



## GPS WORKER HANDBOOK

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## **SECTION 1 - OVERVIEW**

Welcome to the General Practice Solutions (GPS). Whether you are an employee or someone who works with us, this handbook contains information of which you should be aware. Section 2 contains information for employees only and refers to their terms of employment. Sections 3 and 4 contain information for everyone who works for GPS, and we ask that you read, note and abide by the information in the relevant sections.

## **SECTION 2 - EMPLOYEES ONLY**

### **2.1 INTRODUCTION**

The information in this section supplements the agreements set out in your terms and conditions of employment and forms part of your contract of employment. You should also read Sections 3 and 4 of this handbook which affect everyone who works for GPS.

The information will be reviewed from time to time in the light of changes in employment law and best practice. You will be consulted about any changes which affect your terms of employment and any changes to your terms and conditions of employment will be confirmed in writing.

If you have any questions about any of the information in this Handbook, contact your manager.

### **2.2 PROBATIONARY PERIOD**

The purpose of this policy is to support GPS's requirement for the recruitment, development and retention of high-quality staff. All new staff (except for those detailed below) are required to undergo a probationary period to determine their suitability for the post they are occupying.

The policy applies to all staff of except:

- Medical staff who are subject to separate arrangements.
- Employees on temporary or fixed term contracts of six months or less.

#### **Length of probationary periods**

All substantive employees new to GPS will normally be subject to a probationary period of six months. This will include any period of notice to which the employee is entitled under the terms of his/her contract of employment. After two years continuous service new employees gain the right to claim unfair dismissal in an employment tribunal. Managers should identify and address any unsatisfactory performance or behaviour on the part of new employees during a defined probationary period, rather than condoning or disregarding it. The length of the probationary period can either be extended or shortened in limited circumstances.

#### **Managing probationary periods for staff**

Offer letters and contracts of employment for new starters will stipulate clearly that probationary periods will apply. Probationers will be informed in both offer letters and contracts that "this post is subject to satisfactory completion of a probationary period in accordance with the policy on probationary periods. Please ensure you read and fully understand the arrangements for your probationary period". In addition, the letter "guidance for new employees on probationary periods" will be given to the employee. Where the employee has declared a disability, it will be important to ensure that where appropriate, this is taken into account in any assessment of the employee.

The manager will structure the process so that both parties are clear about expectations. Much of this information will follow from the induction process and the manager's expectation from probationers must be conveyed in writing. The probationary process will commence with the manager reinforcing the core values of GPS and clarifying the following key areas with the new employee.

**1. Performance of duties**

- Clear details of job outputs i.e. what the new employee is expected to achieve during, or by the end of the probationary period together with standards of performance expected in the job.
- The objectives of the job against which the employee's performance will be assessed.

**2. Customer service**

- The standards of customer service expected in the job.

**3. Integration into GPS**

- The requirement to integrate into GPS, departments, and the importance of being part of the team.

**4. Relationships with co-workers and managers**

- The importance of developing good working relationships with co-workers and their manager.
- The standard of behaviour and conduct expected as a staff member in relation to patients/colleagues/managers/client providers.

**5. Attendance / timekeeping**

- The importance of regular attendance and not letting minor unrelated ailments become a cause of regular absences from work.
- The importance of attending work on time.

In addition, the manager will set out details of structured training, guidance, and supervisory support the new employee can expect to help them achieve the required standards. Your line manager will also explain the mechanism for identifying and discussing any problem areas at the earliest opportunity, together with the provision of regular constructive two-way feedback.

During the probationary period a series of formal review meetings should take place between the new employee and their manager. The outline timetable for this is:

- Week 4 (initial probationary review)
- Week 12 (intermediate probationary review)
- Week 26 (final probationary review)

However, this timetable is flexible and can be tailored to meet the needs of the manager and employee, provided three review meetings are held.

Each meeting should be scheduled between the new starter and manager within the employee's first week and confirmed in writing using the standard letter for review meeting.

Prior to the review meeting the manager should draft some notes to help him/her during the meeting. Probationary periods review documentation can be used as an aide-memoire to help managers focus on the key areas:

1. Performance of the duties.

2. Customer service.
3. Integration into GPS and the team.
4. Relationship with co-workers/managers
5. Attendance/timetable

In addition to the formal review meetings, the manager should maintain regular contact with the new starter.

The manager is responsible for keeping full and clear records and documentation of meetings, throughout the probationary process, using the probationary period standard documentation. This will be signed off by both the employee and the manager with a copy being given to the employee.

## **KEY REVIEW MEETINGS**

### **Initial review meeting**

The initial review meeting should cover the following:

- How well the employee is performing his/her duties and whether the employee thinks his/her skills are being fully utilised.
- The employee customer service skills.
- How well the employee is integrating into GPS/team and interacting with colleagues.
- Relationship with co-workers/managers.
- Whether attendance and timekeeping are acceptable.
- Discuss the support currently available and whether any extra support is required.
- Establish whether additional training is required.
- Check with the employee whether he/she feels they are experiencing difficulties and in what areas.
- Agree an action plan to remedy any shortfall.
- Ensure the employee understands that if he/she does not successfully complete the probationary period it will be necessary to terminate his/her employment.

Following this review meeting the manager should complete the probation period review documentation and ask the employee to sign and retain a copy.

### **Intermediate review meeting**

The intermediate review meeting should cover the following:

- Review the progress of the employee in all key areas of the job since the initial review meeting.
- Assess the extent to which any problems identified earlier in the probationary period have been resolved.
- Establish that action has been taken to address any support/training needs identified at the initial review meeting.
- Where there are still performance issues agree an action plan to address these.
- Ensure the employee understands that the decision to confirm his/her appointment rests on performance up to the final review meeting and that if he/she does not successfully complete the probationary period it will be necessary to terminate his/her employment.

Following this review meeting the manager should complete the probationary period review documentation and ask the employee to sign and retain a copy.

### **Final review meeting**

The final review meeting will normally be held in the last week of the agreed probationary period, though this can be brought forward if the manager is satisfied that:

- The employee has successfully completed the probationary period and there is nothing further to gain from prolonging the process or;
- The employee is totally unsuitable for the post and early termination of employment is appropriate.

### **Procedure to be followed when an employee on probation is experiencing difficulties**

If the employee is experiencing problems at any stage during his/her probationary period, the manager should discuss these with the employee and not wait until the next scheduled review meeting. The primary purpose is to bring about a sustained improvement in performance and to ensure that the employee has had sufficient opportunities to achieve this. At any review meeting with the employee, where there are issues to be addressed, the following approach needs to be considered:

- Reinforce the areas where the employee is doing well.
- Be open and honest with the employee about his/her shortcomings. Provide documentary evidence whenever possible.
- Give the employee the opportunity to respond. There might be some other factor behind the problem.
- Try to reach an agreement on the nature of the problem. If joint agreement can be reached the employee is more likely to react positively to any suggestion for improvement.
- Offer guidance and support on how to overcome the difficulties. This might include extra training/coaching or closer supervision.
- Ensure the employee understands the degree of progress required and that successful completion of the probationary period depends on it.
- Warn the employee that if this standard is not reached it will be necessary to terminate his/her employment.
- In the case of misconduct, short of gross misconduct (for which summary dismissal will be appropriate) warn the employee that any further misconduct will lead to immediate termination of his/her employment. In such cases the manager as a minimum will:
  - Notify the employee in writing of the problem and the date, time and venue for a hearing.
  - Advise the employee he/she can be represented.
  - Give the employee the opportunity to put forward any mitigating circumstances.
  - Confirm any disciplinary decision in writing, with a right of appeal to the next level of management only.

### **Confirmation in post**

If the employee's probationary period is satisfactory the manager should inform the employee at the final meeting that their appointment will be confirmed, and a successful outcome will be sent to confirm this.

### **Extending the probationary period**

The purpose of extending a probationary period is to allow the employee further time to improve his/her performance in order to demonstrate competence in the full range of duties and required behaviours.

If a probationer's performance is unsatisfactory in some areas but the manager feel that further training and support may bring the employee to the required standard, an extension (on a month-

by-month basis) can be considered. This could also be appropriate in cases where the employee or the manager has been absent from the workplace for an extended period during probation due to circumstances beyond the employees' control.

An extension should normally be granted only where there are special circumstances justifying such a course and can only be made before the end of the original probationary period.

Extensions can be granted for a maximum of two further months, to cumulate in a maximum probationary period of eight months.

Where it is agreed that employee's period of probation will be extended, it is important for the manager to set out the terms of extension in writing. It is important to state clearly:

- The length of the extension and the date on which the extended period will end.
- The reason for the extension – for example that the employee's performance has fallen short of certain standards, but that the manager reasonably believes that an extension of time will be effective in allowing the employee to achieve these standards.
- The performance standards or objective that the employee is required to achieve by the end of the extended period of probation.
- Any support such as further training that will be provided during the extension.
- That if the employee does not fully meet the required standards, by the end of the extended period of probation, his/her employment will be terminated.

It is not advisable to make extending probationary periods the norm. An extension should be agreed only if there are special factors that justify it.

