



**PWYLLGOR DIWYLLIANT, POBL A DATBLYGU SEFYDLIADOL
PEOPLE, ORGANISATIONAL DEVELOPMENT & CULTURE COMMITTEE**

DYDDIAD Y CYFARFOD: DATE OF MEETING:	17 August 2023
TEITL YR ADRODDIAD: TITLE OF REPORT:	Workforce & Organisational Policies
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Lisa Gostling, Director of Workforce & OD (Organisational Development)
SWYDDOG ADRODD: REPORTING OFFICER:	Heather Hinkin, Head of Workforce

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Ar Gyfer Penderfyniad/For Decision

**ADRODDIAD SCAA
SBAR REPORT**

Sefyllfa / Situation

In line with Hywel Dda University Health Board's (HDdUHB's) written control documentation process, the People, Organisational Development & Culture Committee (PODCC) is asked to note or approve the recommendations in relation to the documents listed below.

1. Revised Policies for approval

- 042 - Starting Salaries/Incremental Credit
- 107 - Volunteers
- 350 - Transgender

In so doing, the report provides the required assurance that the Written Control Documentation (WCD) Policy (policy number 190) has been adhered to in the development of the documents and that the documents are in line with legislation/regulations, available evidence base and can be implemented within the Health Board.

2. Policies yet to be presented for consideration

Committee has requested an update each meeting on those policies that are not on track and for a brief explanation to be provided.

A request for extension of these local policies together with rationale can be found in the next section.

3. All Wales Policy Update

The Welsh Partnership Forum has agreed changes to the review process for All Wales Workforce and Organisational Development (W&OD) policies.

Cefndir / Background

It is imperative that HDdUHB has up to date and accurate written control documentation in order to comply with relevant legislation and to minimise any associated risks.

All W&OD policy reviews are reviewed by a Task & Finish (T&F) Group which includes colleagues from, for example, Payroll, W&OD, operational management leads and Trade Union (TU) representatives or via a desktop review. The specific changes are listed as follows:-

1. Policies for approval

042 – Starting Salary/Incremental Credit

- Policy has been HR disrupted via a T&F Group but no substantive changes have been made to the content.
- Global staff consultation was not required due to the minor changes made.
- Consultation has taken place with the Local Partnership Forums and Staff Partnership Forum.
- An Equality Impact Assessment (EQIA) has been updated as the last one was undertaken in 2013.

107 - Volunteers

- Policy has been HR disrupted via a T&F Group and reduced to 2 pages.
- Stakeholder feedback was that the roles and responsibilities section was confusing when included in the policy and it was not user friendly. This section has therefore been moved into the guides and highlighted on the last page of the policy.
- Four operational guidance documents have separately been produced to support the policy which are relevant to specific stakeholders.
- Minor changes have been taken on board following local partnership consultation and the policy has been presented to the Staff Partnership Forum.
- Global staff consultation was also undertaken between 17 July and 31 July 2023.
- An EQIA has been updated accordingly.

350 – Transgender

- Policy has been HR disrupted.
- Policy has been reviewed by Stonewall and amendments made to language and tone.
- Use of Facilities Section has been revised.
- Global staff consultation was also undertaken between 17 July and 31 July 2023.
- Consultation taken place with Partnership Forums and minor amendments made. Policy also shared with Staff Partnership Forum.
- EQIA has been updated accordingly.

2. Policies yet to be presented for consideration – extension requests

Listed below are the six policies that are outstanding in terms of the timetable for review, together with rational and proposed new policy expiry date.

2a Local Policy - Extension Requests

Policy Lead Area	Policy Name	Rationale	Extend To
Corporate Nursing	Preceptorship Policy for Newly Qualified Nurses and Midwives	Awaiting directive paper from the Chief Nursing Officer which will then inform local policy.	31/10/23
Corporate Nursing	Management of Nursing/Midwifery Medication Errors and Near Misses	Awaiting feedback from Nursing colleagues.	31/10/23
Workforce/Occupational Health	Immunisation	Final draft being amended following feedback from Staff Partnership Forum.	31/10/23
Learning & Development	Eagle Strategy	Staff Partnership Forum has requested further discussion on this revised policy	31/10/23
Workforce	Study Leave Policy for Medical & Dental Staff Policy	Policy at final draft stage and requires consultation.	31/10/23
Strategic Partnerships	Domestic Abuse	Absence of lead has delayed policy review. First draft prepared and will now be discussed at policy review group	31/10/23
Workforce	Retirement	Final draft being amended following feedback from Staff Partnership Forum.	31/10/23
Workforce	WLB Flexible Working	Final draft being amended following feedback from Staff Partnership Forum.	31/10/23
Workforce	Uniform & Dress Code	Final draft being amended following feedback from Staff Partnership Forum.	31/10/23
Workforce	Flexi Time Policy & Procedure	Proposed for removal due to being included in WLB Flexible Working Policy.	31/10/23

2b All Wales Policies – change to review process

At its meeting held on 8 June 2023, the Welsh Partnership Forum Business Committee, agreed to a new approach to the review of All Wales policies and procedures.

