabled parking	No change to polling district No change to polling place	Suitable location and venue
*AA3	St. Patrick's Church Hall, High Street, New Whittington, S43 2AL	1807			

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
Brimington North Ward					
BA1	Community Centre, Heywood Street, Brimington, S43 1DB	1370	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district.</p> <p><u>Premises</u> – Access to the hall in which the polling station is located is good for all users. Heating and lighting adequate.</p> <p><u>Parking</u> – There is on-street parking but none is dedicated for used by disabled persons.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable location and venue
BA2	Henry Bradley Infants School, (Nursery), Princess Street, S43 1HR	1806	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district.</p> <p><u>Premises</u> – Access to the hall in which the polling station is located is good for all users. Heating and lighting adequate. Need to pre-arrange adult size furniture with caretaker.</p> <p><u>Parking</u> – There is on-street parking but none is dedicated for use by disabled persons. On site parking available outside school hours.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable location and venue
Brimington South Ward					
CA1	Methodist Church, Manor Road, Brimington, S43 1NS	1282	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district.</p> <p><u>Premises</u> – Access to the hall in</p>	<p>No change to polling district</p> <p>No change to</p>	Suitable venue and location

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			<p>which the polling station is located is good for all users. Heating and lighting adequate. <u>Parking</u> – available on site</p>	polling place	
CA2	Devonshire Court, Wheeldon Crescent, Brimington, S43 1AR	1705	<p>This is a new polling place, first used at the European council elections in May 2014.</p> <p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in which the polling station is located is good for all users. Heating and lighting adequate <u>Parking</u> limited on street but adequate on site for the size of the electorate.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable venue and location
CA3	Tap Room, The Lockoford Inn, Lockoford Lane, S41 0TQ	1174	<p><u>Location</u> Centrally located. <u>Premises</u> Adequate size for current electorate. Disabled access provided. <u>Parking</u> adequate parking on site.</p>	<p>No change to polling district</p> <p>This venue will replace the mobile unit at the entrance to Tapton Park.</p>	<p>Suitable location and venue.</p> <p>Comments from Cllr Burrows and Cllr Gilby that this is a suitable venue.</p>

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
CA4	Manor Rest Centre, Manor Road, Brimington, S43 1NT	801	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district.</p> <p><u>Premises</u> – Access to the hall in which the polling station is located is good for all users. Heating and lighting adequate</p> <p><u>Parking</u> limited on street but adequate for the size of the electorate.</p>	<p>No change to polling district</p> <p>no change to polling place</p>	Suitable location and venue
Brockwell Ward					
DA1	Guide Hall, Committee Room, St. Margaret`s Drive, S40 4SX	1290	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. The growth of the polling district from the housing development of the former football club site can be accommodated.</p> <p><u>Premises</u> – Access to the hall in which the polling station is located is adequate. Separate disabled access at rear of premises. Heating and lighting adequate</p> <p><u>Parking</u> limited on street but adequate for the size of the electorate. Dedicated disabled bay.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	<p>Suitable location and venue</p> <p>The disabled access to the rear of the building should be well signed.</p>

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
DA2	Friends Meeting House, Meeting Room, Brockwell Lane, S40 4AG	1112	<u>Location</u> Centrally located. The premise accommodates two polling stations to serve the Brockwell Ward.	No change to polling district	Suitable location and venue
DA5	Friends Meeting House, Meeting Room, Brockwell Lane, S40 4AG	1006	<u>Premises</u> – Access to the hall in which the polling station is located is good for all users. Heating and lighting good. <u>Parking</u> Available on street. Premises on main bus route.	No change to polling place	
DA3	St Andrews United Reformed Church Hall, 187 Newbold Road, (Nr junct with Tapton View Road), S417PW	1135	<u>Location</u> Centrally located. The premises are considered to be large enough for two polling stations. <u>Premises</u> – Access to the hall in which the polling station is located is good for all users. A second polling station serving St Helens ward is accommodated at the polling place. Heating and lighting adequate. <u>Parking</u> Available on site, including disabled access and on street. Premises on main bus route.	No change to polling district No change to polling place	Suitable location and venue
DA4	Newbold Community Association, Newbold Road, (at the junction with Highfield Lane), S41 7AF	593	<u>Location</u> Situated on edge of polling district. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting	No change to polling district No change to polling place	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			adequate <u>Parking</u> limited on street but adequate for the size of the electorate.		
Dunston Ward					
EA1	Cavendish Junior School, Community Room, Edmund Street, S41 8TD	1563	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in which the polling station is located is no longer adequate. Heating and lighting adequate. <u>Parking</u> Available on site, including disabled access and on street.	No change to polling place. An alternative room has been provided by the school as a polling station.	
EA2	Monkwood Road Common Room, Monkwood Road, Off Cordwell Avenue, S41 8DG	1864	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> limited on street but adequate for the size and location of the electorate.	No change to polling district No change to polling place	Suitable location and venue
EA3	Hall on The Green (Studio 1), (Formerly Ulverston Rd Methodist Church), Ulverston Road, S43 8EQ	1496	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in	No change to polling district No change to polling place	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Limited off street but adequate on street.		
Hasland Ward					
FA1	Hasland Methodist Church, The Lounge, Hampton Street, Hasland, S41 0LH	1562	<u>Location</u> Centrally located. Well positioned for village centre. The premises are considered to be large enough for the electorate of the district and to support two polling stations. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting good. <u>Parking</u> sufficient on street.	No change to polling district	Suitable location and venue
FA5	Hasland Methodist Church, The Lounge, Hampton Street, Hasland, S41 0LH	1481			
FA2	Hasland Baptist Church, Church Hall, Eyre Street East, S41 0PE	593	<u>Location</u> In the context of the polling district, satisfactory. The premises are considered to be large enough for the electorate of the district and support two polling stations. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> facilities are limited but adequate..	No change to polling district	Suitable location and venue
FA6	Hasland Baptist Church, Church Hall, Eyre Street East, S41 0PE	64			
FA3	Birdholme Working Men's Club Rothervale Road, Hasland S40 2TP	305	<u>Location</u> In the context of the polling district, satisfactory. The premises are considered to be large enough for the electorate of	No change to polling district. No change to	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			the district. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> sufficient on and off street.	polling station.	
FA4	Hasland Resource Centre, Heathervale Road, Hasland, S41 0HY	1164	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on and off street parking.	No change to polling district No change to polling place	Suitable location and venue
Hollingwood and Inkersall Ward					
GA1	Hollingwood Elders, Laburnum Street, Hollingwood, S43 2JJ	1916	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on street parking	No change to polling district No change to polling place	Suitable location and venue
GA2	Inkersall Methodist Church, 1 Summerskill Green, Inkersall, S43 3SP	1660	<u>Location</u> Centrally located. The premises are considered to be	No change to polling district	Suitable location and

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
GA3	Inkersall Methodist Church, 1 Summerskill Green, Inkersall, S43 3SP	1676	large enough for the electorate of the district. Two separate polling stations. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on street parking. Limited off street parking.	No change to polling place	venue
GA4	Methodist Chapel, Duckmanton Road, Duckmanton, S44 5HG	790	<u>Location</u> In the context of the polling district, satisfactory. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the chapel in which the polling station is located is good. Heating and lighting good. <u>Parking</u> Sufficient off street parking	Change to the polling place as the Welcome Centre at Duckmanton is no longer available No change to polling district	Suitable location and venue A comment has been received from Cllr Anthony Hill that sufficient signage should be provided.
Holmebrook Ward					
HA1	St. Marks Church (Lounge), St. Mark`s Road, Brampton, S40 1DH	1573	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the hall in which the polling station is located	No change to polling district No change to polling place	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on street parking.		
HA2	St Thomas Suite, behind St. Thomas' Church, Chatsworth Road, Brampton S40 3AW	1051	<u>Location</u> centrally located within polling district. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> available on and off street. The polling place accommodates two polling stations one serving Holmebrook ward and one West ward.	No change to polling district New community suite behind the church.	Suitable location and venue
HA3	Boythorpe Community Centre, Hunloke Avenue, Boythorpe S40 2PF	691	<u>Location</u> centrally located within polling district. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> available on and off street. A second polling station serving Rother ward is accommodated at the polling place.	No change to polling district No change to polling place.	Suitable location and venue
Linacre Ward					
IA1	Holmebrook Valley Family Centre, Wardgate Way, Holme Hall, S40 4SL	1871	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of	No change to polling district	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. Two polling stations accommodated at the polling place serving the Linacre and the Loundsley Green wards. <u>Parking</u> Sufficient on and off street parking.	No change to polling place	
IA2	The Olde House, Loundsley Green Road S40 4RN	1441	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on street parking.	No change to polling district No change to polling place	Suitable location and venue
Lowgates and Woodthorpe Ward					
*JA1	Mallard Court Common Room, Pullman Close, Lowgates, S43 3TG	1823	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Sheltered scheme which uses communal lounge for polling station. Access to the hall in which the polling station is located is adequate. Heating and	No change to polling district.	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			lighting adequate. <u>Parking</u> Sufficient off street parking		
*JA2	Eventide Rest Room, Cherry Tree Grove, Off Lansbury Avenue/Blunt Avenue, S43 3AF	1201	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on-street parking.	No change to polling district No change to polling place	Suitable location and venue
*JA3	Norbriggs Primary School, (Nursery Building), Norbriggs Road, S43 3BU	488	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient off street parking for the size of the electorate.	No change to polling district No change to polling place	Suitable location and venue
Loundsley Green Ward					
KA1	Holmebrook Valley Family Centre, Wardgate Way, Holme Hall, S40 4SL	1185	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting	No change to polling district No change to polling place	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			adequate. Two polling stations accommodated at the polling place serving the Linacre and the Loundsley Green wards. <u>Parking</u> Sufficient on and off street parking.		
KA2	Loundsley Green Church Hall, Pennine Way, Loundsley Green, S40 4ND	1896	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on and off street parking.	No change to polling district No change to polling place	Suitable location and venue
Middlecroft and Poolsbrook Ward					
LA1	Room 1, Speedwell Rooms, Inkersall Road, S43 3JL	1019	<u>Location</u> In the context of the polling district, satisfactory. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is good. Heating and lighting adequate. <u>Parking</u> Sufficient off street parking.	No change to polling district Change to polling place as the Golden Age Rest Room is no longer available.	Suitable location and venue Comment from Cllr Chris Ludlow that the venue is suitable.
LA2	Edensor Court, Common Room, Lumsdale Road, S43 3NR	1634	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of	No change to polling district	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			<p>the district.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate.</p> <p><u>Parking</u> Sufficient off street parking.</p>	No change to polling place	
LA3	Poolsbrook Social Welfare Centre, Cottage Close, Poolsbrook S43 3LP	402	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate.</p> <p><u>Parking</u> Sufficient on street parking.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	
LA4	Staveley and Barrow Hill Community Rooms, 47 High Street, Staveley, S43 3UU	518	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate.</p> <p><u>Parking</u> Sufficient on street parking.</p>	<p>No change to polling district</p> <p>No change to polling place. Alternative polling place at Staveley Methodist Church, Chesterfield Road, also available as a reserve.</p>	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
Moor Ward					
MA1	Peter Webster Centre, Sheffield Road, Whittington Moor, S41 8LQ	1298	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on and off street parking.	No change to polling district No change to polling place	Suitable location and venue
MA2	Wimborne Crescent Common Room, Wimborne Crescent, Off Salisbury Avenue, S41 8PT	2107	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> adequate on street parking.	No change to polling district No change to polling place	Suitable location and venue
Old Whittington Ward					
NA1	Old Whittington Resource Centre, Old Whittington Miners Welfare, Station Lane, S41 9NL	1252	<u>Location</u> Centrally located. The premises are considered to be adequate for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on street	Change to the polling place to discontinue the use of a mobile unit on Holland Road. Change to the polling district so	Suitable venue. Whilst the location is not ideal in the area, the building is well known and there are no