### **Termination of contract**

To give an employee a full opportunity to meet the required standards the manager will usually wait until the end of the probationary period before taking any decision to terminate employment. However, if there is clear evidence to suggest that the employee is wholly unsuitable for the role. Where a decision to terminate the contract is made, (other than for misconduct) this must be for one or more of the following reasons, in each case documentary evidence must be made available to the employee where this is accessible.

- Failure to achieve outputs/outcomes required under the job description.
- Poor customer service.
- Failure to integrate satisfactorily into GPS / the team.
- Poor relationships with co-workers and the probationer's manager.
- Poor timekeeping and/or attendance.

Where a decision to terminate the probationer's contract has been made, the manager will meet with the employee, having given him/her at least two days' notice in writing. The employee may be represented by a trade union representative or work colleague. The manager will set out clearly the reasons why the employee has not successfully completed the probationary period and will give the employee the opportunity to present his/her case including any mitigating circumstances. The decision to terminate the employee's contract will be confirmed in writing, using the unsuccessful outcome letter with appropriate notice being payable (1 week) and the right of appeal to next level of management. There is no further right of appeal.

### **Application of GPS policies and terms and conditions to probationers**

In managing the performance of a probationer new to GPS there may be occasion where conduct, performance or attendance requires management action. In such cases the normal application of

GPS policies i.e. disciplinary procedure, capability policy will not be appropriate. All general performance/conduct /attendance issues will be dealt with through this policy, making it clear to the probationer that immediate improvement is required.

### **Probationary periods for staff moving to a new post internally**

Where the new post is substantially different and is at a higher grade than the employee's previous post the employee will be subject to a modified probationary period under the appropriate GPS policy, as in the majority of cases employees will have already achieved two years' service at GPS.

Offer letters and contracts for staff moving to a new post internally will also specify that a modified probationary period of three months will be necessary. The emphasis for probationary periods for GPS staff transferring to new posts will be on ensuring that they are able to quickly settle into their new responsibilities within the first three months. As such it cannot be a trial period in the same way this is applicable to new starter at GPS. The employee in such cases is already known to the GPS. His/her skills, experience, temperament, and attendance record are already established, and so the risk to GPS of an unsuccessful appointment should be minimal. In the unlikely event of an employee not being able to satisfactorily fulfil his/her new responsibility there are three options available:

- a) Manage the employee under the GPS capability policy.
- b) Return the employee to their previous post if it is still vacant (there will be no requirement to hold the previous post open where an employee transfers internally).
- c) Redeploy the employee into a suitable post elsewhere in at GPS in the same grade as the previous appointment.

The process for managing the three-month probationary period requires regular discussion and feedback between the manager and employee. The probation period documentation can also be used for staff on three-month probationary periods, as this will help to identify any problems that may require further action.

## **2.3 CHANGES TO TERMS AND CONDITIONS OF EMPLOYMENT**

GPS reserves the right to make reasonable changes to any of your terms and conditions of employment including but not limited to your hours of work, place of work and duties. Your salary and/or benefits may be amended as a result of any such changes.

You will be consulted and notified of any changes and details affecting your terms and conditions or job responsibilities. These will be outlined to you in a timely manner.

## **2.4 PAY, HOURS AND OVERTIME**

### **Pay**

Your basic salary is specified within your contract of employment. The method and frequency of your salary payment is similarly specified in your contract of employment. All employees are paid on a month on the 19<sup>th</sup> of each month unless this falls on a weekend and in such instances, employees will be paid on the last working day before the 19<sup>th</sup> of the concerned month.

Every employee will receive an itemised pay statement showing details of pay and statutory deductions. Any queries in respect of payments should be raised with their line manager. It is the



responsibility of every employee to notify their manager immediately if an incorrect payment has been made, whether in GPS or the employee's favour.

When employment commences or terminates mid-month, payment will be made on a pro-rata basis.

### **Hours**

Your normal hours of work are specified within your contract of employment. However, you are required to adopt a flexible approach towards working hours in line with GPS requirements and it may be necessary for these specified hours to be adjusted from time to time.

### **Overtime**

It may be necessary in order to meet the needs of GPS, for you to work additional hours above your normal working hours, which may warrant overtime payments, subject to individual terms and conditions of employment. Overtime working is by prior agreement, at the discretion of management and will be paid at the appropriate rate as authorised by the practice manager.

## **2.5 THE WORKING TIME DIRECTIVE (WTD)**

On 1 October 1998, The Working Time Directive came into force and includes the following provisions:

### **Weekly working hours**

The regulations set a limit of an average of 48 hours per week within a standard averaging period of 12 weeks, i.e. the maximum weekly working hours must not exceed 48 hours per week averaged over 17 weeks.

### **Daily rest**

Individuals are entitled to a minimum of 11 hours consecutive rest within a 24 hour period, i.e. individuals can only work 13 hours per day.

### **Weekly rest period**

A minimum of 24 hours per seven days in addition to the daily rest period of 11 hours, averaged over 14 days.

### **Annual leave**

All individuals are to receive a minimum of 28 days holidays per year (inclusive of bank holidays) with immediate effect. Leave entitlement will be pro-rated in line with working days per week.

## **2.6 BREAK TIMES POLICY**

The Working Time Directive is a piece of EU legislation designed to prevent damage to the health of workers through working excessive hours. This is done by introducing regulations relating to the maximum hours in a working week, rest period per day/week, annual leave, and breaks.

All breaks should be taken during the shift and not at the beginning or end. The exact time breaks are taken must be agreed and is at the discretion of the employee's manager and will meet the demands of GPS.

### **Adult workers (18 years of age and over)**

If required to work for more than 6 hours at any one time, he/she is entitled to a rest break of 20 minutes.

### **Young workers (under 18 years of age)**

If required to work for more than 4.5 hours at any one time, he/she is entitled to a rest break of 30 minutes.

Young workers must not work more than eight hours a day or more than 40 hours per week.

### **Child workers (aged 16 and considered to be of school age)**

If a child works continuously for 4 hours, they must have a 1-hour break for rest and relaxation.

### **Additional breaks**

If an adult employee works less than six hours in one shift it is at the discretion of the GPS manager whether a break is given.

If a young employee works less than four and a half hours, it is at the discretion of the manager whether or not a break is given.

Breaks taken without prior consent will be considered unauthorised and may lead to disciplinary action.

## **2.7 NOTICE PERIODS**

The period of written notice of termination of employment to be given by the employee to the practice is specified in your contract of employment.

## **2.8 TIME OFF, ANNUAL LEAVE AND PUBLIC HOLIDAYS**

The annual leave year runs from 1 April to 31 March. Employees are advised to check their own contract of employment.

Employees joining GPS part way through a leave year will accrue annual leave entitlement pro-rated on a month-by-month basis.

Annual leave must be agreed with your manager as early as possible and in any event not less than four weeks in advance. Requests will be accepted on a first come first served basis. GPS reserves the right to refuse a holiday request if it would impact upon the needs of GPS.

The statutory holiday allowance cannot be carried over from one year to the next. Any unused holiday more than the statutory minimum can only be carried over from one year to the next with the specific agreement of the employee's line manager. GPS may be open on some public holidays and employees will be expected to work when necessary. Any Public Holiday worked will be able to be taken at another time.

### **Holidays and sickness absence**

Annual leave entitlement is accrued throughout any period of sickness absence within a given holiday year. Where an employee returns to work before the end of the leave year, GPS will endeavour to allow these holidays to be taken providing GPS needs are met.

### **Holidays and termination of employment**

Upon termination of employment, employees will be entitled to pay in lieu of any unused holiday pro-rated to the date of termination in line with the Working Time Directive. In the event that your employment is terminated on grounds of gross misconduct, an employee will be entitled to

pay in lieu of any unused statutory holiday (in line with the Working Time Directive) pro-rated to the date of termination.

### **Special Leave**

Special leave may be granted at management discretion (with or without pay) for exceptional circumstances, as outlined below:

### **Public duties**

Subject to the operational requirements of GPS, an employee who undertakes public duties or service, such as a magistrate, member of a tribunal or as a local councillor, may be allowed reasonable time off, without pay.

### **Armed forces reserve**

Leave without pay may be granted to employees who belong to the Territorial Army Defence or Reserve Forces. Employees must give at least two weeks' notice of leave dates and obtain approval from their manager.

### **Religious holidays**

GPS will endeavour to allow time off to observe religious holidays, but such holidays will count against individual holiday entitlement. Employees must inform their manager as far in advance as possible.

### **Trade union duties and activities**

An individual who is an official of a trade union which is recognised by GPS, will be allowed to take reasonable time off with pay during working hours to carry out union duties and undergo training. If the individual is a member of a trade union that is not recognised by GPS, they will be entitled to reasonable unpaid time off.

### **Safety representative**

Accredited safety representatives have the right to take paid time off in order to carry out their duties and undergo training.

### **Jury service/attendance at court**

If an employee receives a summons to serve on a jury or attend court as a witness, they must advise their manager who will grant leave of absence unless exemption is obtained.

### **Bereavement**

Three days paid leave may be granted to attend the funeral of a close relative (auntie, uncle or first cousin) at the discretion of employee's line manager. Up to five days paid leave may be granted by the employee's line management for the bereavement of an employee's immediate family member (parent, sibling, or offspring)

### **Compassionate**

Leave may be granted at management discretion in relation to individual circumstances.