The core element of this new approach is to move away from using a review date as a prompt for review of an existing policy. In future the work will be driven by key prompts for review and provide an option for a transactional review where changes/updates to an existing policy are more administrative than material.

Agreement was also reached that All Wales W&OD policies remain extant until replaced by an updated version approved by the Welsh Partnership Forum.

A schedule will instead be issued on a quarterly basis as confirmation of policies remaining extant to provide clarity and support organisations from a governance and assurance perspective. The quarterly review schedule is attached to this report for information. Following advice from our Director of Corporate Governance, the Committee is therefore asked to approve the removal of all review dates in our All Wales policies.

Asesiad / Assessment

The revised documents have been shared with the Local Partnership Forums and Staff Partnership Forum for comment. Documents that apply to Medical and Dental colleagues have been shared with the Local Negotiating Committee (LNC) for information.

A screening Equality Impact Assessment (EqIA) has been updated where appropriate on advice from the Corporate Policy Officer.

Following approval of the recommendations contained below, all documents will be uploaded/updated on the intranet site and will replace current versions.

Argymhelliad / Recommendation

The People, Organisational Development & Culture Committee is requested to:

- Receive assurance that the above documents have been reviewed in line with Policy 190.
- Approve the following documents for publication: -

042 - Starting Salaries/Incremental Credit
107 - Volunteers
350 - Transgender
- Extend the following policies in accordance with the dates outlined above: -
 - Preceptorship Policy for Newly Qualified Nurses and Midwives
 - Management of Nursing/Midwifery Medication Errors and Near Misses
 - Immunisation
 - Eagle Strategy
 - Study Leave Policy for Medical & Dental Staff Policy
 - Domestic Abuse
 - Retirement
 - Work Life Balance (WLB) Flexible Working
 - Uniform & Dress Code
 - Flexi Time
- Approve the removal of all review dates in our All Wales policies and in future receive a quarterly schedule of All Wales Policies to note their current position.

Amcanion: (rhaid cwblhau) Objectives: (must be completed)	
Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	3.13 Approve workforce and organisational development policies and plans within the scope of the Committee.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not Applicable
Parthau Ansawdd: Domains of Quality Quality and Engagement Act (sharepoint.com)	Not Applicable Choose an item. Choose an item. Choose an item.
Galluogwyr Ansawdd: Enablers of Quality: Quality and Engagement Act (sharepoint.com)	Not Applicable Choose an item. Choose an item.
Amcanion Strategol y BIP: UHB Strategic Objectives:	1. Putting people at the heart of everything we do Not Applicable
Amcanion Cynllunio Planning Objectives	HR Offer (induction, policies, employee relations, access to training)
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	5. Offer a diverse range of employment opportunities which support people to fulfill their potential

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Legislation, national policy, terms and conditions
Rhestr Termiau: Glossary of Terms:	Included in each document
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Diwylliant, Pobl a Datblygu Sefydliadol: Parties / Committees consulted prior to People, Organisational Development & Culture Committee:	Local Partnership Forums Local Negotiating Committee Staff Partnership Forum Sub Policy Group – 6 July 2023 and 3 August 2023 and Staff Partnership Forum on 1 August 2023. Global consultation with staff if required

Effaith: (rhaid cwblhau) Impact: (must be completed)

Ariannol / Gwerth am Arian: Financial / Service:	Unforeseen and unbudgeted costs of investigations and/or defence of any legal action could arise from non-adherence to the Policies
Ansawdd / Gofal Claf: Quality / Patient Care:	Staff accessing written control documentation, which is out of date, no longer relevant or contradicts current guidance.
Gweithlu: Workforce:	The policies and procedures apply to all staff unless expressly stated as otherwise in the scope.
Risg: Risk:	The presence of written control documentation on the intranet, outside of the Policies, Procedures and other Written Control Documentation intranet webpage, may result in staff accessing documents which are out of date, no longer relevant, or contradicting current guidance.
Cyfreithiol: Legal:	It is essential that the UHB has up to date policies and procedures in place which comply with legislation as a minimum standard.
Enw Da: Reputational:	Failure to apply the appropriate entitlements under the legislation and policy framework effectively may lead to formal complaints which may have a reputational impact.
Gyfrinachedd: Privacy:	Not applicable
Cydraddoldeb: Equality:	A summary equality impact assessment has been undertaken for Policy Numbers 042, 107 and 350 and are attached.