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			parking	the boundary now goes along High Street.	suitable alternatives in the area. Cllr Jean Innes has commented that she thinks this is a reasonable solution until a suitable alternative can be found.
NA2	Old Whittington Resource Centre, Old Whittington Miners Welfare, Station Lane,S41 9NL	1446	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. The polling place accommodates two polling stations.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate.</p> <p><u>Parking</u> Sufficient off street parking.</p>	Change to polling district. As NA2 and NA3 voted at the same polling place they have been merged. The polling district boundary has been replaced to make the electorate between NA1 and NA2 more even. No change to polling place	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
Rother Ward					
OA1	Whitecotes School, Whitecotes Lane, Walton, S40 3HL	689	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. The polling place accommodates two polling stations serving the Rother ward and the Walton ward.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate.</p> <p><u>Parking</u> Sufficient off street parking outside of school hours. Inadequate during school hours.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable location and venue.
OA2	St Augustine`s Church, St Augustine`s Road, Chesterfield, S40 2SF	1070	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating poor, lighting adequate.</p> <p><u>Parking</u> Sufficient off and on street parking</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable location and venue
OA3	Spire Nursery, Rear of Hunloke Centre, Church Street South, S40 2TG	1670	<p><u>Location</u> In the context of the polling district, satisfactory.</p> <p><u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			adequate. <u>Parking</u> sufficient on and off street		
OA4	Harehill Court Harehill Road, Grangewood S40 2NZ	1047	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is just adequate. Heating and lighting adequate. <u>Parking</u> Sufficient on street parking	New polling place to replace mobile unit. No change to polling district	Suitable location and venue. This change has been supported by a member for the ward.
OA5	Boythorpe Community Centre, Hunloke Avenue, Boythorpe S40 2PF	411	<u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. A second polling station serving Holmebrook ward is accommodated at the polling place. <u>Parking</u> Sufficient on and off street parking.	No change to polling district No change to polling place	Suitable location and venue
St Helens Ward					
PA1	St Andrews United Reformed Church Hall, 187	530	<u>Location</u> On edge of polling district. The premises are considered to be	No change to	Suitable

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
	Newbold Road, (Nr junct with Tapton View Road), S41 7PW		<p>large enough for two polling stations.</p> <p><u>Premises</u> – Access to the hall in which the polling station is located is good for all users. Heating and lighting adequate. A second polling station serving Brockwell ward is accommodated at the polling place.</p> <p><u>Parking</u> Available on site, including disabled access and on street. Premises on main bus route.</p>	<p>polling district</p> <p>No change to polling place</p>	<p>location and venue</p>
PA2	Winster Court Common Room, Newland Dale S41 7QJ	1389	<p><u>Location</u> In the context of the polling district, satisfactory.</p> <p><u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate.</p> <p><u>Parking</u> sufficient off street</p>	<p>No change to polling district</p> <p>No change to polling place</p>	<p>Suitable location and venue</p>
PA3	Christ Church Primary School, Tapton View Road S41 1JU	1550	<p><u>Location</u> Centrally located. The premises are considered to be large enough for the electorate of the district.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate.</p> <p><u>Parking</u> Adequate on street parking.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	<p>Suitable location and venue</p>

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
St Leonards Ward					
QA1	St Leonard`s Mission, Hartington Road, Spital, S41 OHE	1252	<u>Location</u> In the context of the polling district, satisfactory. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. There are no impediments to movement within the building but there is a small lip to the threshold of the entrance <u>Parking</u> sufficient on street	No change to polling district No change to polling place	Suitable location and venue
QA2	Riverside Club, Hollis Lane, Chesterfield, S41 7RA	838	<u>Location</u> In the context of the polling district, satisfactory. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. To be addressed with the lessor. <u>Parking</u> sufficient off street	No change to polling district No change to polling place	Suitable location and venue
QA3	Hady Pavilion, Mobile Unit, Hady Lane, S41 0DJ	933	<u>Location</u> Centrally located. The premises are considered to be adequate for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is just adequate. Heating and lighting adequate. Access to toilets at adjacent Hady Pavilion. <u>Parking</u> Sufficient on and off street parking	No change. Retain the existing temporary station but keep under review.	Suitable location. Whilst it would be desirable to find an alternative polling place there are no suitable buildings in the district.

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
QA4	Derby Road Methodist Church, Jawbones Hill, S40 2EN	636	<p><u>Location</u> located on edge of polling district. The premises are considered to be adequate for the electorate of the district.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate.</p> <p><u>Parking</u> Adequate off street parking for size of electorate.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable location and venue
QA5	Hasland Baptist Church, Church Hall, Eyre Street East, S41 0PE	749	<p><u>Location</u> Centrally located. The premises are considered to be adequate for the electorate of the district.</p> <p><u>Premises</u> – Access to the room in which the polling station is located is just adequate. Heating and lighting adequate.</p> <p><u>Parking</u> Sufficient on street parking. A second polling station serving the Hasland ward is accommodated at the polling place.</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable location and venue
QA7	Hasland Baptist Church, Church Hall, Eyre Street East, S41 0PE	240			
QA6	Spiritualist Centre, 55-57 Baden Powell Road, Chesterfield, S40 2SL	1459	<p><u>Location</u> Centrally located. The premises are considered to be adequate for the electorate of the district.</p> <p><u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting</p>	<p>No change to polling district</p> <p>No change to polling place</p>	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			adequate. <u>Parking</u> sufficient on street		
Walton Ward					
RA1	Walton Evangelical Church, Moorland View Road, Walton, S40 3DD	1662	<u>Location</u> Centrally located. The premises are considered to be adequate for the electorate of the district.	No change to polling district	Suitable location and venue
RA3	Walton Evangelical Church, Moorland View Road, Walton, S40 3DD	1821	<u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. The polling place accommodates two polling stations serving the Walton ward the west ward. The polling place serves a large electorate in the Walton and West area. There are limited facilities available elsewhere in the polling district. The polling place is situated on a bus route adjacent to the local shops. <u>Parking</u> Adequate on and off street parking.	No change to polling place	
RA2	Whitecotes School, Whitecotes Lane, Walton, S40 3HL	1303	<u>Location</u> located outside of the polling district in Rother ward. The premises are considered to be large enough for the electorate of	No change to polling district No change to	Suitable location and venue. No suitable

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			the district. The polling place accommodates a second polling station in Rother ward <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> Sufficient off street parking outside of school hours. Inadequate during school hours.	polling place	alternative in polling district.
West Ward					
SA1	St Thomas` Suite, behind St Thomas` Church, Chatsworth Road, Brampton, S40 3AW	1333	<u>Location</u> centrally located within polling district. <u>Premises</u> – New community facility. Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> available on and off street. The polling place accommodates two polling stations, one for the West ward and one for the Holmebrook ward.	No change to polling district	Suitable location and venue
SA5	St Thomas` Suite, behind St Thomas` Church, Chatsworth Road, Brampton, S40 3AW	94			
SA2	Storrs Road Methodist Church, Upper Moor Street, Off Storrs Road S40 3PY	1735	<u>Location</u> In the context of the polling district, satisfactory. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate.	No change to polling district No change to polling place	Suitable location and venue

Polling district	Polling place	Gross electorate July 2014 inc. postal voters	Review Assessment	Proposal	Reasons
			<u>Parking</u> sufficient off and on street		
SA3	Loundsley Green Community Centre, Cuttholme Road, Loundsley Green S40 4RF	1008	<u>Location</u> In the context of the polling district, satisfactory. <u>Premises</u> – Access to the hall in which the polling station is located is adequate. Heating and lighting adequate. <u>Parking</u> sufficient off and on street	No change to polling district No change to polling place	Suitable location and venue
SA4	Walton Evangelical Church, Moorland View Road, Walton, S40 3DD	936	<u>Location</u> Centrally located. The premises are considered to be adequate for the electorate of the district. <u>Premises</u> – Access to the room in which the polling station is located is adequate. Heating and lighting adequate. The polling place accommodates two polling stations serving the Walton ward one the west ward.. The polling place serves a large electorate in the Walton and West area. There are limited facilities available elsewhere in the polling district. The polling place is situated on a bus route adjacent to the local shops. <u>Parking</u> Adequate on and off street parking.	No change to polling district No change to polling place	Suitable location and venue

AGENDA ITEM

FOR PUBLICATION

**INTRODUCTION OF INDIVIDUAL VOTER REGISTRATION-
UPDATE (EC000)**

MEETING: EMPLOYMENT AND GENERAL COMMITTEE

DATE: 3 NOVEMBER 2014

REPORT BY: DEMOCRATIC SERVICES MANAGER

WARD: ALL

COMMUNITY ASSEMBLIES: ALL

BACKGROUND PAPERS NONE

FOR PUBLICATION

1.0 PURPOSE OF REPORT

- 1.1. To report on the progress of the transition to the introduction of Individual Voter Registration (IER).
- 1.2. To outline plans to deliver IER prior to and following the publication of the first IER register on 1 December 2014.

2.0 BACKGROUND

- 2.1. Individual voter registration was introduced in England and Wales in June 2014 replacing the household system of registration. In addition people can now register to vote online for the first time.

- 2.2. The transition began with a data matching exercise to compare existing elector's details with the details held on the Department for Work and Pensions (DWP) database – a process known as confirmation live run (CLR).
- 2.3. Through this process, Electoral Registration Officers (EROs) were able to identify which electors could be transferred automatically to the new IER register, and which ones could not and would therefore need to re-register.
- 2.4. On 10th July 2014 we sent our data to be matched against the DWP database. Everyone whose name and address on the Electoral Register matched against this database was allocated a “Green” score and was confirmed on the Electoral Register under the new system. Those who partially but not completely matched were given an “Amber” score and those who did not match at all were given a “Red” score. Chesterfield Borough Council's results from this project are below:

Confirmation Live Run Result	Number	Percentage
Green	69702	85.66%
Amber	1090	1.34%
Red	10583	13.01%

- 2.5. Of this result the Reds and Ambers were then matched against locally held data (specifically Council Tax data) to confirm as many as possible of these so they did not have to register again under the new system. The results of the Local Data Matching are below:

Local Data Matching Result				
Number of records matched	6041 (51.75%)	Number of records not matched	5632 (48.25%)	
Updated Green after	Red (RAG) Local	Amber Result Data	Number	Percentage

Matching		
Green	75743	93.08%
Red	5632	6.92%

After Local Data Matching all Amber scores were either matched to Green or Red using Local Data.

As a result of this exercise 75743 people (93.08%) were fully registered under the new system. The remaining 5632 people were invited to re-register under the new system. These people remain registered until December 2015, unless their entitlement to registration changes, eg they move house, but they will be unable to vote by Post or by Proxy if they do not re-register.