## **2.9 MATERNITY LEAVE**

All female employees are entitled to maternity leave provisions regardless of length of service, however pay provisions may differ.

### **Informing GPS of your pregnancy**

Employees should inform their manager of their pregnancy as soon as they are able to do so. To qualify for statutory maternity provisions employees, need to notify the FWO no later than the 15<sup>th</sup> week before expected week of childbirth (EWC).

Employees are expected to confirm:

- The fact they are pregnant.
- The expected date of the baby's birth.
- The intended start date of the maternity leave. This cannot be earlier than the 11<sup>th</sup> week before the EWC. The date is confirmed on the MATB1 certificate that the employee receives from the doctor/midwife around the 26<sup>th</sup> week of pregnancy.

### **Transferring maternity leave**

Parents of babies born, or children matched for adoption may be entitled to transfer up to a maximum of 26 weeks of the mothers 52 weeks maternity leave to the father. (Further information can be found under the paternity leave section)

### **Ante-natal care**

Reasonable time off is allowed for antenatal care regardless of the length of service. The employee is asked to try to accommodate appointments at reasonable times although GPS accepts this is not always possible.

After the first appointment a certificate from a registered doctor or midwife must be obtained confirming pregnancy along with an appointment card to show your manager when time off is needed. Permission to leave must always be requested in advance of the appointment.

### **Health and safety at work**

As an employer we have a duty of care to ensure that during an employee's pregnancy they are not exposed to any risks that could affect them or their unborn child. To ensure this, a risk assessment will be carried out at regular intervals to identify any potential risks.

### **Statutory maternity pay (SMP)**

Statutory Maternity Pay (SMP) is payable, in line with statutory limits, through GPS to all employees who follow the requirements of this policy. Any women who do not qualify for SMP may be entitled to Maternity Allowance payable through job centre plus.

SMP is payable for a period of up to 39 weeks known as the Maternity Pay Period (MPP) which may not commence earlier than the 11<sup>th</sup> week before the EWC but can be delayed up until the birth date.

SMP is broken down as follows:

- 6 weeks payable at the rate of 9/10ths of average weekly earnings.
- 33 weeks payable at the standard rate of SMP or, if less, 90% of average weekly earnings.
- The MPP is triggered automatically if the employee is absent from work wholly or partly because of pregnancy after the beginning of the 4<sup>th</sup> week before the EWC.

The MPP can commence on any day of the week and also triggers the commencement of the Ordinary Maternity Period (OML) as outlined below.

### **Maternity allowance**

If the employee is not eligible for statutory and company (if applicable) maternity pay because they do not have enough service, they may be eligible for Maternity Allowance from the Department of Work and Pensions (DWP). To be eligible they must:

- Have been an employed or self-employed earner for at least 26 weeks in the 66 weeks prior to the 15<sup>th</sup> week before their EWC.
- Have paid National Insurance contributions of a relevant class (in the case of class 1 contributions they must have paid them in full).

### **Ordinary Maternity Leave (OML)**

All women irrespective of their service or hours will be entitled to 26 weeks ordinary maternity leave (OML) and the right to return to work in the same job or, in the event of the role disappearing, a similar job with equally favourable conditions.

SMP is payable during the 26 weeks of OML.

### **Additional Maternity Leave (AML)**

All women irrespective of their service or hours of work will be entitled to 26 weeks AML.

Employees have the right to return to a similar job with equally favourable conditions after AML. They are not automatically entitled to return to their role prior to maternity leave.

No maternity pay either GPS or SMP is payable during the last 13 weeks of AML. All other contractual benefits will continue to apply, including non-cash benefits associated with any salary sacrifice benefits.

### **Compulsory Maternity Leave**

There is a compulsory period of maternity leave for two weeks after the date of birth and where a woman has exhausted her maternity leave period because the baby arrived later than expected, the entitlement will be extended to cover the two weeks.

### **Sickness**

Absence due to sickness that has nothing to do with pregnancy shall be treated as sick leave until the baby is born (unless maternity leave has commenced).

If the employee is on sick leave during the 4 weeks prior to the expected week of childbirth, and that sickness or incapacity is related wholly or partly to the pregnancy, the employee will be deemed to have started their maternity leave period and their maternity pay period will start on the second day of sickness.

### **Keeping in touch days (KIT days)**

Employees on maternity leave can request to work 10 'keeping in touch' (KIT) days during the maternity leave period. KIT days enable the employee to attend meetings, complete handovers, training courses or for example finish a project that they commenced before starting their maternity leave. There is no obligation for the employee or the employer to utilise this entitlement however the following rules apply;

- No keeping in touch days can be taken during the first two weeks directly after childbirth. This is the compulsory leave period.
- The employee must give reasonable notice of when she would like to utilise her entitlement, and this has to be agreed with their manager.
- Regardless of if an employee attends for an hour meeting or 7-hour handover each occasion will constitute as a full KIT day and will be deducted from the 10 day allowance.

### **Return to work**

The employee should keep in reasonable contact with the practice during maternity leave.

The employee will normally return to their own job following maternity leave. However, where this is not possible as a result of reorganisation a suitable alternative position will be offered.

The employee has no automatic right to return to part-time working if they are full time before going on maternity leave. However, the employee does have the right to submit a flexible working application. This should be submitted to the FWO at least 8 weeks before the intended return to work date in order that the application can be processed in a fair and equitable manner.

### **Changing date of return to work/not intending to return to work following maternity leave**

The employee is required to give at least eight weeks' notice in writing if they intend to change the agreed return to work date.

If an employee who intended to return to work changes their mind, the employee is required to give their normal contractual notice in line with their contract of employment.

## **2.10 PATERNITY LEAVE**

An employee qualifies for Ordinary Paternity Leave (OPL) if:

- They have – or expect to have – responsibility for the baby's upbringing.
- They are the biological father of the baby and /or the mother's husband or partner (including same-sex partner or civil partner). A partner is someone who lives with the mother of the baby in an enduring family relationship but is not an immediate relative.
- At least 26 weeks' continuous employment by the 15<sup>th</sup> week before the expected week of childbirth.
- Be employed by GPS from the qualifying week up until the date of the birth.
- Notified GPS of their intention to take OPL.
- Be taking time off to support the mother and/or care for the baby.

Eligible employees can choose to take a single block of either one week's or two week's OPL. They cannot take it as odd days or as two separate weeks.

OPL can start on any day of the week (but not before the baby is born). It must finish within 56 days of the baby's birth. If the baby is born before the week, it was due, it must finish within 56 days of the first day of that week.

The duration of OPL remains the same regardless of the number of children resulting from a single pregnancy.

### **Ordinary Paternity Pay (OPP)**

Ordinary paternity Pay (OPP), in line with statutory obligations, is payable through GPS to all employees who follow the requirements of this policy.

### **Additional Statutory Paternity Leave (APL) and pay (APP)**

Additional Paternity Leave has been replaced by Shared Parental Leave.

### **Keeping in touch days (KIT days)**

The same rules apply as those under maternity leave. Please read the relevant section.

### **Right to return to work**

After a period of ordinary paternity leave and/or additional paternity leave an employee will be entitled to return to the same job on the same terms and conditions of employment as if they had not been absent if the period of additional paternity leave has lasted no longer than 26 weeks.

### **Notice to return to work early, vary a return to work and deciding not to return to work**

If an employee wishes to return to work before the end of their additional paternity leave, they must provide the practice with 6 weeks' notice of the earlier return date.

If an employee decides they do not wish to return to work during or after the ordinary or additional paternity leave, they must give GPS written notice that they wish to leave employment according to the notice period stated in their terms and condition of employment.

## **2.11 SHARED PARENTAL LEAVE**

Both parents are eligible for SPL, the mother/adopter and one of the following:

- The father of the child.
- The spouse, civil partner, or partner of the child's mother/adopter.

The eligibility criteria include:

- The child must be born or placed on or after 5th April 2015.
- The employee must still be working for GPS at the start of each period of SPL.
- The mother/adopter of the child must be/have been entitled to statutory maternity/adoption leave or statutory maternity/adoption pay or maternity allowance and must have ended or given notice to reduce any maternity/adoption entitlements.
- The employee must have a minimum of 26 weeks' service at the end of the 15th week before the child's expected due date/matching date.
- The employee's partner must meet the 'employment and earnings test' requiring them in the 66 weeks leading up to the child's expected due date/matching date have worked for at least 26 weeks and earned a required amount of money in that time.
- The employee must correctly notify the organisation of their entitlement and provide evidence as required.

### **Leave requests**

Different types of leave may include continuous leave notifications or discontinuous leave notifications.

Continuous leave is a period of full weeks taken in a single unbroken period.

An employee has the right to take a continuous block of leave notified in a single application form, so long as it does not exceed the total number of weeks SPL available to them and GPS has been given eight weeks' notice.

An employee may submit up to three separate notifications for continuous periods of leave.

Discontinuous leave is where a request has two or more periods of (full weeks) of SPL where the employee would return to work in between leave.