- 2.6. Following the confirmation process, the ‘write-out’ phase of the transition commenced in early August, coinciding with a national publicity campaign by the Electoral Commission and local publicity. This replaced the traditional canvass of households for 2014 though this will be reintroduced in autumn 2015. There were three key elements to the IER write out – Household Enquiry Forms (HEFs) sent to all properties with no electors registered and properties which did not respond at the last canvass; confirmation letters sent to individuals whose details matched through the CLR and Invitations to Register (ITRs) sent to those individuals who didn’t match with DWP records. The ITR and HEFs have been followed up with reminders and personal visits to the properties where no response has been forthcoming.
- 2.7. During the period of the write out efforts have continued to be made to carry out further manual data matching of the outstanding “red matches” to try to confirm residency status and where necessary to carry out registration reviews where it appears a person is no longer resident at an address.
- 2.8. Arrangements were made with the council’s call centre to handle calls received following the write out. Training was provided to call centre staff and two “champions” trained to handle the more detailed enquiries. Over the period August and

September the call centre received 974 customer queries. A significant number of the calls related to requests to opt out of the open register. Over 5,500 calls have also been made to the automated telephone service to register an opt out change. In Chesterfield as in the rest of England and Wales, the wording on the confirmation letter generated a large number of queries as to whether people already opted out of the register needed to take any further action to retain this status. It is worth noting that EROs had no discretion over the wording of the letter which had been subject to extensive advance user testing by the Electoral Commission.

- 2.9. An update on the latest response figures will be given at the meeting:

3.0 MAXIMISING REGISTRATION- KEY PRIORITIES

Data mining and data matching

- 3.1. The transitional canvass and confirmation write out has now been completed and between now and the publication of the revised register on 1 December work will continue on data matching and data mining to improve the accuracy of the register. The primary sources of data for identifying new electors, verifying existing entries and removing individuals outside of a canvass are the records held by the council. The ERO has a statutory right to use these records for electoral registration purposes, and the principal sources of data are council tax and housing benefit, housing tenancy records and customer contacts through the call centre.

Customer Services and Technology Transformation Programmes

- 3.2. Electoral registration is a potential major beneficiary of the Great Place Great Service Programme work streams on Customer Service and Technology. We are already actively exploring suitable, efficient and cost effective channels of communication for engaging, signposting and transacting with our electorate, particularly through the medium of on line

registration, e.g. CBC website, call centre, customer services centre, automated message services, automated form completion services, eg to request an application form, or to request a postal vote or opt out of the commercial register.

- 3.3. The council's customer services strategy and its focus on channel shift to more on line customer transactions will assist in our efforts to promote and encourage on line voter registration and electronic communication with our existing and potential electorate. This has the potential to provide a more effective and up to date customer database from which to identify new electors and those no longer current. It also offers the possibility of considerable savings through the automation of processes and the reduction in paper, printing, postage and individual contact through personal visits, all of which have considerably increased with the introduction of IER. As part of this we will be using lean review methodology through Business Transformation to examine the impact of changes on registration activity workflows and work processes to ensure service efficiency and effectiveness.

Other data sets

- 3.4. Our reliance on internal council data sets will not give us access to all those entitled to register. It is widely recognised that IER will have a disproportionate impact on certain groups including 16 and 17 year olds who need to be on the register so that they can vote in elections when they reach the age of 18 and adults in residential care. Our approach to address this has two main strands: securing access to data from Derbyshire County Council, discussions for which are at an advanced stage and action through our Engagement Strategy. We also have agreement from Chesterfield College to access student names and addresses. We will continue to explore opportunities for using other authorities' data where these may provide additional and accurate records. At a national level the government is actively looking at the availability of other data sets to assist EROs such as DVLA records.

Engagement Strategy

3.5. Young people

Specific activity is in place to engage with this group and raise awareness of electoral registration and why it is important, for example by the use of promotional materials, registration events and participation resources with schools, such as “bite the ballot” interactive student sessions. A programme of resources for engaging with secondary schools is currently being developed in consultation with the Executive member for Governance and it is the intention to maintain this programme once it is introduced. Discussions are underway with Chesterfield College to embed electoral registration as much as possible within college registration systems and admissions processes and in college communications with students.

3.6. Nursing homes

Good progress is being made in contacting all nursing homes in the Borough to establish relationships with care home managers to facilitate ongoing registration of elderly residents and notification of residency changes.

3.7. Communication and public awareness

A key focus of our engagement strategy is in promoting on line registration and where this is not an option, the alternatives available to our customers. There are numerous communication channels and communities of interest within and via the council through which to promote registration and raise awareness for example, web site, social media, Your Chesterfield, Borough Bulletin, community assemblies, local consultation forums, community and business partnership networks, tenants associations, council tax billing notifications, leisure centres, customer contact centre, and call centre. Local census information, socio-demographic data/ ward profiling and ward analysis of registration levels will help to assist us to identify under represented and hard to reach groups and develop appropriate target mechanisms and messages.

Outside of the council, activity is focusing on developing relationships with letting agencies, estate agents and private landlords to promote IER amongst home movers and raising public awareness through communications more generally with relevant local organisations, eg libraries, major employers, LINKS. In addition we shall shortly be embarking on a broader mailing campaign to local organisations and relevant businesses in the Borough to offer leaflets, posters, and electronic logos and links to the national register to vote website. Alongside this we will explore opportunities to work with local and national partners on initiatives and events to promote voter registration, for example Bite the Ballot and National Voter Registration Day 2015.

4.0 2015 CANVASS

- 4.1. There will be a canvass of households in the autumn of 2015 and annually thereafter under current provisions. Unlike previously, electors will not be removed from the register for failure to respond to a canvass, and will remain on the register until they move address or otherwise become ineligible to be on the register. Deletion of names on the canvass form will require the ERO to obtain a second piece of evidence in order for the removal to be effected. The other main change is that electors who add their names to the canvass form will no longer be automatically added to the register but will be sent an ITR. The ERO will be required to follow up non-responses to requests to complete a canvass or an ITR with up to two reminders and a personal visit. There will be a year round requirement to conduct such follow up activity to meet EROs new responsibilities to encourage registration. The use of data mining and data matching will therefore be a key element in helping to maintain an accurate and up to date register.
- 4.2. It is anticipated that the government will provide additional funding in 2014/15 towards meeting the cost of a mini canvass in January 2015 by way of a notification of confirmation of those registered. This is designed to assist EROs to capture changes to the register ahead of the May 2015 elections.

4.3. Year round canvassing is a new feature of IER whereby ERO's must follow up non-responses to ITRs and HEFs with reminders and at least one personal visit. The emphasis of the personal visit will be on speaking to potential electors to encourage them to register and offering assistance where required. At this stage it is not proposed to try to gather personal details such as dates of birth and national insurance numbers on the door step. Once the current write out activity has been completed a picture of normal business of rolling registration under IER will begin to emerge. It will then be possible to establish more clearly what the resource requirement for carrying out personal visits will be. Until then this activity will be conducted using current casual staff.

5.0 POLITICAL PARTY CAMPAIGNING

5.1. The Electoral Commission is preparing new guidance and code of conduct for political parties on handling applications for registration, absent vote applications and postal ballot packs. The new code will be published by the end of November in time for the 2015 elections. The code seeks to improve confidence in the security of electoral processes in the UK, while at the same time ensuring that the integrity of electoral processes are balanced against the risks to effective voter participation. In relation to IER the EC comments that there are likely to be significant data protection risks if third parties, including campaigners collect or handle sensitive personal information on registration applications.

5.2. The key changes in the draft code are:

- To make clear that campaigners should not handle or take completed registration forms, postal vote or proxy vote application forms or completed postal ballot packs from electors. Once they have been completed by electors, electoral registration forms, postal vote or proxy vote application forms should be sealed and sent directly by the elector to the Electoral Registration Officer. Electors who are unable personally to return an electoral registration form or

absent vote application should contact the Electoral Registration Officer directly for assistance.

- Campaigners should ensure that any electoral registration forms and postal or proxy voting application forms conform fully to the requirements of electoral law, including all the necessary questions and the options open to electors. (Campaigners are requested to use forms supplied by the ERO or from the Electoral Commission, or to encourage on line application).
- Campaigners should be free to encourage voters to register to vote, including on line, and apply to vote by post or appoint a proxy to vote on their behalf, if that is the most convenient way for them to vote.
- That campaigners should refer voters to staff at the elections office for assistance in completing and returning postal ballot papers.

5.3. Further details will be circulated to political groups once the new code of conduct has been published. The changes will also be addressed in candidates and agents briefings in advance of the 2015 elections. This will also include guidance on advising electors of the registration deadlines and the new information requirements under IER.

6.0 FINANCIAL CONSIDERATIONS

6.1. The government is meeting the additional costs of Individual Electoral Registration in accordance with the new burdens doctrine. To date the following funding has been received:

2013/14 transitional funding of £6,233

2014/15 IER grant of £23,452

Maximising registration grant of £4,368

Hardware grant of £13,007

Top up grant of £2071 to cover additional costs of printing A3

forms. Grant to meet 10 funded days training for IER process and software system.

- 6.2. The government has announced that further transitional funding will be available in 2015/16 and an announcement is expected later in the year. However it is expected that this amount will be significantly less than the 2014/15 allocation. For 2015/16 and beyond, it is anticipated that the costs of electoral registration will increase although it is difficult to project these additional costs with any certainty until activity during the transition phase is fully evaluated, including the take up of registration on line.

7.0 OTHER CONSIDERATIONS

- 7.1. In writing this report the following standard corporate issues have been considered:

- Risk Management
- Equalities
- Health and Safety

8.0 RECOMMENDATION

- 8.1. That the Committee notes the progress made to date in relation to the transition to Individual Electoral Registration, and the ERO's approach to delivering and maintaining a secure, accurate and up to date electoral register in compliance with his statutory duties.

For further information on this report contact Sandra Essex
01246 345227

Sandra Essex

Democratic Services Manager

FOR PUBLICATION

AGENDA ITEM

ZERO HOURS POLICY (EC130)

MEETING: Employment and General Committee

DATE: 3 November 2014

REPORT BY: Human Resources

WARD: ALL

COMMUNITY FORUM: ALL

KEY DECISION
REFERENCE
(IF APPLICABLE):

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS: NONE

1.0 PURPOSE OF REPORT

1.1 To seek agreement to the introduction of the new Zero Hours Policy and Guidance.

2.0 BACKGROUND

2.1 Recent media coverage has brought the issue of exploitative zero hours contracts into the spotlight.

2.2 Although the Council utilises employees on zero hours contracts across a number of services, there is currently no policy regarding the Council's position on the use of these contracts.

2.3 The Council is committed to the fair treatment of its workforce regardless of the different contractual arrangements that they are

engaged on. With this in mind, it was decided that a policy document should be developed in order to formalise this commitment.

2.4 Following the completion of an initial draft of the Policy, the document was then distributed to Service Managers and Trade Unions for consultation.

2.5 Feedback and suggestions for improvement were collated and can be found at appendix B.

2.6 Following a review of the feedback, a further draft was developed to incorporate any relevant points.

2.7 This final draft was presented and approved by the Policy Working Group and the Council's Joint Consultative Committee.

3.0 **PROPOSED PROCEDURE**

3.1 The new policy and procedures document may be found at appendix A.

3.2 The policy has been developed to formalise the Council's commitment not to exploit staff on zero hours contracts.

3.3 The new policy also contains guidance for managers regarding issues relating to the use of zero hours contracts.

3.4 A communication strategy will be implemented to support the introduction of the new policy.

4.0 **RECOMMENDATIONS**

4.1 That the proposed Zero Hours Policy and Guidance is referred to and approved by the Employment & General Committee.

5.0 **REASON FOR RECOMMENDATION**

5.1 To ensure that the Council has a statement on employment on zero hours contracts and that employees are treated fairly as a result of their zero hours status.

You can get more information about this report from Ashish Kaushik. Telephone 01246 345281.



Zero Hours Policy

Prepared by: Human Resources
Date: XXXX 20XX
For Review: XXX 20XX
Approved by Employment and General Committee on: XXXXX

Preface

Chesterfield Borough Council is committed to the fair treatment of its workforce regardless of the different contractual arrangements that they are engaged on.

CONTENTS

	Page
SECTION1: Policy on Variable Hours / Zero Hours Staff	1
Scope of the Policy	1
Alternatives to Variable Hours contracts	1
SECTION 2: General Terms and Conditions – Guidance	2
Continuous Service	2
Annual Leave	2
Notice for shifts	2
Expectations for conduct	2
Induction / Training	3
Employee Performance Development (EPD)	3
Expectations for availability	3
Sickness Absence	3
Allocation of shifts	3

SECTION 1: Policy for Variable / Zero Hours

The term 'variable hours' or 'zero hours' refers to a contract of employment where the Council is not obliged to provide a minimum number of working hours and where the employee is not obliged to accept any hours that are offered.

Chesterfield Borough Council recognises the valuable role played by employees on variable hours contracts in delivering a wide range of services. The flexibility provided by these staff is essential in ensuring that service delivery is maintained at the highest possible standards. Variable hours contracts also allow flexible employment opportunities for people wanting to work around their personal circumstances.

Zero hours contracts should primarily be used where there is an immediate short term need to cover services. Where there is a recognised and ongoing requirement for work, then some form of contracted hours should be established.

The Council is committed to ensuring that variable hours staff are not exploited as a result of their zero hours status. This will be achieved through:

1. Engaging staff on the same terms and conditions as employees with contracted hours.
2. Regular reviews (at least once per annum) on the use of zero hours staff to determine whether a contracted position is required.
3. Not implementing exclusivity clauses within contracts which prevent zero hours staff working for other employers.

Scope

The Council recognises that there are variations of 'zero hours' contracts which have different employment statuses. Staff engaged on 'Casual' agreements are considered to be workers (i.e. non-employees) while those engaged on 'Variable Hours' contracts are considered employees.

Workers are not considered employees of the Council and will therefore not accrue continuous service. In addition, incremental progression through pay scales will not be achieved. Instead 'casual workers' will remain at the base spinal column point of the appropriate pay grade.

This Policy will apply to all established and temporary employees employed by Chesterfield Borough Council. However, the principles of fairness will apply to all workers irrespective of their employment status.

Alternatives to variable hours contracts

Before taking on additional zero hours staff, managers should conduct a review in order to determine whether a contracted position is required. Where it has been identified that a

contractual hours post is appropriate, managers may seek to establish one or more of the following contracts on a permanent or fixed term basis: -

1. Full-time contract – where there is an ongoing requirement of 37 hours per week and where the role would ideally be filled by one person.
2. Part-time contract – where there is an ongoing requirement of less than 37 hours per week or where the role would ideally be filled by more than one person. Filling a post with two or more part-time contracts may help provide flexibility for occasional cover during periods of sickness and annual leave through the use of additional hours. However, managers should continue to review the use of additional hours in case there is a need for further contractual hours to be established.
3. Annualised hours contract – where there is an ongoing requirement for work but where this requirement follows a pattern of peaks and troughs. The use of annualised hours may allow managers to issue contractual hours while maintaining the flexibility to cover peaks in demand.

SECTION 2: General Terms and Conditions – Guidance

Employees on variable hours contracts will be engaged on the same main terms and conditions of employment as those employees with contracted hours.

Continuous Service

Employees on variable hours contracts will accrue service with Chesterfield Borough Council. This service will commence from the date of the first shift (including induction / training) completed by the employee.

Annual Leave

Staff working on a variable hours contract shall have their annual leave calculated every 13 weeks in arrears. The allowance will be given and taken in hours.

Sickness Absence

Employees on variable hours contracts should adhere to the Council's Managing Attendance Policy.

Variable hours staff who cannot attend work due to sickness should follow the same local reporting procedures as those employees with contracted hours. All employees are required to attend return to work interviews following every period of absence due to sickness. Periods of absence up to seven days may be self-certificated. Absences longer than 7 days will require an appropriate Fit-Note.

Variable hours staff will receive a payment based on the average earnings in the 12 weeks preceding the date on which the last complete week ended, excluding any week in which no remuneration was earned. Entitlements to sick pay are dependent on the length of accrued continuous service.

Expectations for conduct

Employees on variable hours contracts must adhere to all of the Council's policies and procedures.

Expectations for availability

Employees on variable hours contracts benefit from the same terms and conditions as those employees on contractual hours. These benefits include the accrual of continuous local government service and incremental progression through pay scales. In return for these benefits, there is an expectation that employees will regularly be available to work shifts when offered.

The Council recognises that employees on zero hours contracts may have other work commitments. The zero hours contract with the Council may be in addition to other full-time work. It should be acknowledged that the needs of the service and circumstances of employees will change over time. However, where there is evidence that an employee regularly refuses or is unavailable to work then a decision may be made to terminate the contract of employment in accordance with the Council's Disciplinary and Dismissals Policy and Procedures.

Induction / Training

It is a mandatory requirement for all employees to attend the Council's corporate induction programme. The Council recognises that employees on variable hours contracts may have other commitments which prevent them from attending the usual induction programme during normal office hours. Employees on variable hours contracts will be invited to attend a shortened version of the full induction programme and will be paid at the appropriate rate for attending. Similar arrangements should be put in place where there is a corporate mandatory requirement for all employees to attend a particular training course.

Employee Performance Development (EPD)

Line managers should follow the same process for completing EPDs as they would for those employees with contracted hours. However, where appropriate, managers may choose to conduct EDPs as a group or team. If this is the case, then employees will also have the option to have an EPD on an individual basis if they wish to do so.

Allocation of shifts

Fairness and transparency should apply when allocating available shifts to employees on variable hours contracts. Managers should be aware of employees' 'protected characteristics' (e.g. age, ethnicity, race, gender, gender reassignment and marriage and civil partnership, disability, religious and belief, sexual orientation or political allegiance) and be mindful of the Council's Equality, Diversity and Social Inclusion Policy when developing rotas for work.

The Council recognises that often the need to utilise employees on zero hours contracts is as a result of an unplanned shortage in available staff. Failure to cover a shift may have serious impact on the Council's ability to deliver services and meet customer expectations. During such situations there may be an urgency to ensure that a particular shift is covered and that service delivery is guaranteed. Where this is the case, managers should continue to apply the principals of fairness and transparency.

Managers should balance the need to reward staff who are regularly available to cover shifts and the need to avoid favouritism of individuals. Regular reviews of employee availability may help when managers are required to cover shifts at short notice. Furthermore, regular use of all available staff will help to maintain skills and knowledge as well as commitment to the organisation.

Notice for shifts

Employees on variable hours contracts should be given as much notice as possible where managers are aware of planned absences such as annual leave and training. This will help to ensure that shifts are covered and reduce the need to contact staff at short notice.

Where less than 24 hours' notice has been given to attend a shift, then this should be taken into account when considering the employees' overall availability to work.

Manager’s Comments on the Draft Zero Hours Policy and Guidance and responses.

1	Comment	
	I think that the Code of Practice should include variable hours in its title.	<p>Currently: Zero Hours Policy and Guidance</p> <p>Response: The majority feedback has been that the document should be described as a policy rather than a code of practice.</p> <p>The term ‘Zero Hours’ covers variable as well as ‘casual’ contractual arrangements. My advice would be to adopt the current title.</p>
	I support your proposal to all the document a Code of Practice and not a policy. In certain circumstances the Code of Practice cannot be adhered to and if it was a policy that could create unnecessary problems for all concerned.	<p>Response:</p> <p>The majority feedback has been that the document should be described as a policy rather than a code of practice. It will be a decision for CJCC as to whether the document is a policy or a code of practice.</p>
	Not comfortable with the statement that zero hours contracts should primarily be used where there is an immediate short term need to cover services. Would this mean, for example, that we would have to give contracted hours to most of our bar staff? The pattern and requirements vary considerably that it would not be practical.	<p>Response:</p> <p>Where there is an ongoing need for hours, but where the hours are irregular, then annualised hours could be considered.</p>
	The difference between workers and employees should be explained.	<p>Suggested:</p> <p>The policy will be amended to read:</p> <p>Staff engaged on ‘Casual’ agreements are considered to be workers (i.e. non-employees) while those engaged on ‘Variable Hours’ contracts are considered employees.</p>

	<p>Annual Leave - in certain circumstance this is paid to the employee.</p>	<p>Response:</p> <p>Effectively all staff on zero hours contracts receive payment for accrued annual leave.</p>
	<p>Sickness Absence - does this not only apply when an employee agrees to work and cannot because they are sick, an employee would not record all sickness.</p>	<p>Response:</p> <p>Employees on zero hours contracts accrue sick pay entitlements. As with all employees, appropriate fit notes are required if the employee continues to be absent after the period of self-certification has expired. Failure to do so may mean that sick pay is withheld. Furthermore, sickness absence should be managed in accordance with Council policies.</p>
	<p>Expectations for Availability - need to be careful with the wording of this section. An employee on a zero hours contract is not necessarily available to work at all times, it may be in addition to their main job and this should be recognised in this statement.</p>	<p>Response:</p> <p>The policy has been amended to recognise that “employees on zero hours contracts may have other work commitments. The zero hours contract with the Council may be in addition to other full-time work.”</p>
	<p>EPDs - are postal EPDs acceptable?</p>	<p>Response:</p> <p>No. EPDs should be conducted in person with every employee.</p>
<p>2</p>	<p>I don't have any suggested amendments to the latest draft, which I think covers all the points, but I appreciate the Unison point that "Code of Practice" sounds optional rather than "Policy".</p>	<p>Response:</p> <p>The majority feedback has been that the document should be described as a policy rather than a code of practice. It will be a decision for CJCC as to whether the document is a policy or a code of practice.</p>

	Possibly something to cover the very front end of the recruitment and subsequent interview where the requirement of the service and the variable contract is clear to the applicant i.e. that their availability needs to be suitable and sufficient for us to employ for that specific role.	Response: Noted
	A minimum period of notice can only be achieved if staff wanting time off give adequate notice – I think this is far too rigid but better to simply say that advance notice will always be given when the Council is able to do so. We are trying to create a flexible workforce situation.	Response: Noted
3	Mandatory training – think we need to consider carefully what roles – eg an aerobics instructor is delivering a single focussed service one hour per week – do we really expect them to go through all mandatory training – and what if they cannot attend the mandatory training due to other work elsewhere? I assume Unison would accept that if they do not attend mandatory training they could be terminated – but what if we didn't want to terminate them or take other action because they do a good job teaching for that one hour – potentially doesn't seem too equitable – and gives us business risk.	Response: As representatives of the Council all employees are expected to attend training which has been deemed to be mandatory. Failure to do so should be managed in the same way as staff with contracted hours.
	Also need to guard against a variable suddenly saying – oh im only available for daytime Monday to Friday – I don't want evenings and weekendsor we get someone who works regularly on the nice shifts but never available for the unsocial shifts – what about the variable who says – sorry ive got a season ticket for CFC now so I cant come Saturdays – but the full timer wanting holiday with a season ticket has to come ??	Response: Availability of employees will change over time as will the needs of the service. Both should be periodically reviewed in order that services can be delivered.
4	I am inclined to resist the notion that reviews should be held at least six monthly rather than e.g. annually. I think one needs to have accumulated 12 months experience before one can judge if an annualised hours contract is likely to be more appropriate.	Response: Noted
5	This all looks fit for purpose and gives me some comfort we are treating staff fairly and in line with employment policies and requirements.	Comment: Noted

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Chesterfield Borough Council

Equality Impact Assessment - Full Assessment Form

Service Area: Human Resources

Section: Human Resources

Lead Officer: Jane Dackiewicz

Title of the policy, project, service, function or strategy the preliminary EIA is being produced for: Zero Hours Policy and Guidance

Is the policy, project, service, function or strategy:

Existing

Changed

New/Proposed

STEP 1 – MAKE SURE YOU HAVE CLEAR AIMS AND OBJECTIVES

What is the aim of the policy, project, service, function or strategy?