GPS reserves the right to reject any discontinuous leave but will consider, where practical accommodating the request. Each request will be considered on a case-by-case basis. Agreeing to one request will not set a precedent or create the right for another employee to be granted a similar pattern of SPL.

Where GPS refuses the leave, the employee can either withdraw it within 15 days of giving it, or can take the leave in a single continuous block.

If the employee chooses to take the leave in a single continuous block following a refusal, they have until the 19th day from the date of the original application to choose when they want the leave period to begin. The leave cannot start sooner than eight weeks from the date the application was submitted. If the employee does not choose a start date, then the leave will begin on the first leave date requested in the original notification.

### **Procedure**

Where possible, the employee should meet with the employer to notify them of the intention to submit an application and discuss any details.

- Employees and their partner should complete the Shared Parental Leave Application Form in full, failure to do so could prevent the application from being accepted.
  - Employees must give at least 8 weeks' notice of the date on which they wish to start the leave.
  - Employees have the right to submit three notifications/variances specifying the leave periods they wish to take.
  - Notifications may include single periods of weeks of leave or two or more periods of weeks of leave where the employee intends to return to work in between.
  - SPL can only be taken in complete weeks but may start on any day of the week.
- Employees will be invited to a meeting to discuss the request which may, at this meeting be accepted.
  - The meeting will be held in a private room.
  - Notes will be taken.
  - The employee is entitled to be accompanied by a Trade Union representative or colleague.
  - The date of the meeting can be rearranged within 5 days of the original meeting date where a representative or colleague is unavailable.
  - The meeting will explore in detail the leave proposed and what will happen while the employee is away from work. Where it is a request for discontinuous leave the discussion may also focus on how the leave proposal could be agreed, whether a modified arrangement would be agreeable to the employee and the organisation, and what the outcome may be if no agreement is reached.
- Following the meeting, the employee will receive confirmation in writing of whether the leave has been accepted or rejected within 14 days of receiving the application.

### **Requesting further evidence of eligibility**

GPS may, within 14 days of the SPL application being given, request:

- The name and business address of the partner's employer (where the employee's partner is no longer employed or is self-employed their contact details must be given instead).
- In the case of biological parents, a copy of the child's birth certificate (or, where one has not been issued, a declaration as to the time and place of the birth).



- In the case of an adopted child, documentary evidence of the name and address of the adoption agency, the date on which they were notified of having been matched with the child and the date on which the agency expects to place the child for adoption.
- In order to be entitled to SPL, the employee must produce this information within 14 days of the employer's request.

### **Variations**

Employees can cancel or submit a variation (using a new application form) if they provide eight weeks' notice before the start date.

Employees are entitled to 3 variations and any variation or cancellation, including the notice to return to work early will reduce the remaining entitlement by one.

A change because of a child being born early or where GPS requests a change will not count towards the entitlement.

Any variations will be confirmed in writing.

### **Pay**

Eligible employees may be entitled to take up to 37 weeks (of the 50 SPL weeks) Statutory Shared Parental Pay although this will depend on when the mother/adopter chooses to end maternity/adoption leave and start a SPL arrangement.

The mother must take a minimum of 2 weeks' maternity leave following the birth.

Shared parental pay is paid at 90% of your average weekly earnings or the government set statutory rate for maternity and paternity pay, whichever is lower.

### **Terms and conditions**

The employee's Terms and Conditions remain in place whilst on Shared Parental Leave. Employees are entitled to continue receiving contractual benefits except salary.

Annual leave will continue to accrue during SPL and where SPL overlaps two leave years, the remaining entitlement will be carried over.

In most occasions, employees will be asked to use any remaining annual leave before starting SPL.

### **Contact and keeping in touch (split days)**

GPS reserves the right to maintain reasonable contact during SPL. Where possible, a contact plan will be agreed.

Discussions may cover changes at GPS, promotion opportunities, return to work plans or outstanding training.

An employee also has the right to request to work (or attend training) up to 20 days during SPL (between the two parents) without bringing the period of SPL to an end or impacting their right to claim Statutory SP Pay. These are referred to as Shared Parental Leave in Touch days (SPLIT days).

This is additional to any KIT days taken during maternity/adoption leave.

GPS is neither obliged to offer the employee work, nor to require the employee to carry out any work. Any work undertaken is subject to mutual agreement.

The employee working a SPLIT day will receive full pay for any day worked. If the employee is receiving SP pay, the pay will be topped up for that day. Any work carried out or any training attended during a day or part day will be treated as a full day for these purposes.

## **2.12 ADOPTION LEAVE**

An employee is entitled to statutory adoption leave (SAL) if:

- They have been matched with a child by a UK adoption agency.
- Have confirmed with the agency that they wish to have the child placed with them and agreed a date of placement.
- Adoption leave is a day 1 right.
- Notified the practice of when they want to take their SAL no more than seven days after they are notified that they've been matched with a child.
- When the child arrives in the UK or within 28 days (overseas adoption).

An employee will not qualify for statutory adoption leave or pay if they:

- Arrange a private adoption
- Become a special guardian
- Adopt a stepchild or family member

Where a couple adopt jointly, only one will be eligible for SAL, however, Shared Parental Leave could be chosen.

### **Surrogacy arrangements**

To qualify for Statutory Adoption Pay, you must have worked continuously for your employer for at least 26 weeks by the 15th week before the baby's due. All the other conditions for qualifying for pay and leave are the same as for adoptive parents.

If you're genetically related to the child (ie the egg or sperm donor), you can choose to get paternity leave and pay instead. You can't get both.

### **Overseas adoptions**

The conditions are the same except for both leave and pay you must:

- have worked continuously for your employer for at least 26 weeks by the time you get your 'official notification'.
- sign form SC6 if you're adopting a child with your partner.

The official notification is permission from a UK authority that you can adopt from abroad. Form SC6 confirms you're not taking paternity leave or pay.

### **Notification of commencing adoption leave**

An employee can start their adoption leave for 14 days before the child starts living with them. The adoption leave can commence on any day of the week but must commence on the date the child starts living with the employee.

The employee must give GPS at least 7 days' notice of the child being placed with them.

### **Statutory Adoption Pay (SAP)**

Statutory adoption pay (SAP), in line with statutory obligations, is payable through GPS to all employees who follow the requirements of the policy. Any individuals who do not qualify for SAP may be entitled to adoption allowance payable through Job Centre plus.

SAP is payable for a period of up to 39 weeks known as the adoption pay period (APP), which may not commence earlier than 14 days before the child starts living with the employee but must commence on the date the child is placed with them.

The breakdown of SAP is as follows:

- 6 weeks payable at the rate of 9/10ths of average weekly earnings.
- 33 weeks payable at the standard rate of SAP or, if less, 90% of average weekly earnings.

### **Ordinary Adoption Pay (OAL)**

All employees are entitled to 26 weeks ordinary adoption leave (OAL) which follows the same principles as additional maternity leave, please refer to this section for more information.

### **Additional Adoption Leave (AAL)**

All employees are entitled to 26 weeks additional adoption leave (AAL) which follows the same principles as additional maternity leave, please refer to this section for more information.

For further information on KIT days and benefits applicable during adoption leave please refer to the maternity leave policy. Co adopters are also entitled to paternity leave please refer to this section for more information.

Women have no automatic right to return to part-time working if they are full time before going on maternity leave. However, GPS will consider all options available to accommodate such a request.

Where a couple adopt a child; only one of the parents can take adoption leave – the couple can choose. If the mother elects to take adoption leave, the father or partner can still take paternity and parental leave.

The father or partner may also take up to 26 weeks' additional paternity leave; this is in addition to the two weeks' statutory paternity leave. The additional paternity leave must be taken no earlier than 20 weeks after the child starts living with the father or partner and must end before the first anniversary of the child's placement date.

If the father elects to take adoption leave, he is still entitled to parental leave, but not paternity leave.

Adoption leave is only available where a child is newly placed for adoption – the right does not apply to stepfamily adoptions or adoptions by a child's existing foster carers.

### **Adoption Appointments**

Parents adopting a child are entitled to paid time off work to attend up to 5 adoption appointments. Secondary adopters are entitled to unpaid time off for up to two appointments.

## **2.13 PARENTAL LEAVE**

Employees are entitled to 18 weeks' unpaid leave if:

- They have at least one year's continuous service.
- Have a child (including those adopted) under the age of 18.
- They have – or expect to have – parental responsibility for the child.

The right applies to each child. Therefore, if an employee has twins, they are entitled to 26 weeks' parental leave.

Parental leave cannot be transferred between parents.

GPS may postpone the leave for up to 6 months (except where it would end after the child's 18<sup>th</sup> birthday) where there is a strong business reason such as seasonal peaks in work or unmanageable staff absence levels.

### **Length of parental leave**

Employees can take a maximum of four weeks' leave in any year in respect of any individual child. Leave can only be taken in blocks of one week.

Employees must give GPS at least 21 days' notice in writing before a period of parental leave begins, of both the start dates and end dates of the leave period they intend to take.

## **2.14 TIME OFF FOR DEPENDENTS / DOMESTIC EMERGENCIES**

Employees are entitled to take reasonable time off to deal with emergencies i.e. domestic emergencies, childcare failure, child illness etc. Employees are expected to make alternative arrangements if the situation is likely to continue.