- To ensure the fair treatment of the Council's workforce regardless of the different contractual arrangements that they are engaged on.
- To ensure the flexible delivery of a wide range of Council services
- To provide flexible employment opportunities for people

Who is the policy, project, service, function or strategy going to benefit and how?

The policy will benefit:

- Council staff who are engaged on a zero hours basis – through benefiting from the same terms and conditions as employees on contracted hours, and through guidance on the fair allocation of shifts.
- People wanting more flexibility to work around their personal circumstances
- Where there is a more long-term ongoing requirement, zero hours employees will benefit from opportunities to gain contracted hours.

What outcomes do you want to achieve?

The Council is committed to ensuring that variable hours staff are not exploited as a result of their zero hours status. This policy also ensures that a process is in place to monitor and review the use of zero hours contracts, so that the most appropriate employment contract is in place.

What barriers exist for both the Council and the groups/people with protected characteristics to enable these outcomes to be achieved?

Reviews of contracts may lead to a reduction in the use of staff on zero hours contracts.

STEP 2 – COLLECTING YOUR INFORMATION

What existing data sources do you have to assess the impact of the policy, project, service, function or strategy?

Workforce profile.

STEP 3 – FURTHER ENGAGEMENT ACTIVITIES

Please list any additional engagement activities undertaken to complete this EIA e.g. met with the Equalities Advisory Group, local BME groups, Employee representatives etc. Could you also please summarise the main findings.

Date	Engagement Activity	Main findings
26/06/2014	Policy Working Group	Meetings to discuss and agree policy
23/07/2014	Policy Working Group	Meetings to discuss and agree policy
08/09/2014	Policy Working Group	Meetings to discuss and agree policy
29/08/2014	Distributed to Council Managers and Trade Unions	Please see the attached summary of the feedback and responses.

STEP 4 – WHAT’S THE IMPACT?

Is there an impact (positive or negative) on some groups/people with protected characteristics in the community? (think about race, disability, age, gender, religion or belief, sexual orientation and other socially excluded communities or groups). You may also need to think about sub groups within each equalities group or protected characteristics e.g. older women, younger men, disabled women etc.

Zero Hours Contract Equality Profile

These figures are correct as of 3rd October 2014. Total ‘zero hours’ contracts employees – 218. Please note that the profile is based on the employee in each role – there are some employees that have more than one zero hours contract.

Table 1: Zero Hours roles by service area		
Service	No.	Percentage of all zero hours employees in service area
Leisure	103	47%
Tourism and Town Centre	71	33%
Support Services	14	6%
Democratic Services	8	4%
Public Protection and Health	7	3%
Transport and Engineering	7	3%
Environmental Control and Sustainability	5	2%
Landscape Services	2	1%

Table 2: Zero Hours roles by gender		
Gender	No.	Percentage of all zero hours employees
Female	123	57%
Male	94	43%

Table 3: Zero Hours roles by age		
Age Group	No.	Percentage of all zero hours employees
24 years and under	40	18%
25 - 34 years	50	23%
35 – 44 years	35	16%
45 – 54 years	46	21%
55 – 64 years	35	16%
65 years and over	11	5%

Table 4: Zero Hours roles by disability		
Age Group	No.	Percentage of all zero hours employees
Disabled	4	2%
Non-disabled	195	90%
Unknown	18	8%

Table 5: Zero Hours roles by ethnicity	
Ethnicity	Percentage
Indian	0.5%
Italian	1.4%
Mixed background	1.8%
Other White background	1.8%
White British	86.6%
White Irish	0.5%
Prefer not to say	7.4%

Table 6: Zero Hours roles by religion	
Religion	Percentage
Christian	52.7%
Muslim	0.5%
Jewish	1.0%
Sikh	0.5%
Other religion	3.0%
Prefer not to say	3.0%
No Religion	39.3%

Please describe the potential impacts both positive and negative and any action we are able to take to reduce negative impacts or enhance the positive impacts.

Group or Protected Characteristic	Positive impacts	Negative impacts	Action
Overall Impact	<p>Employees will benefit from greater job security through establishing contractual hours where there is a need.</p> <p>The policy ensures that employees employed through Zero Hours contracts benefit from the same terms and conditions as employees with contracted hours – eg. training, appraisals, annual leave, sickness absence and continuous service.</p> <p>The policy also provides guidance to ensure the fair allocation of shifts taking into account protected characteristics of employees.</p>	<p>There is a potentially negative impact through the possible reduction in the use of staff on zero hours contracts.</p>	<p>Provisions included in the policy for reviews of the use of zero hours contracts, and for the fair treatment of employees employed through zero hours contracts.</p>
Age – including older people and younger people.	<p>An analysis of the employees currently engaged on zero hours contracts has shown that there is a relatively even spread of employees across the age groups employed on these contracts. The average age of all CBC employees is the same as the average age of CBC's zero hours employees (45 years).</p> <p>The policy is not anticipated to have a disproportionate impact on this group.</p>		See overall impact
Disabled people	<p>An analysis of the employees currently engaged in zero hours contracts has shown that 2% of employees have identified themselves as disabled, compared with 7.9% of all employees. The policy is not anticipated to have a disproportionate impact on this group.</p>		See overall impact above
Gender – men, women and transgender.	<p>An analysis of the employees currently engaged in zero hours contracts has shown that there is a slightly higher percentage of female employees than male employees (57% and 43%)</p> <p>The policy is not anticipated to have a disproportionate impact on this group.</p>		See overall impact above
Marital status	See overall impact above - The policy is not anticipated to have a disproportionate impact on this group.		
Pregnant women and people on maternity/paternity.	See overall impact above - The policy is not anticipated to have a disproportionate impact on this group.		

Also consider breastfeeding mothers.	
Sexual Orientation	See overall impact above - The policy is not anticipated to have a disproportionate impact on this group.
Ethnic Groups	93% of the entire CBC workforce is White British, however, an analysis of the employees currently engaged in zero hours contracts has shown that 87% of these employees are White British, with 6% having other ethnic backgrounds. The policy is not anticipated to have a disproportionate impact on this group.
Religions and Beliefs including those with no religion and/or beliefs.	See overall impact above - The policy is not anticipated to have a disproportionate impact on this group.
Other groups e.g. those experiencing deprivation and/or health inequalities.	See overall impact above

From the information gathered above does the policy, project, service, function or strategy directly or indirectly discriminate against any particular group or protected characteristic?

Yes

No

If yes what action can be taken to stop the discrimination?

Please see table above.

STEP 5 – RECOMMENDATIONS AND DECISION MAKING

How has the EIA helped to shape the policy, project, service, function or strategy or affected the recommendation or decision?

Undertaking the EIA and workforce profiling has facilitated an understanding of the characteristics of the employees that will be affected by the policy, and to anticipate the impact on them.

How are you going to monitor the policy, project, service, function or strategy, how often and who will be responsible?

The policy will be monitored by HR, and Managers will be responsible for monitoring and reviewing the use of zero hours contracts.

STEP 6 – KNOWLEDGE MANAGEMENT AND PUBLICATION

Please note the draft EIA should be reviewed by the appropriate Head of Service/Service Manager and the Policy Service before WBR, Lead Member, Cabinet, Council reports are produced.

Reviewed by Head of Service/Service Manager

Name:

Date:

Reviewed by Policy Service

Name: Katy Marshall

Date:

Final version of the EIA sent to the Policy Service

Decision information sent to the Policy Service

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FOR PUBLICATION

AGENDA ITEM

SMOKING POLICY (EC130)

MEETING: Employment and General

DATE: 3 November 2014

REPORT BY: Human Resources

WARD: ALL

COMMUNITY FORUM: ALL

KEY DECISION
REFERENCE
(IF APPLICABLE):

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS: NONE

1.0 PURPOSE OF REPORT

1.1 To seek agreement to the introduction of the revised Smoking Policy.

BACKGROUND

2.0 The Council has had a smoking policy since 1988. The latest revision to the policy took place in July 2007 in order to reflect changes in smoking legislation (Appendix B).

2.1 The recent introduction and popularity of electronic cigarettes has prompted a review of the policy in order to provide clarity on the subject.

- 2.2 The review has provided an opportunity to refresh the policy as well as provide more detailed guidance to employees and managers on issues relating to smoking at work.
- 2.3 Following the completion of an initial draft of the Policy, the document was then distributed to Service Managers and Trade Unions for consultation.
- 2.4 Feedback and suggestions for improvement were collated and implemented where appropriate.
- 2.5 Following a review of the feedback, a further draft was developed to incorporate any relevant points.
- 2.6 This final draft has been presented and approved by the Policy Working Group and the Council's Joint Consultative Committee.

3.0 **PROPOSED PROCEDURE**

- 3.1 The new policy and procedures document may be found at appendix A.
- 3.2 The policy has been reviewed to provide clarity and further guidance to employees and managers regarding issues related to smoking.
- 3.3 A communication strategy will be implemented to support the introduction of this revised policy.

4.0 **RECOMMENDATIONS**

- 4.1 That the proposed Smoking Policy and Guidance is approved by the Employment & General Committee.

5.0 **REASON FOR RECOMMENDATION**

- 5.1 To ensure that the Council's Smoking Policy is in line with best practice and fit for purpose.

You can get more information about this report from Ashish Kaushik, telephone: 01246 345281.

Smoking Policy

Policy Guiding Principles & Procedures

Prepared by: Human Resources
Date: XXXX 20XX
For Review: XXX 20XX
Approved by Employment and General Committee on: XXXXX

Preface

Chesterfield Borough Council acknowledges that breathing other people's smoke is both a public health hazard and a welfare issue. Therefore, the following policy has been adopted concerning smoking at Council premises. The policy applies in all buildings, grounds and Council vehicles.

CONTENTS

	Page
Policy Statement on Smoking	1
Scope	1
Designated smoking areas	1
Smoking Breaks	1
Vehicles	1
Homeworkers	1
Electronic Cigarettes	1
Signage	2
Assistance for employees to give up smoking	2
Non-compliance	2
Visiting Clients' Homes	2

Policy Statement on Smoking

Chesterfield Borough Council recognises that the health, safety and welfare of employees, sub-contractors and anyone else directly affected by the organisation's operations are of prime importance. The Council has therefore developed and enforces a dedicated smoking policy, conforming to the requirements of the smoke-free legislation.

Scope

This policy will apply to all members of staff including agency and temporary staff, Elected Members, partner organisations, clients, visitors, contractors and other persons who enter Council owned or leased buildings, grounds or vehicles for any purpose. The policy extends to cars leased during business use.

Designated smoking areas

Smoking is prohibited within the organisation's premises, except in certain designated outside areas. The Council provides receptacles for smokers to safely dispose of cigarette butts and other smoking waste at all outside locations where smoking is allowed.

Smoking Breaks

Generally, smoking breaks are to be taken in employees' own time and are unpaid. Where exceptions to this rule exist, employees should be discrete and follow the relevant management instructions regarding smoking breaks. Employees should ensure that there is sufficient cover before taking a break.

Vehicles

The Council does not permit workers to smoke in company vehicles, including lease vehicles.

Homeworkers

Homeworkers are not required to refrain from smoking during the course of work that is carried out for the Council in their home, unless they invite others into an area of their home for work purposes.