Employees are expected to contact their manager as soon as possible and keep them updated throughout any absence.

These days will be recorded as authorised and unpaid and are monitored.

## **2.15 FLEXIBLE WORKING**

All employees are entitled to request flexible working arrangements; however, they have no automatic right for them to be approved by GPS.

### **Applying for flexible working**

If you wish to apply to change your working arrangements, you must apply in writing to your manager setting out your request. Your application must be dated and must state the desired working pattern and desired start date, with an explanation of how you think the change might affect GPS and how you think GPS can deal with such effects and meet the request. You can make only one application in any 12-month period.

GPS will consider your request and arrange a meeting to discuss it with you as soon as is reasonably possible or if your request is easy to accommodate and no further discussion is required, we will confirm our acceptance in writing without holding a meeting. At the meeting you can choose to be accompanied by a colleague or trade union representative.

Your application will not be accepted if there are good business grounds for its refusal, for example if GPS cannot afford the additional costs, is unable to re-organise work amongst existing staff, there is an inability to recruit additional staff, there is a detrimental effect on the ability to

meet customer demand or there is not enough work for the periods the employee proposes to work, or there is a planned structural change at GPS.

If you are unsatisfied with GPS's decision, you can appeal the decision. Your appeal should be addressed in writing to your manager who will consider your appeal and advise you in writing of his/her decision within a reasonable timescale and no longer than 3 months from the date of the initial request.

## **2.16 SICKNESS ABSENCE REPORTING AND PAY**

### **Sickness absence reporting**

An employee who is absent from work due to illness must, as early as possible (at least two hours before the start of the shift) on the first day of absence, personally telephone (SMS/text messaging is not acceptable means of communication) your manager. The employee should advise their manager of the nature of the illness and the probable duration of the absence.

In the event that the employee is unable to make contact personally they must make personal contact with their manager at the first opportunity. Failure to comply with the GPS notification procedure may result in formal disciplinary proceedings.

Throughout the duration of the absence, the employee must maintain contact with their manager on a daily basis or as agreed. The employee is required to submit a medical certificate in a timely manner. Failure to do so may result in the absence being classed as unauthorised without pay and appropriate disciplinary action being taken in accordance with the GPS disciplinary procedure.

Where the absence continues, or is expected to continue, beyond seven days, the employee must submit a medical certificate no later than the tenth calendar day to cover the absence. Subsequent medical certificates must be submitted thereafter as provided by the doctor, covering the whole period of sickness.

A return-to-work interview will be arranged between the employee and their manager on return to work following a period of sickness absence. The purpose of the interview is to confirm reasons for absence and clarify medication requirements and fitness for work.

### **Sick pay**

Statutory Sick Pay (SSP) is available to all employees from their first day of employment. SSP is payable from the 4<sup>th</sup> day of the absence with the first three days being classed as "waiting days". Employees that are absent for over 7 days must provide a Fit Note from their GP to continue with SSP.

## **2.17 TIME KEEPING, UNAUTHORISED ABSENCE, AND MEDICAL APPOINTMENTS**

Employees have a duty to attend work on time.

Unauthorised absence from work can cause disruption and result in more work for others.

Absence which has not been approved in advance by a manager will be considered as unauthorised absence. Unauthorised absence will be investigated by a manager and where there is no valid reason for absence; the GPS disciplinary procedure will be invoked. In cases of family emergencies, employees are permitted to take time off unpaid, but must inform their manager as soon as possible. Repeated cases of time off for family emergencies will be investigated.

Any apparent abuse of any of the rights to time off will be investigated and the GPS disciplinary procedure invoked if appropriate.

If absence is caused by illness, the sickness reporting policy will be followed.

Lateness for work will be investigated by a manager and warnings given where appropriate. Following three warnings, continued lateness will result in the GPS disciplinary procedure being invoked.

### **Medical appointments**

With the prior approval of a manager, employees will be allowed reasonable unpaid time off work to attend medical or dental appointments during working hours. To minimise disruption, part-time staff are requested to arrange such appointments outside their normal working hours whenever possible.

## **2.18 APPRAISAL**

All staff are required to attend an annual appraisal with their manager.

## **2.19 TRAINING**

All staff are required to complete mandatory training:

- Basic life support
- Infection Control
- Safeguarding children
- Safeguarding vulnerable adults
- Anaphylaxis
- Fire safety
- Cold-chain
- Health and safety
- Mental Capacity Act and Deprivation of Liberty Safeguards
- Chaperone
- Conflict resolution
- Data security awareness
- Equality, diversity and human rights
- Prevent radicalisation
- Sepsis awareness
- Whistleblowing

It is GPS policy to provide opportunities for training staff to help them to perform their duties more effectively develop their potential and enhance their services. Consideration will be given to requests for study leave to attend external training programmes where these are relevant to your job and accord with the GPS development plans. Responsibility for payment of course fees and expenses will be determined by management on a case-by-case basis. All training is at the discretion of management, particularly where this involves absence during working hours. Staff will be required to participate in relevant training programmes organised by GPS.

## **2.20 POOR WORK PERFORMANCE**

GPS expects all employees to do their jobs to the best of their ability. Employees who fail to meet the required standards will be given the opportunity to comment on the reasons for poor work performance and the GPS disciplinary or capability procedure maybe invoked if appropriate.

### **Managing poor performance**

Minor problems with performance can usually be addressed through normal line management processes and need never progress any further. However, where problems are more serious or persist then these will be brought to the employee's attention giving them an opportunity to correct them.

#### **Stage 1 - Informal discussion**

When an employee's performance becomes unsatisfactory, the manager will have an informal discussion with the employee outlining concerns and giving them the opportunity to offer an explanation.

With regards to poor performance issues, the manager will demonstrate levels of poor performance to the individual. The manager will provide appropriate guidance and support to the employee, setting out areas of improvement and further targets.

Following the informal discussion, the manager will confirm the outcome of the discussion to the employee in writing, including the agreed performance improvement plan (PIP).

#### **Stage 2 - Formal**

Stage 2 will commence when an employee fails to meet the PIP plan following their informal discussion. Two days' notice of the meeting will be given and the employee will have the right to be accompanied by a work colleague or trade union representative.

The invitation letter should clearly state that one possible outcome of the meeting could result in the issue of a formal written warning.

Before the meeting, the manager will review all evidence in relation to an employee's recent performance in line with the role expectations and the PIP.

During the meeting there will be a detailed discussion of the reasons why the required performance improvement has not been made and whether further training is necessary, this may be the case if any training intervention at stage 1 has not been completed.

The potential consequences of failing to achieve improvement should be made clear. At this stage the possibility of terminating the employees' contract of employment in the event of not achieving the required level of improvement must be stated.

Up to a maximum of a further 3 months should be allowed to achieve sustained improvement. This will largely depend on the prospects for a successful outcome.

After consideration of all facts and representations at the meeting, the manager may issue a written warning to the employee. Details of the written warning will be confirmed to the employee outlining the right of appeal, including the agreed action.

#### **Stage 3 - Formal**

Following on from stage 2, the manager should issue a formal invitation to the employee to attend a formal performance review meeting. Two days' notice of the meeting will be given, and the employee will have the right to be accompanied by a work colleague or trade union representative.

The invitation letter should clearly state one possible outcome of the meeting could result in the issue of a formal final written warning.

Before the meeting, the manager will review all evidence in relation to the employee's recent performance in line with the role expectations and the PIP.

During the meeting, the manager will remind the employee of the concerns in respect to performance along with the evidence to substantiate the findings.

The manager will refer to the PIP and assess improvement. In the event that performance has improved, and all targets have been met then the process can be concluded at stage 3. No further action is necessary.

In the event that performance remains unsatisfactory, direction will be given to the employee, training and support will be identified and measurable objectives will be agreed within a reasonable timescale along with a review period in accordance with the new PIP.

The manager will outline specific areas of concern (providing examples) and agree improvement targets. After consideration of all facts and representations at the meeting, the manager may issue a final written warning to the employee.

Details of the final written warning will be confirmed to the employee outlining the right of appeal. The employee will be advised that if their performance does not improve within a further time period without justification, their employment would be terminated on grounds of capability in line with stage 4.

Monitoring will continue throughout the next review period and a further meeting will be arranged to formally complete the review process as at stage 4.

#### **Stage 4 - Final formal stage**

If the performance issue reaches this stage the employee will have undergone a sustained period of support and development in accordance with earlier stages in an attempt to improve their performance to the required standard.

Following on from stage 3, the manager will issue a formal invitation to the employee to attend a formal capability review meeting in line with the recent PIP as per stage 4 of the procedure. Two days' notice of the meeting will be given, and the employee will have the right to be accompanied by a work colleague or trade union representative.

The invitation letter should clearly state that one possible outcome of the meeting could result in dismissal on the grounds of capability in accordance with the capability procedure.

Before the meeting, the manager must review all evidence in relation to the employee's recent performance in line with role and expectations, function objectives and the PIP targets.

In the meeting, the manager will remind the employee of the concerns in respect to performance along with the evidence to substantiate the findings. The manager will reference the PIP within stages and assess improvement.

In the event that performance has improved, and all targets have been met then the process can be concluded at this stage. No further action is necessary. However, the manager will continue to monitor performance to ensure that there are no further areas of concern.



If performance is still unsatisfactory and the employee still fails to reach the required standard the final step will result in dismissal.

When considering a decision to dismiss the employee, the manager will demonstrate that an employee has had reasonable time and support in order to achieve satisfactory performance.

The employee will be provided, as soon as reasonably practicable, with written reasons for dismissal, the date on which employment will be terminated and the right of appeal.

### **Appeals procedure**

All employees have the right to appeal against any formal action taken within 5 days following receipt of the warning or dismissal.

At the appeal hearing the employee will be given the opportunity to state their case and will be entitled to be accompanied by a trade union representative or work colleague. The appealing manager's decision will be notified to the employee in writing and will be final and binding on the employee. There is no further right of appeal.

### **Records of the meetings**

All documentation and correspondence will be retained on file.

### **Review periods**

In order to provide the necessary support to the employee whose performance is unsatisfactory, a review period will be agreed informally and formally, which allows sufficient time for the employee to improve levels of performance. The manager will monitor progress throughout the review period and confirm the outcome and action taken in respect of the review at every stage of the procedure.

Appropriate and realistic review periods will be set by the manager.

### **Formal warnings**

Written and final written warnings will remain active on the employees file for 2 years. In the event that performance deteriorates during that time, the manager will consider instigating the next stage of the process in line with the above procedure to ensure continuity.

## **2.21 REDUNDANCY**

GPS will give employees as much notice as possible of impending redundancies. GPS will attempt to avoid compulsory redundancies by considering such measures as agreed pay reductions, overtime reductions, reducing working hours or moving to a reduced working week.

Volunteers for redundancy will be sought before any other redundancies are implemented (although GPS may not accept a volunteer's application for redundancy if this would result in a skills shortage)

GPS will endeavour to minimise redundancies wherever possible by offering staff transfers to other positions and providing additional training where necessary. If you are offered a transfer to another position, you will be entitled to a 4-week trial period. If after the 4-week trial it is agreed between you and GPS that the post is unsuitable, you will be able to leave with your full redundancy pay entitlement.

Recruitment will be suspended if there is any likelihood of redundancies.

Reasonable time off work with pay will be allowed for staff facing redundancy to seek other work or to attend interviews.

Lump-sum compensation payments will be made to employees dismissed because of redundancy. The amount of the payment is defined in employment legislation and is related to the employee's age, length of continuous service and current remuneration.

GPS may consider offering enhanced redundancy packages where GPS consider that this is appropriate (subject to a Settlement Agreements), and this may include continuation of benefits for a period of time following termination of employment at GPS's discretion.

Each staff member selected for redundancy will be entitled to a written statement setting out the selection criteria and the terms and conditions which will apply. A reasonable period for consideration of the terms will be allowed.

There will be an appeal process enabling staff to discuss and query selection or refusal of selection for redundancy.

## **2.22 STAFF AS PATIENTS A WITH CLIENT PROVIDER**

Staff are forbidden to be a registered patient at a client provider as detailed in the GPS conflict of interest policy.

## **2.23 CHANGES TO PERSONAL DETAILS**

Employees must notify GPS immediately of the following changes:

- Name
- Address
- Home telephone number/mobile number
- Marital status
- Next of kin
- Bank details (for payment)
- Any action by the police or authorities which may lead to conviction for a criminal offence.

All personal details will be treated as confidential in accordance with the requirements of Data Protection legislation.

## **SECTION 3 – INFORMATION FOR EVERYONE WHO WORKS AT GPS**

### **3.1 INTRODUCTION**

This section of the handbook contains information which affects everyone who works for GPS (collectively referred to in the paragraphs that follow as 'workers' - whether you are employed by the GPS, self-employed, or employed by another organisation). Please read and abide by the information contained in this section.

### **3.2 HEALTH & SAFETY**

All workers must adhere to the GPS health & safety policy and undertake training every 3 years.

### **3.3 ACCIDENTS AND FIRST AID**

All workers must report accidents to the FWO and workers will be advised on the location of client provider first aid kits at the point of assignment.

### **3.4 STRESS**

GPS recognises that pressure of change and work may lead to stress in any of its workers.

GPS so far as is reasonably practical will, identify, assess and minimize factors which could lead to physical or psychological stress related illness. Continually review working practices as part of the assessments process and encourage workers to report any significant symptoms to ensure help and support is given at an early stage.

#### **Applicability**

This policy applies to all workers. GPS will endeavour to ensure that other people who work for GPS, e.g. self-employed staff, temporary staff and contractors, do not suffer stress as a result of working at for GPS by implementing this policy where applicable for non-employed workers.

#### **What is stress?**

Most people experience pressure at some point in their lives, and indeed some pressures can be regarded as positive and part of the everyday working life. On some occasions people are better able to withstand pressure and tension than on others, and all have their own point at which pressure can turn into stress or even illness.

It is important to recognise when this boundary is crossed, and reasonable pressures lead to distress and illness. The causes of stress are many; the home/work relationship, working conditions, work demands, change and uncertainty, lack of job security, life events personal relationships etc.

#### **Potential sources of stress**

Workplace: work overload/under load, poor job design, role ambiguity, conflict/ relationship breakdowns, people management, organisational change, job insecurity, bullying and harassment or change in pace of technology.

Personal: Unhealthy eating, sleeping or exercise, general health, personal relationships, significant life events, changes to the economy.

### **Potential implications of stress**

Harmful pressure or distress manifests themselves in a wide range of psychological, physiological and behavioural consequences.

Psychological symptoms: anxiety, irritability, frustration, depression, inability to concentrate, procrastination, inability to make decisions, feelings of unreality.

Physical symptoms: muscular tension, headaches and palpitations, high blood pressure, digestive problems or increased susceptibility to colds, influenza or respiratory problems.

Behavioural symptoms: sub-optimum performance and productivity, higher levels of absence, arriving late to work, leaving work early, taking extended lunch breaks, tobacco, alcohol, caffeine or other substance abuse, negative personal appearance and hygiene changes, weight loss or gain.

### **Managing stress**

Awareness – What causes you stress and how do you react?

Balance – How much can you cope with, what helps you feel satisfied, successful and secure?

Control – What helps you feel more control, what steps can you take to improve your situation?

It is a great strength to know yourself and your capabilities. Admitting that you are under stress and not coping well is a strength and not a weakness.

Try to prevent the build up of stress by:

- Improving your work process.
- Using your time wisely and balancing work and home life.
- Maintaining good health habits – eat well, exercise regularly, have sufficient sleep and learn how to relax.
- Make decisions.

### **GPS support**

GPS will support workers to reduce individual vulnerabilities including:

- Providing a support network.
- Provide information on occupational health and counselling services.
- Encourage healthy habits including diet, sleep, and exercise.
- Developing coping techniques including assertiveness and time management.
- Access to relaxation techniques including massage, aromatherapy, and other complimentary therapies.

GPS will endeavour to assist any worker suffering with stress by:

- Rebalancing workloads.
- Giving clarification of what is required in the role.
- Evaluating communications and change process.
- Evaluation of management and supervisory process.
- Provide relevant training.
- Recognise the need to support workers on sickness absence due to a stress related illness to return to work in a sympathetic manner.
- Educate managers and to recognise and respond to distress.

Above all else, the GPS wants to create an open and honest culture, where employees feel able to talk about such issues as stress to their manager, so the causes and effects can be successfully minimised and managed.

### **3.5 CONFIDENTIALITY**

All workers must adhere to the GPS confidentiality policy.

### **3.6 SMOKING AT WORK**

Workers are not permitted to smoke or vape on the premises of GPS and its client providers.

### **3.7 ALCOHOL AND DRUGS**

GPS endeavours to ensure that workers use of either alcohol or drugs does not impair the safe and efficient running of its work or the health of its workers, or the public. Guidelines have been developed to assist workers experiencing problems with the use of alcohol or drugs.

GPS will seek to manage an alcohol or drug problem in the following way:

- Management intervention.
- Self-referral by employee.
- Support and treatment.
- Disciplinary process.

Workers who recognise that they have a drink or drug problem, or that they are at risk of developing one, are encouraged to come forward for help. All matters relating to drug or alcohol abuse will be treated confidentially.

If you are known to be, or strongly suspected of being, intoxicated by alcohol and/or drugs during work hours, the manager will arrange for you to be escorted from the workplace immediately, and the matter will be formally investigated.

Workers are expressly forbidden to bring or consume alcohol on the premises of GPS or its client providers and must not consume alcohol in any form whilst on duty. Workers must ensure that their attention to personal hygiene is such that there is no odour of alcohol about their person. Any breach of these rules will result in disciplinary action being taken which is likely to result in summary dismissal.

If you take drugs which have not been prescribed on medical grounds this will, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct and will render you likely to be summarily dismissed as will any worker believed to be buying or selling drugs, or in possession of unlawful i.e. un-prescribed drugs. The offence will also be reported to the police.

You should be aware of the effects of alcohol and drug misuse. You are encouraged not to cover up for workers with a drink or drug problem but to recognise that collusion represents a false sense of loyalty and will in the long-term damage those workers.