Electronic Cigarettes

The Council acknowledges that some employees may wish to make use of electronic cigarettes ("e-cigarettes") in the workplace, particularly as an aid to giving up smoking. E-cigarettes are battery-powered products that release a visible vapour that contains liquid nicotine that is inhaled by the user.

Although they fall outside the scope of smoke-free legislation, the Council prohibits the use of e-cigarettes in the workplace. The Council's rationale for a ban on e-cigarettes is that:

- although they do not produce smoke, e-cigarettes produce a vapour that could provide an annoyance or health risk to other employees;
- some e-cigarette models can, particularly from a distance, look like real cigarettes, making a smoking ban difficult to police, and creating an impression for visitors, customers and other employees that it is acceptable to smoke.

Signage

The Council displays signs that make it clear that smoking is prohibited on its premises. These signs are located at entrances to all Council buildings.

The Council also requires that no-smoking signs are displayed in those of its vehicles that are subject to the ban.

Assistance for employees to give up smoking

The Council recognises the difficulty that employees who wish to give up smoking may face. The occupational health service can offer guidance information to help smokers to give up. Assistance is also available from the NHS Smoking Helpline on 0300 123 1044 or via <http://www.nhs.uk/smokefree> .

Non-compliance

Any infringement of these rules by an employee may result in appropriate disciplinary action, which will be dealt with in accordance with the Council's disciplinary procedure. Employees are also reminded that it is a criminal offence for employees to smoke in smoke-free areas, with a fixed penalty of £50 or prosecution and a fine of up to £200.

Anyone who is smoking in smoke-free areas should be reminded of the no-smoking signs and asked to stop. If a customer continues to smoke, employees should explain that the customer is committing a criminal offence and will not be served if he/she continues to do so. If the customer still refuses to stop smoking, staff should ask the customer to leave the premises and, where relevant, direct him/her to where he/she can smoke. As a last resort, the Council's procedure for dealing with illegal behaviour on its premises will be used.

Visiting Clients' Homes

Except under specific conditions, private premises are not covered by the Health Act 2006 and the related smoke-free regulations. Therefore, employees visiting clients in their homes to carry out work are not covered under this Act and the Council does not have any statutory obligations in this regard.

Although the right of individuals to smoke in their own homes cannot be restricted, the Council is committed to taking reasonable steps to protect employees from exposure to second-hand tobacco smoke when visiting clients in their homes. Employees may arrange appointments to ensure that exposure is limited. Furthermore, clients could be asked to refrain from smoking for the duration of the visit and to open windows.



NO SMOKING POLICY

Introduction

- 1.1 Smoking is the largest cause of preventable death and ill health in Britain. It is known to cause many major illnesses, including cancer, heart disease, bronchitis and emphysema.
- 1.2 Exposure to second-hand tobacco smoke - breathing other people's tobacco smoke - has been medically proven to cause lung cancer, heart disease and other illnesses in non-smokers.
- 1.3 The Health and Safety at Work etc Act 1974 places a duty on employers to take reasonable measures to protect the health and safety of employees - and others affected by their business. This duty includes the requirement to provide a safe working environment for its employees.
- 1.4 To comply with this duty of care, employers must protect employees from second-hand tobacco smoke in the workplace.
- 1.5 The Council has had a No Smoking Policy since 1988(Minute No 741 (1988/89)), with the last revision taking effect from 16 November 2004.
- 1.6 The Council recognises and welcomes the Legislation on NO SMOKING in enclosed workplace/public places/work vehicles with effect from 1 July 2007.

Principles of the Policy

- 2.1 This No Smoking Policy aims to protect and improve the health of employees, Members, and people who visit Council premises by preventing workplace exposure to tobacco smoke.

- 2.2 Chesterfield Borough Council recognises and fully accepts the responsibilities placed upon it by the Health and Safety at Work etc Act 1974, and undertakes to provide a safe working environment for its employees. This Council also recognises and fully accepts the responsibilities placed upon it by the Legislation on No Smoking, 2007 and this Policy now complies with all legislation.
- 2.3 The Council recognises that smoking is an addiction and will provide appropriate support to employees wishing to stop smoking.
- 2.4 The Policy has been consulted on and agreed with trade unions and is amended only to bring it in line with the new legislation.

The Policy

- 3.1 The Council will implement this revised No Smoking Policy, in line with legislation, with effect from 1 July 2007. From this date, there will be a complete prohibition on smoking in all parts of Council premises and workplaces including.
- entrances, corridors and other common parts of any Council building
 - all Council-owned vehicles
 - all rest rooms
 - all Members' rooms
 - all Council-operated public buildings, including theatres, sports and recreational facilities.
 - Council operated community centres in shared, communal areas
- 3.2 No person including customers, visitors and all employees will be permitted to smoke in Council premises and Council vehicles. Any person wishing to smoke will only be able to do so in a designated area that is away from entrances to buildings.

3.3 Provision for the disposal of smoking refuse will be made as appropriate. The Council will continue to enforce its anti litter laws.

3.4 Employees who wish to smoke are only entitled to breaks if approved by their line manager and the breaks are taken in an employee's own time.

Assistance with Smoking Cessation

4.1 In an effort to help individuals adjust to this change, the following help is provided:

- ◆ Reasonable time off as agreed by the line manager to attend a free counselling/support group to help smokers to quit, organised by North Derbyshire Stop Smoking Service;
- ◆ Ongoing support from the Council's Occupational Health Service and Human Resources.

Signage

5.1 No smoking signs to comply with the legislation are to be as follows:

- equivalent to at least A5 size
- displays the international no smoking symbol in colour, minimum 70mm in diameter
- carries the words in characters that can be easily read: ***"No smoking. It is against the law to smoke in these premises"***

Premises, including indoor shopping centres, must display at least one A5 sized sign, with words, at each entrance

Council owned vehicles must display the round international no smoking symbol in red on the vehicle's dashboard.

Dedicated cigarette bins will be placed in designated areas outside buildings, including outside the entrances to indoor shopping centres.

Litter pouches are available on request for materials the safe and clean discard of waste

Implementation, Enforcement and Review of the Policy

- 6.1 The revised Policy will come into force for all Council premises and Council owned vehicles on 1 July 2007.
- 6.2 Each Head of Service is responsible for the promotion and maintenance of a smoke-free working environment, and adherence to the Policy by their employees.
- 6.3 Job advertisements, job descriptions and interviews will include reference to this Policy.
- 6.4 All new employees will be reminded of the No Smoking Policy on their Workplace Induction Course. A copy of the Policy will also be given to employees on the Corporate Induction Course and will be available on notice boards and electronically on public folders.
- 6.5 Failure to comply with the No Smoking Policy will result in disciplinary action against the individual, in accordance with the Council's procedure.
- 6.6 Any non-employees who breach the Smoking Policy will be asked to comply with the Policy/Legislation or leave the premises/vehicle.
- 6.7 This Policy will be reviewed periodically and if there is new or revised legislation on no smoking.

Chesterfield Borough Council

Equality Impact Assessment - Preliminary Assessment Form

The preliminary impact assessment is a quick and easy screening process. It should identify those policies, projects, services, functions or strategies which require a full EIA by looking at negative, positive or no impact on any of the equality groups.

Service Area: Human Resources

Section: Human Resources

Lead Officer: Jane Dackiewicz

Title of the policy, project, service, function or strategy the preliminary EIA is being produced for: Smoking Policy

Is the policy, project, service, function or strategy:

Existing

Changed

New/Proposed

Q1 - What is the aim of your policy or new service?

To protect the health, safety and welfare of all members of staff, Elected Members, clients, visitors, contractors and other persons who enter Council owned or leased buildings, grounds or vehicles for any purpose.

Q2 - Who is the policy or service going to benefit?

Staff, Elected Members, clients, visitors, contractors and other persons who enter Council owned or leased buildings, grounds or vehicles for any purpose.

Q3 - Thinking about each group below, does, or could the policy, project, service, function or strategy have an impact on protected characteristics below? You may also need to think about sub groups within each characteristic e.g. older women, younger men, disabled women etc.

Please tick the appropriate columns for each group.

Group or Protected Characteristics	Potentially positive impact	Potentially negative impact	No impact
Age – including older people and younger people.			✓
Disabled people – physical, mental and sensory including learning disabled people and people living with HIV/Aids and cancer.	✓		
Gender – men, women and transgender.			✓
Marital status including civil partnership.			✓
Pregnant women and people on maternity/paternity. Also consider breastfeeding mothers.	✓		
Sexual Orientation – Heterosexual, Lesbian, gay men and bi-sexual people.			✓
Ethnic Groups			✓
Religions and Beliefs including those with no religion and/or beliefs.			✓
Other groups e.g. those experiencing deprivation and/or health inequalities.			✓

If you have answered that the policy, project, service, function or strategy could potentially have a negative impact on any of the above characteristics then a full EIA will be required.

Q4 - Should a full EIA be completed for this policy, project, service, function or strategy?

Yes
 No

Q5 - Reasons for this decision:

The revised Smoking Policy does not adversely affect any particular demographic group. The policy aims to ensure that the Council conforms to the requirements of the smoke-free legislation.

Please e-mail this form to the Policy Service before moving this work forward so that we can confirm that either a full EIA is not needed or offer you further advice and support should a full EIA be necessary.

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FOR PUBLICATION

AGENDA ITEM

FLEXIBLE WORKING POLICY (EC130)

MEETING: Employment and General

DATE: 3 November 2014

REPORT BY: Human Resources

WARD: ALL

COMMUNITY FORUM: ALL

KEY DECISION
REFERENCE
(IF APPLICABLE):

FOR PUBLICATION

BACKGROUND PAPERS FOR PUBLIC REPORTS: NONE

1.0 PURPOSE OF REPORT

1.1 To provide information regarding changes to legislation in relation to Flexible Working applications.

2.0 BACKGROUND

2.1 Before 30 June 2014, the right to request flexible working applied to parents of children under the age of 17 (or 18 if the child is disabled) and certain carers. Employees must have 26 weeks continuous employment at the date the application is made.

- 2.2 Where employees qualify under these conditions, the Council had a statutory duty to consider applications. Once agreed this would become a permanent change to the contract of employment.
- 2.3 From 30 June 2014 the legislation was amended to allow every employee the statutory right to request flexible working after 26 weeks employment service (not just parents or carers).
- 2.4 This final draft was presented and approved by the Policy Working Group and the Council's Joint Consultative Committee.

3.0 **PROPOSED PROCEDURE**

- 3.1 The new policy and procedures document may be found at appendix A.
- 3.2 The policy has been amended to reflect the changes in legislation.

4.0 **RECOMMENDATIONS**

- 4.1 That the revised Flexible Working Policy is approved by the Employment & General Committee.

5.0 **REASON FOR RECOMMENDATION**

- 5.1 To ensure that the Council's policies are up to date and meet the legislative requirements.

You can get more information about this report from Ashish Kaushik.
Tel: 01246 345281.



FLEXIBLE WORKING POLICY

prepared by: human resources

date: November 2011

for review: November 2014

Document Revision History

Date	Author	Revision	Description
30/06/2014	HR		Changes to Flexible Working legislation
July 2011	HR		Initial Draft
16/11/11	Dawn Melloy	2	Formatting changes and changes requested by TUs after consultation meeting
12/10/11	Dawn Melloy	1	Revision to house style and improved content

Contents

Para		Page
1	Introduction	4
2	The business need	5
3	Right to request flexible working	5
4	Employee consultation/participation	5
5	Training and support	6
6	Publicity	6
7	Time	6
8	Eligibility	6
9	Procedure for making a flexible working request	7
10	Withdrawal of an Application	9
11	Acceptance of an Application	10
12	Rejection of an Application	10
13	Appealing the Decision	11
	Form FW (A)	12
	Form FW1	13
	Form FW2	17
	Form FW3	18
	Appendix 1 - Examples of flexible working options	19

FLEXIBLE WORKING POLICY

1.0 Introduction

The Council believes that its staff members are its most valuable asset and is committed to attracting and retaining the very best, and utilising all the talent and experience available within the community. It also appreciates that the UK workforce is becoming increasingly diverse and includes a high percentage of parents and individuals with other caring responsibilities, as well as those whose interests and aspirations impact on their time. It therefore appreciates that the standard Monday to Friday, 9am to 5pm working week is, in many cases, incompatible with increasing demand for a better work-life balance.

The Council recognises the importance of helping its employees balance their work and home life by offering flexible working arrangements that enable them to balance their working life with other priorities, including parental and other caring responsibilities, life-long learning, charity work, leisure activities and other interests. In turn it recognises that staffing levels must at all times remain in line with the demands of the business.

This policy statement aims to set out the ways in which flexible working can increase staff motivation, build better relationships between the Council and its employees, increase the rate of retention of staff, reduce absence, attract new talent, promote work-life balance and reduce employee stress, and in doing so improve the Council's efficiency, productivity and competitiveness. It provides a description of the issues involved, taking into account the possible benefits of each kind of flexible working to both employees and the Council, but also raising possible drawbacks and areas of potential concern.

The policy statement considers the following options, but the Council recognises that there may be alternatives, and that the working pattern that may suit any particular individual could be a unique one involving a combination of options:

- job-sharing;
- part-time working;
- annualised hours;
- compressed hours;
- flexitime;
- term-time working;
- swapping hours;
- voluntary-reduced working time;
- working at home (see Working at Home policy for details);

- career breaks (see Career Break Policy for details);
- flexible shift working.

2.0 The business need

Although the Council is committed to providing the widest possible range of working patterns for its workforce, both management and employees need to be realistic and to recognise that the full range of flexible working options will not be appropriate for all jobs across all areas of the business.

Where an instance of flexible working is proposed the Council will need to take into account a number of criteria including (but not limited to) the following:

- the cost of the proposed arrangement;
- the effect of the proposed arrangement on other staff;
- the level of supervision that the post-holder requires;
- the structure of the service and staff resources;
- other issues specific to the individual's service;
- an analysis of the tasks specific to the role, including their frequency and duration;
- an analysis of the workload of the role.

3.0 Right to request flexible working

While it is the Council's policy to be flexible on working patterns for all its employees, in order to ensure that it is complying with its legal obligations concerning the right to request flexible working, there may be situations where precedence has to be given to those who are eligible for this right.

3.1 Statutory Rights

The Employment Act 2002 gives the statutory right for employees with 26 weeks' continuous service to request a contract variation for flexible working arrangements providing they have not made another request in the last 12 months. The right to request does not create a right to flexible working.

4.0 Employee consultation/participation

While some approaches to flexible working practices will involve changes to individual contracts of employment and be relatively easy to implement, the Council recognises that others such as flexitime or the imposition of annualised hours will have a greater impact on sections of the workforce as a whole. Before any such working pattern is implemented it is therefore committed to in-depth consultation with employees and their representatives, and recognises that gaining their agreement is likely to have a positive impact on the success of the scheme. The Council works on the basis that consultation gives all parties the opportunity to

raise the issues that are of greatest importance to them and ensures that they are considered from all angles.

Consultation will usually take the form of an employee survey followed by focus groups and a pilot scheme of the new working pattern.

The findings of any consultation will be communicated to the workforce, along with any proposed action resulting from the consultation.

5.0 Training and support

The Council recognises that both managers and employees may benefit from training to accustom themselves to working patterns with which they are unfamiliar.

6.0 Publicity

The Council will ensure that all managers and employees are kept aware of the flexible working options open to them. In an effort to increase acceptance of flexibility throughout the organisation the Council is also committed to publicising examples of successful strategies.

7.0 Time

Sufficient time to implement and fine-tune new working practices will always be permitted.

8.0 Eligibility

Although it is recognised that not all of the flexible working patterns considered will be suitable for all sections of the Council's workforce, there should be no arbitrary barriers. Employees in all areas and levels of the Council will be considered for flexible working regardless of their age, sex, sexual orientation, race, or religion or belief, or whether they have a disability, their level of seniority, their current working pattern, or whether they are employed on a permanent or fixed-term basis. However, there is no automatic right for employees to change to any of the flexible working patterns - each application will be considered on the basis of the particular work involved and any detrimental effect the change could have on individual, team or business performance.

The right to request flexible working is open to employees who meet the following criteria:

- has worked continuously as an employee of CBC for the last 26 weeks and
- has not made a request to work flexibly under this right during the past 12 months.

9.0 Procedure for making a flexible working request

Any employee making a request for flexible working should first think through the request carefully and be prepared to discuss with his/her line manager how the pattern of working requested might be made to work in practical terms, taking into account the needs of the job.

An employee who wishes to request a change to his/her working pattern/hours should, in the first instance, raise the matter with his/her line manager, stating the reason for the request. The line manager will arrange a meeting with the employee to discuss the request in more detail.

The meeting will be arranged as soon as possible and, in any event, will take place within no more than 28 days. The employee may be accompanied at the meeting by a trade union or other representative (but not a paid legal representative) (if he/she wishes). The manager may be accompanied by an HR representative.

The purpose of the meeting will be to discuss the working pattern that the employee has requested in more detail and to establish whether or not it is workable, taking into account the business and operational needs of the Council.

At the meeting, either the employee or the manager may suggest alternative working patterns if this might lead to a compromise or to a different arrangement that both parties find acceptable. For example, if an employee's request to work from home on a full-time basis cannot be accommodated, the manager may suggest (and discuss with the employee) whether or not he/she could be permitted to work from home for part of his/her working time.

The line manager will also discuss with the employee the full implications of granting his/her request. For example, if the employee's hours of work are to be reduced, it will be clarified that this is likely to result in a proportionate reduction in pay.

Following the meeting with the employee, the line manager will notify the employee of whether or not his/her request can be granted and (if agreed) the date on which the new arrangements will start. These details will subsequently be confirmed in writing as they will represent changes to the employee's contractual terms.

Where a request is refused, the employee may appeal in writing and any such appeal should be made within 10 working days of the communication of the refusal of the request. The employee should state the grounds for the appeal.

Employees should also refer to the Council's policy on statutory requests for flexible working, which covers employees' legal entitlements to submit requests for flexible working in defined circumstances; how such requests must be submitted; and the statutory procedure that the Council must follow when such a request is submitted.

Procedure for Applying under the Statutory Entitlement

The procedure for making an application under statutory entitlements is more formalised due to the requirement to keep formal records.

The employee must make a considered application in writing by completing form FW1 – Flexible Working Application Form (Appendix 1). Only one application may be made within a year. Each year runs from the date when the application was made.

The completed form FW1 should immediately be forwarded to the employee's line manager (keeping a copy for their own records).

An acknowledgement slip is included on the bottom of form FW1 which must be completed and returned to the employee to confirm the date on which the application was made.

If an employee fails to provide all the required information, the manager should inform the employee of what they have omitted and ask them to re-submit the application when complete. CBC is not obliged to consider the application until it is complete and resubmitted.

The manager will arrange a meeting within 28 days after the form is received to discuss the request. The employee will be advised of the right to be accompanied by a colleague or representative.

At the meeting the manager and the employee making the application will explore the proposed work pattern in depth and discuss how it might be accommodated. Other alternative working arrangements should also be considered at this time should there be problems in accommodating the work arrangement outlined in the employee's application. The new working arrangement may be agreed for a trial period to enable both parties to assess its suitability.

For working at home the manager needs to make an assessment of working arrangements – see separate policy.

Within 14 days after the meeting the manager must write to the employee to notify them of the decision.

Accepted applications will result in a permanent change to the employee's terms and conditions of employment unless otherwise agreed between both parties.

10.0 Withdrawal of an Application

There will be circumstances when an application is withdrawn. In all circumstances a written record must be made.

There are three reasons why an application may be treated as withdrawn:

1. The employee decides to withdraw the application

An employee who withdraws their application will not be eligible to make another application for 12 months from the date their application was made. Where the employee decides to withdraw their application, they should notify their Manager as soon as possible and in writing. A manager who is informed verbally that the application is withdrawn by the employee but does not subsequently receive written confirmation should contact the employee to confirm their intentions. Where the manager does not receive confirmation from the employee he or she should confirm to the employee in writing the reasons for treating the application as withdrawn and forward a copy to Human Resources.

2. The employee fails to attend two meetings

In cases where the employee fails to attend two meetings without reasonable cause, the manager may treat the application as withdrawn. The manager should confirm to the employee in writing the reasons for treating the application as withdrawn and forward a copy to Human Resources.

3. The employee unreasonably refuses to provide required information.

There may be occasions where a manager requires certain information before they can make a decision, for example health and safety standards for home working. If the employee unreasonably refuses to provide required information the manager may treat the application as withdrawn. The manager should confirm to the employee in writing the reasons for treating the application as withdrawn and forward a copy to Human Resources.

11.0 Acceptance of an Application

Where an application is to be accepted, form FW2 - Application Acceptance Form (Appendix 2) will be completed and forwarded to the employee. This will outline the new work arrangement and the start date.

For the Working at Home scheme a further specific agreement must be signed by the employee.

12.0 Rejection of an Application

An application can only be refused where there is a clear business reason. The business ground(s) for refusing an application must be from one of those listed below.

- Burden of additional costs.
- Detrimental effect on ability to meet customer demand.
- Inability to reorganise work amongst existing staff.
- Inability to recruit additional staff.

- Detrimental impact on quality.
- Detrimental impact on performance.
- Insufficiency of work during the period the employee proposes to work.
- Planned structural changes.

Where an application is to be declined form FW3, Application Rejection Form, (Appendix 3) will be completed specifying clear business grounds (see above) as to why the application cannot be accepted, the reason why the grounds apply in the circumstances and setting out the appeal procedure.

All time periods may be extended where both CBC and the employee agree. Any extensions must be recorded in writing by the manager and copied to the employee and Human Resources.

13.0 Appealing the Decision

The employee has 10 working days to appeal in writing after the date of notification of the decision. An appeal should be made to the manager who made the decision.

If an appeal is made, the manager will write to acknowledge the appeal within 5 working days, giving a date for a consultation meeting with the appellant (and his/her representative if the employee so wishes) to discuss and agree, where possible, timescales for the appeal which will be heard by a Head of Service. The date of appeal hearing will be confirmed in writing within 5 working days of the consultation meeting.

The employee may be accompanied at the appeal by a trade union or other representative (but not a legal representative).

The employee will be notified of the outcome of the appeal in writing within 14 days after the date of the meeting.

If the appeal is dismissed, the written decision must:

- State the grounds for the decision. These will be appropriate to the employee's own grounds for making the appeal;
- Provide an explanation as to why the grounds for refusal apply in the circumstances;
- Be dated.

A written notice of the appeal outcome constitutes the final decision and is effectively the end of the formal procedure within the workplace.

If the request is granted, this will be a permanent change to the employee's terms and conditions unless otherwise agreed.

FLEXIBLE WORKING APPLICATION FORM

Note to employee:

You can use this form to make an application to work flexibly under the right provided in law. For Working at/from home requests please use the forms within the Homeworking Policy.

Before completing this form you should first read the guidance provided and check that you are eligible to make a request.

Additional information is provided in the government booklet *The right to apply for flexible working (AL07)* which is available on the ACAS website www.acas.org.uk (this guide outlines a further list of alternative working arrangements for consideration) or check on the www.direct.gov.uk site for online information or contact Human Resources should you not have access to the internet.