If you recognise that you have a drink or drug problem, or that you are at risk of developing one, you are encouraged to come forward for confidential help.

### **3.8 AIDS/HIV**

AIDS is a disease caused by the human immunodeficiency virus (HIV) which attacks the body's natural defence system and leaves it open to various infections and cancers. HIV infection is not acquired through everyday social and work contact or sharing cutlery or toilets with an infected person. Nor can it be caught in the same way as 'flu or colds' via coughs and sneezes HIV/AIDS is transmitted by infected blood products and semen.

Workers with AIDS or who are HIV positive whose performance suffers or who are absent due to their illness will be treated in the same way as individuals with any other long-term condition.

GPS will adopt a non-discriminatory policy in accordance with the Equality Act 2012. Workers are expected to work normally with a colleague who has or is suspected of having AIDS or who is HIV positive – it is a disciplinary offence for a worker to refuse to work normally with a colleague with AIDS or who is HIV positive.

Any breaches of an affected workers right to non-discrimination, confidentiality and privacy will be treated as a disciplinary offence. Any disciplinary offence will be dealt with through the GPS disciplinary procedure.

No worker will be asked to take a test for HIV antibodies. Any non-clinical worker who becomes infected with HIV, or who develops AIDS is not required to inform GPS unless he/she wishes to do so. However, current rules for certification of sickness absence will continue to apply. Clinical workers who become infected with HIV, or who develop AIDS, must follow their own professional guidance on disclosure.

Workers needing help may seek advice through the manager or via occupational health.

If any disclosure about an individual who has AIDS/HIV is necessary, it will only take place after authorisation has been sought from the person concerned.

No worker will be redeployed solely because he/she has AIDS/HIV, unless it is in the interests of their own safety or that of others.

### **3.9 RECORDING OF MEETINGS**

Workers, or any person acting on their behalf, are not normally permitted to record electronically any meeting held by the organisation as part of the disciplinary process. This is to encourage openness and full participation by all parties during meetings. Any breach of this provision may lead to disciplinary action against the worker, up to and including dismissal.

In certain limited circumstances, the organisation may permit the meeting to be recorded electronically. For example, where a worker is disabled, it may be appropriate as a reasonable adjustment under the Equality Act 2010. Where the organisation permits the meeting to be recorded electronically, it will take responsibility for making the recording.

### **3.10 GRIEVANCES**

A grievance is a workers concern or complaint about their working environment, terms and conditions or workplace relationships.

In accordance with the Employment Act 2002 (Statutory Disputes Procedure) Regulations 2004 effective from 1 October 2004, the following grievance procedure is aimed to seek redress for grievances relating to their employment.

The GPS policy is to encourage free communication between workers and managers to ensure that questions and problems arising during the course of employment can be aired and, wherever possible, resolved quickly to the satisfaction of all concerned.

#### **The Standard Procedure**

Wherever possible, workers should aim to settle most grievances informally with their manager.

However, in the event that a worker has a grievance relating to their employment and feel unable to resolve it on an informal basis with their manager, the following grievance procedure (incorporating the statutory three processes) is outlined below.

#### **Stage One**

The worker should set out in writing the grievance/area of concerns to their manager who will respond to the complaint within 10 working days of receiving the written complaint. If the grievance concerns the workers manager, then it should be sent to the FWO.

#### **Stage Two**

The manager will arrange a meeting at a reasonable time and place where the worker will be given the opportunity to air the grievance. The worker must make every effort to attend the meeting. After the meeting the worker will be informed of the outcome of the grievance and notified of the right of appeal against the decision.

#### **Stage Three**

Where a worker feels that their grievance has not been satisfactorily resolved they should let their manager know the grounds of their appeal in writing within 10 days of receiving their written outcome. The manager will invite the worker to attend a further meeting without unreasonable delay.

A final decision will be communicated to the worker following the meeting and without unreasonable delay.

The worker has the right to be accompanied by a trade union representative, work colleague or a friend, partner, or spouse at the grievance meetings.

This procedure is available to a group of workers sharing a grievance.

#### **Grievance After Leaving Procedure**

Grievances can be raised in writing by former workers and will be addressed in accordance with the procedure above, however the former worker will be given the option of having their grievance addressed and responded to in writing as an alternative to attending a formal grievance hearing.

Former workers wishing to raise a grievance should do so within one month of the termination date. This procedure will only apply where a grievance has not been completed before a worker leaves GPS and where both parties have agreed, in writing, that the procedure will be used.

### 3.11 DISCIPLINARY PROCEDURE

GPS expects all its workers to behave reasonably at work and to respect and abide by the GPS policies. The disciplinary procedure is aimed to provide clear GPS work rules, encourage the resolution of worker disputes within the workplace and penalise those parties who fail to co-operate.

The policy will provide a fair supportive consistent approach to the management of conduct issues in line with ACAS guidelines.

This procedure applies to all worker of GPS. This procedure is designed to reflect best practice in line with the ACAS guidelines, which are set out below:

#### Step 1

GPS will set down in writing the nature of the workers conduct, capability or other circumstances that may result in dismissal or disciplinary action and send a copy of this statement to the worker. GPS will inform the worker of the basis for their complaint.

#### Step 2

GPS will invite the workers to a hearing at a reasonable time and place where the issues can be discussed. The worker must take all reasonable steps to attend. After the meeting, the GPS will inform the worker about any decision and offer the worker the right of appeal.

#### Step 3

If the worker wishes to appeal they must inform GPS and they will invite the worker to attend a further hearing to appeal against the GPS's decision and the final decision will be communicated to the worker. Where possible, a more senior manager should attend the appeal hearing.

The above procedure will apply to all workers, irrespective of length of service.

Disciplinary rules and procedures are necessary to promote fairness.

### FORMS OF DISCIPLINARY ACTION

Informal Warning:	Normally given for minor offences.
First Written Warning:	For more serious offences or accumulation of minor offences.
Final Written Warning:	For further misconduct or where misconduct falls short of dismissal.
Dismissal with Notice:	Where conduct or performance is still unsatisfactory, and the fails to reach the workers prescribed standards.
Dismissal for Gross Misconduct without notice:	Other than cases of gross misconduct a warning or written warning is a prerequisite to dismissal.

### Guiding principles

No worker will be dismissed for a first breach of discipline, except in the case of gross misconduct, when the penalty will generally be dismissal without notice. The procedure may be implemented at any stage if the workers alleged misconducts warrants such actions. No disciplinary action will be taken against a worker until the case has been fully investigated.



The worker will be kept informed at all stages by the investigating manager, in writing, in advance of any hearing or meeting, of the specific nature of the allegation or complaint, and be given a full copy of the Disciplinary procedure and available documentation to make sense of the alleged facts.

If appropriate, GPS may, by written notice, suspend a worker for a specified period during which time such an investigation will be undertaken. If the worker is suspended their contract of employment will be deemed to continue together with all rights under it including payment of salary. Suspension will only occur when it is necessary to prevent risk of further breaches of conduct, to protect workers or GPS property.

However, during the period of suspension, the worker will not be entitled access to the premises of client providers and/or GPS, except at the prior request or with the prior consent of GPS at such time and subject to such conditions as GPS may impose. At every stage in the procedure the worker will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made.

The worker will be notified of their right to be accompanied or represented. The worker may be represented/accompanied by their trade union/professional association representative or work colleague. In exceptional circumstances, such as where a worker's professional registration may be affected, they may wish to be accompanied by a solicitor.

All letters concerning the disciplinary hearing will be sent both recorded delivery and first class to the worker's home address clearly marked private and confidential addressee only to open.

The worker will be given at least two working days' notice of any meeting/hearing to allow sufficient time for them to prepare the case. The worker is expected to make all reasonable steps to attend.

At the disciplinary hearing prior to the decision being made, the worker and their representative will have the opportunity to bring witnesses to offer evidence, to respond to the case to the panel that will make the disciplinary decision. Upon notification of the decision, the worker is to be informed of their rights and method of appeal.

All factors will be considered that may be relevant to the disciplinary, such as the extent to which standards have been breached, precedent, historical records general standards of work.

Cases will be handled as quickly as possible and where there is significant delay the worker will be notified of the reason and when a decision is likely to be made.

### **Worker obligations and rights**

All workers are required to take a responsible approach to their work, service users, and fellow workers in order to maintain satisfactory standards of work and conduct. Any worker charged with a criminal offence must notify their manager immediately.

Workers have the right to be treated fairly and with respect. Workers have the right to have their previous record and conduct and any extenuating circumstances fully considered. If an offence or incident comes to light whilst a worker is absent from work due to sickness, then proceedings would usually wait until their return unless circumstances justify immediate attention.

If a worker commences sick leave following an offence and it is impracticable for them to attend a disciplinary meeting, then an alternative meeting should be arranged possibly in line with their return-to-work date, unless the case is of a serious nature that requires immediate attention.