You should note that under the right it may take up to 3 months to consider a request before it can be implemented and possibly longer where difficulties arise. You should therefore ensure that you submit your application well in advance of the date you wish the request to take effect.

It will help your manager to consider your request if you provide as much information as you can about your desired working arrangement. It is important that you complete all the questions as otherwise your application may not be valid.

When completing sections 3 & 4, think about what effect your change in working pattern will have both on the work that you do and on your colleagues.

Once you have completed the form, you should immediately forward it to your line manager (keep a copy for your own records). We will then have 28 days after the form is received in which to arrange a meeting with you to discuss your request. If the request is granted, this will be a permanent change to your terms and conditions unless otherwise agreed.

FLEXIBLE WORKING APPLICATION FORM

1. Personal Details

Name:

Job title:

Service:

Manager:

National Insurance no:

Payroll no.

To Chesterfield Borough Council:

I would like to apply for a flexible working arrangement that is different to my existing working arrangements.

[For general requests]

I confirm I meet each of the eligibility criteria as set out below:

- I have worked continuously as an employee of Chesterfield Borough Council for the last 26 weeks.
- I have not made a request to work flexibly under this right during the past 12 months.

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

Continue on a separate sheet if necessary.

2b. Describe the working arrangement you would like to work in future (days/hours/times worked):

Continue on a separate sheet if necessary.

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

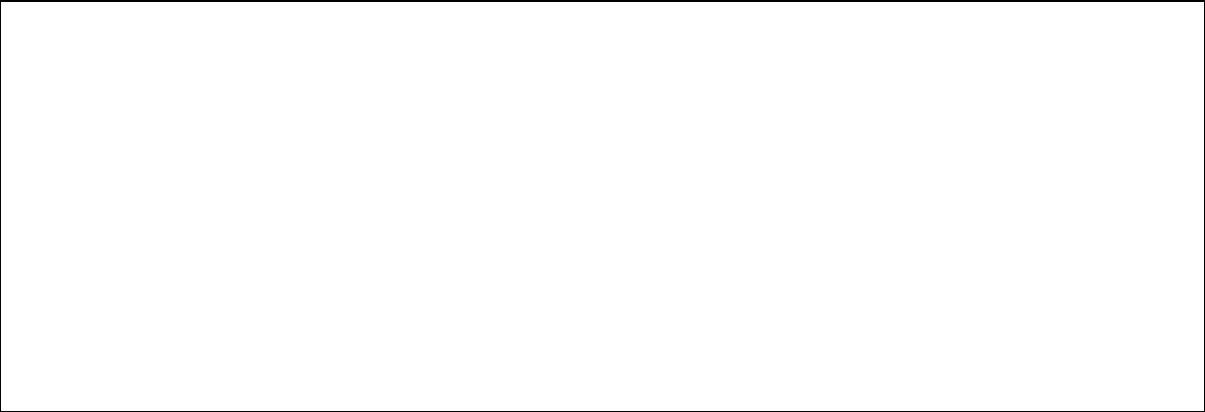
Insert date:

3. Impact of the new working arrangement:

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

4. Accommodating the new working arrangement

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



NOW PASS THIS APPLICATION TO YOUR LINE MANAGER

✂.....

To the manager: Cut this slip off and return it to your employee to confirm receipt of their application.

Employer's Confirmation of Receipt:

Dear:

I confirm that I received your request to change your work arrangement on
(insert date).

I shall be arranging a meeting to discuss your application within 28 days from this date. You may be accompanied at the meeting.

From: Date:

FLEXIBLE WORKING APPLICATION ACCEPTANCE FORM

Note to the manager

You must write to the employee within 14 days following the meeting, notifying them of your decision. Please note that Form FW3: Flexible Working Application Rejection Form should be used if the employee's working pattern cannot be changed and no suitable alternatives can be found.

Dear:	Payroll no.
Following receipt of your application and our meeting on _____ (date), I have considered your request for a new flexible working arrangement.	
I am pleased to confirm that I am able to accommodate your application as requested (delete as applicable).	
I am unable to accommodate your original request. However, I am able to offer the alternative arrangement which we have discussed and you agreed would be acceptable (delete as applicable).	

Please note that the change in your working arrangement will be a permanent change to your terms and conditions of employment and that you have no right in law to revert back to your previous working arrangement.

Your new working arrangement will begin on _____ (insert date) and will be as follows:	
A copy of this form will forwarded to the Human Resources Section for inclusion in your personal file. If you have any queries please contact me to discuss them as soon as possible.	
Name (manager): _____	Date: _____

Please send a copy of this form to the Human Resources Section.

FLEXIBLE WORKING APPLICATION REJECTION FORM

Note to the manager

You must write to the employee within 14 days following the meeting, notifying them of your decision. You must state the business ground(s) as to why you are unable to agree a new working arrangement and the reasons why the ground(s) applies in the circumstances.

Dear:

Payroll no.

Following receipt of your application and our meeting on (insert date), I have considered your request for a new flexible working arrangement.

I am sorry but we are unable to accommodate your request for the following business ground(s):

The grounds apply in the circumstances because:

If you are unhappy with the decision you may appeal against it by submitting the grounds for your appeal in writing to the Head of Human Resources within 14 days after receiving this notification.

Name (manager):

Date:

Please send a copy of this form to the Human Resources section.

Examples of flexible working options

Job-sharing

A "job share" is where two individuals on the same grade carry out the full range of duties and responsibilities associated with one full time post.

In a 'shared responsibility' arrangement the individuals both carry out all the duties of the job, simply picking up the work where the other one left off, while in a 'divided responsibility' arrangement the duties of the position are divided between the two individuals, with each being able to provide cover for the other where necessary.

Part-time working

Is a system whereby the employee is contracted to work fewer than the standard number of contractual hours per year for the type of work in question.

Annualised hours

Is a system whereby the 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 the hours are divided into rostered hours, which are set, and reserve hours, when the employee can be called into work as demand dictates (and to cover unplanned work and employee absence). Payment is usually in 12 equal instalments (although some arrangements permit pay for the work actually done in the period to which the payment relates).

Compressed hours

Alternative work arrangement where a standard workweek is reduced to fewer than five days, and employees make up the full number of hours per-week by working longer hours. Usually a five-day week is compressed into four days or four and a half days, or a 10-day fortnight into nine days

Flexitime

A flexible hours scheme, or flexitime, usually involve working a set of "core hours" and permits flexibility of working hours at the beginning and end of a day or shift.

Refer to the Flexitime Scheme Policy for further details

Term-time working

Is a system whereby the employee works under a permanent contract, but can take unpaid leave of absence during the school holidays.

Salary is usually paid in 12 equal monthly instalments, although the employee could also be paid only for the time worked and receives no pay during the holidays. The contract usually specifies that no annual holiday should be taken during term time.

Swapping hours

Is a system whereby employees can swap hours or shifts with colleagues doing the same type of work at different times of the day.

Voluntary reduced working time (V-time)

Is a system whereby it is agreed that the employee will work reduced hours for a certain period of time, with a return to full-time hours at the end of this period. Salary, pension, holiday and other benefits are pro rated during this time.

Working from/at home

Is a system whereby the employee carries out all or a proportion of his/her duties from home rather than on the employer's premises. It may consist of the occasional ad hoc day at home to work on a specific project, or a regular arrangement of several days a week.

Refer to the Working at Home Policy for further details

Career breaks

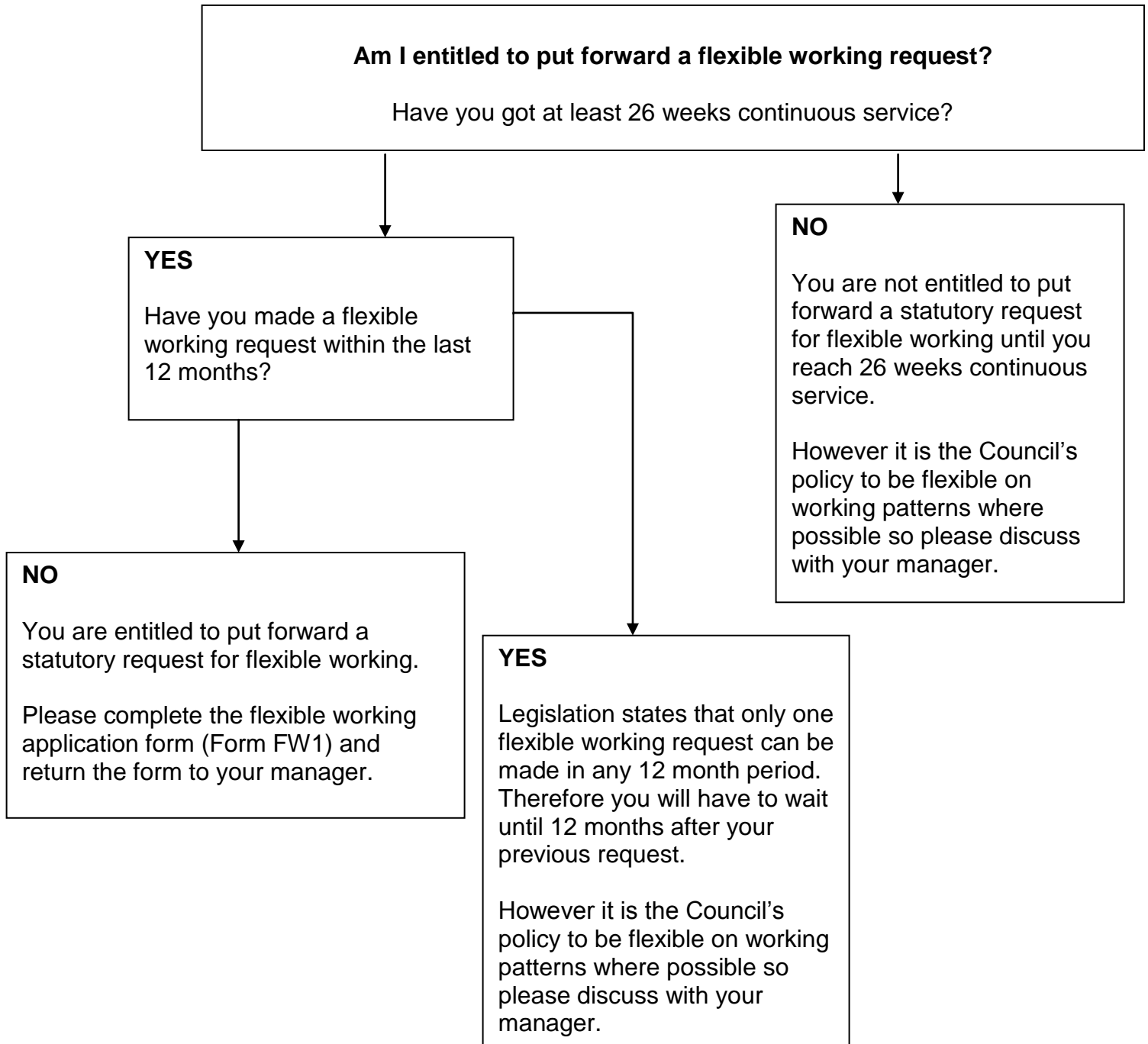
Is a system whereby the employee has an extended period of time away from paid work, often with a guarantee of a return to the same or a similar job at the end of the time.

Refer to the Career break Policy for further details

Flexible shift working

Is a variation on the traditional, fairly rigid, shift work system whereby employees can negotiate the shifts that suit their needs and/or rearrange shifts among themselves.

Flexible Working Flow Chart



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