### **Criminal acts/charges**

Criminal actions may sometimes occur outside work and will not automatically be treated as gross misconduct and reason for dismissal. The circumstances relating to the act will be considered and assessed as to whether the offence(s) is one that affects the workers suitability for their role or is unacceptable to other workers at GPS. In the event of an alleged criminal act against another worker, the matter will be addressed in line with the GPS disciplinary policy. If it is deemed necessary, the worker may be suspended until further information is obtained as and when further information is obtained, GPS will review the case and determine the appropriate action.

### **Disciplinary rules**

The level of disciplinary action depends on the seriousness of the misconduct. Some acts of misconduct would lead to a formal warning being issued in accordance with the GPS procedure (outlined below). However, if an offence is of a more serious or persistent nature, and possibly gross misconduct, then action could ultimately lead to suspension or immediate dismissal (following a disciplinary hearing).

Typical examples of acts of misconduct are:

- Persistent bad timekeeping.
- Unauthorised absence.
- Minor damage to the GPS / client provider property.
- Failure to observe the GPS procedures.
- Abusive behaviour.
- Unreasonable refusal to follow an instruction issued by a manager or supervisor.
- Poor attendance.
- Data protection breaches and misuse of the GPS / client provider information.
- Smoking or use of an e-cigarette in non-designated areas of GPS / the client provider.
- Bribery offences under the Bribery Act 2010.

Typical examples of acts of gross misconduct are:

- Failure to comply with a reasonable, instruction or contractual requirement.
- Theft, fraud or misappropriation of, or failure to account for, or falsely claiming entitlement to the GPS / client provider property, assets or funds.
- Fighting or assaulting another worker.
- Indecent or immoral acts in the workplace.
- Serious breach of GPS rules.
- Deliberate damage to practice / GPS property.
- Misuse of GPS / client provider property or name or disclosure of confidential materials.
- Breaking statutory regulations that would render the GPS or its workers liable to prosecution.
- Repeated infringement of health and safety procedures.
- Serious negligence which causes unacceptable loss, damage or injury.
- Sale and/or consumption of alcohol or drugs on GPS / client provider premises or being under the influence of alcohol or drugs at work.
- Sexual or racial harassment or bullying.
- Absence from work without proper cause or authorisation.
- Unauthorised use of computer systems including misuse of e-mail and internet facilities.
- Working for another employer without authorisation (which is deemed as a conflict of interest).

Please note that the above example list is not to be regarded as exhaustive: acts of misconduct not covered by one or more of these rules may also give rise to disciplinary action.

## **Stages of the procedure**

### **Investigation Meeting**

In all cases of misconduct, full investigations will be completed to establish all the necessary facts relating to the incident. Following the investigation, management will decide whether disciplinary action is to be taken in accordance with the GPS disciplinary procedure.

### **Stage 1 – Informal Warning**

If conduct, performance, attitude, or attendance does not meet acceptable standards the worker may be given an informal warning setting the expectations going forward. It will be confirmed in writing and a copy will be retained in the employee's file.

### **Stage 2 – First Written Warning**

If the disciplinary offence is a serious one; or if a further offence occurs; or if there is insufficient improvement within the review period in question; a written warning will be given to the worker. This will give details of the complaint, the improvement required and the timescale. It will warn that action under stage 3 will be considered if there is no satisfactory improvement and will advise of the right of appeal. A copy of the written warning will be retained on the worker's file and will expire after 6 months. The precise date that the warning will expire should be clearly stated. Should a worker be absent through illness or some other reason during the period of the warning, the warning will be effective from the date of returning to work.

### **Stage 3 – Final Written Warning**

If there is still a failure to improve and conduct, attitude, attendance or performance is still unsatisfactory, or if the initial misconduct is serious but not sufficient to justify dismissal, a final written warning will normally be given to the worker. This will give details of the complaint, will warn that dismissal may result if there is no satisfactory improvement, and will advise of the right of appeal. A copy of this final written warning will be retained on the workers file and will expire after 12 months. The precise date that the warning will expire should be clearly stated. Should a worker be absent through illness or some other reason during the period of the warning, the warning will be effective from the date of returning to work.

If the worker is absent from work (with the exception of annual leave) during the period that a warning is in force, the warning will be extended to take account of the absence.

### **Stage 4 – Dismissal**

If conduct, attitude, attendance, or performance is still unsatisfactory and the worker fails to reach the prescribed standards, or if the misconduct is sufficiently serious, dismissal will result (action short of dismissal should always be seriously considered). If, however, the worker is dismissed they will be provided, within seven calendar days of being informed of the decision, with written reasons for dismissal, the date on which employment will terminate, and the right of appeal.

### **Dismissal with Notice**

If, despite previous warnings and disciplinary action, the worker fails to reach the required standards of conduct, attitude or performance, then dismissal with notice will normally occur. The worker will receive the appropriate payment in lieu of notice.

### **Dismissal without Notice (Summary Dismissal)**

Gross misconduct is generally seen as serious enough to destroy the contract between the employer and worker and make any further working relationship and trust impossible.

Due to the very serious nature of gross misconduct the dismissal is instant, and no notice period is given.

GPS reserves the right to inform the relevant professional body of the allegations and/or outcome of disciplinary proceedings.

### **Right of Appeal**

All workers have the right to appeal against any form of disciplinary action taken within 7 working days following receipt of the warning.

At the hearing the worker will be given an opportunity to state their case and will be entitled to be accompanied by a certified trade union representative or a work colleague. The appeal panel's decision will be notified to the worker in writing and will be final and binding on the worker. There is no further right of appeal.

### **3.12 DISCRIMINATION AND EQUAL OPPORTUNITIES**

GPS will not tolerate any form of discrimination against workers. Whether you are an employee or not, if you feel that you are being discriminated against or not offered equal opportunities, you should follow the procedure described in the GPS Discrimination and Equal Opportunities Policy.

### **3.13 RIGHT TO ACCOMPANIMENT AT DISCIPLINARY AND GRIEVANCE HEARINGS**

By law, all workers are entitled to be accompanied by a colleague at grievance and disciplinary meetings.

### **3.14 DATA PROTECTION, PERSONAL INFORMATION AND CRIMINAL CHARGES**

As part of your terms and conditions of employment/terms of working for GPS, we will need to process sensitive personal data about you. GPS treats personal data collected while managing your employment contract / casual worker agreement in accordance with its Data Protection Policy. Further information about how your data is used and the basis for processing your data is provided in the GPS privacy notice.

This information will only be used so that we can monitor our compliance with the law and best GPS in terms of equal opportunity and non-discrimination. The information that we hold will be checked with you from time to time to ensure that it remains up to date. Should your personal circumstances change (e.g. change of bank account, home address, next of kin, marital status, emergency contact details), you should notify your manager immediately. Also, if you are charged with, or convicted of, a criminal offence you must notify the GPS immediately. GPS reserves the right to dismiss you if the GPS considers that the offence is one that makes you unsuitable for your work.

Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the necessary procedure. Inappropriate access or disclosure of worker data constitutes a data breach and should be reported in accordance with the GPS data protection

policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

### **3.15 WHISTLE BLOWING**

Any worker who reports any danger, fraud or other illegal or unethical conduct is protected by law from detriment.

Whistle blowing is defined as "The disclosure by a worker of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employer or of a fellow worker (s)." If you are aware of any such information, you should follow the procedure below/in the Appendix. Whistle-blowers are protected by law from detrimental treatment resulting from their disclosure.

For further details please read the GPS whistleblowing procedure.

### **3.16 BULLYING AND HARASSMENT**

GPS will not tolerate any bullying or harassment. Whether you are an employee or not, if you feel that you are being bullied or harassed at work, you should follow the GPS Bullying and Harassment Policy.

### **3.18 SECURITY/ALARMS/KEY HOLDERS**

At the point of assignment, you will be notified by your manager.

### **3.19 USE OF GPS RESOURCES**

State requirements/restrictions for the use of GPS equipment, phones, computer systems, taking equipment home, insurance and confidentiality considerations etc. Also include the requirement to return all GPS property (keys, uniforms, etc.) when leaving the GPSs employment, or at the end of a contract/project for non-employees).

### **3.21 Mobile phones**

Personal mobile phones should be switched off during working hours.

### **3.22 Appearance**

Workers must adhere to the GPS worker uniform policy.

### **3.23 PERSONAL PROPERTY**

Workers should take care of their belongings, and GPS cannot be held liable for any loss of or damage to personal property, for example, GPS is not responsible for loss or damage to any personal property or money which you bring into the premises. Workers should not leave valuables or money unattended on the premises.

### **3.24 CAR PARKING**

GPS cannot be held responsible for any damage to or theft from vehicles left on the GPS / client providers premises.

LRD: October 2022

## **SECTION 4 – POLICIES, PROTOCOLS & PROCEDURES (INFORMATION FOR EVERYONE WHO WORKS AT GPS)**

### **4.1 INTRODUCTION**

This section of the Handbook contains information about day-to-day operational policies, protocols and procedures which affect everyone who works for GPS. Please read and abide by the information contained in this section.

This section of the Handbook will contain reference to the practice's day-to-day operating procedures, for example:

Health & Safety Policy  
Chaperone protocol  
Complaints procedure  
Freedom of information policy  
Panic alarms procedure  
Guide Dog Policy  
Waste Management/Disposal Policy  
Sharps use and disposal protocol

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