Starting Salaries Policy

Policy information

Policy number: 042

Classification:
Employment

Supersedes:
Previous versions

Version number:
7

Date of Equality Impact Assessment:
Detail date of EqIA

Approval information

Approved by:
PODCC

Date of approval:
Enter approval date

Date made active:
Enter date made active (completion by Guideline team)

Review date:
Enter review date (normally three years from approval date)

Summary of document:

Advice on starting salaries for new entrants to the NHS, re-joiners and existing NHS staff transferring from another Health Board

Scope:

This Policy and the associated procedure will apply to all appointments made on Agenda for Change Agreement terms and conditions of employment.

To be read in conjunction with:

Patient information:

Owning group:
PODCC

Executive Director job title:
Director of Workforce & OD

Reviews and updates:

- 1 – new policy 21.12.2009
- 2 – revised and minor up[dates 3.10.2013
- 3 – revised and minor updates 4.5.2016
- 4 – amendments to app 1 form to reflect HDUHB 25.7.2017
- 5 – no changes following full review 6.9.2019
- 6 - Inclusion of one word - Existing Staff appointed to the Same or a Lower Band where the Post is from a Different Job Family or Different Role 10.12.2019
- 7 - full review

Keywords

Glossary of terms
Starting salaries Incremental credit

Contents

POLICY INFORMATION.....1

APPROVAL INFORMATION1

INTRODUCTION4

POLICY STATEMENT4

SCOPE4

OBJECTIVES.....4

AGENDA FOR CHANGE REGULATIONS4

NEW JOINERS TO THE NHS5

STAFF RE-JOINING THE NHS6

EXISTING STAFF IN CONTINUOUS NHS EMPLOYMENT6

APPLYING FOR AND AUTHORISING INCREMENTAL CREDIT.....8

INCREMENTAL CREDIT QUERIES.....8

TRAINING.....8

IMPLEMENTATION9

FURTHER INFORMATION.....9

APPENDIX 1 FREQUENTLY ASKED QUESTIONS – STARTING SALARIES10

APPENDIX 2 - INCREMENTAL CREDIT APPLICATION FORM12

INTRODUCTION

The purpose of this policy is to inform all Health Board managers of the appropriate procedures to be followed when appointing members of staff.

This Policy should be consulted prior to submitting an application to Starting Salaries to avoid delays in the application being considered.

POLICY STATEMENT

Hywel Dda Health Board is committed to the principle of fair pay as set out within Agenda for Change Terms and Conditions of Service Handbook.

Agenda for Change Agreement Terms and Conditions Handbook is silent on the issue of starting salaries for individuals who are new to the NHS or re-join after a break in service.

Therefore, the Health Board has agreed the following procedure in partnership to ensure that all newly appointed individuals are paid fairly and consistently for the work they undertake within the Agenda for Change Agreement regulations and framework.

SCOPE

This Policy and the associated procedure will apply to all appointments made on Agenda for Change Agreement terms and conditions of employment.

OBJECTIVES

To ensure all newly appointed individuals are paid fairly and consistent for the work they undertake within the Agenda for Change Agreement regulations and framework, that appropriate consideration is given to previous experience, and that this is consistent across the Health Board.

AGENDA FOR CHANGE REGULATIONS

Reckonable Service

Section 12 of the Agenda for Change Agreement Terms and Conditions Handbook sets out the following regulations in respect of reckonable service:

- An employee's continuous previous service with any NHS employer counts as reckonable service (T&C handbook Part 3 12.1)

- Employers have discretion to take into account any period or periods of employment with employers outside the NHS, where these are judged to be relevant to NHS employment (T&C handbook Part 3 12.2)
- When employees who have been transferred out of NHS employment to a non-NHS provider return to NHS employment, their continuous service with a new non-NHS employer providing NHS funded services, will be counted as reckonable (T&C handbook Part 312.3)

Equivalent Reckonable Service

When considering awarding incremental credit in respect of previous evidenced reckonable service or equivalent relevant experience (as measured against the job description and person specification) the appointing officer should also consider the impact on:

- Equal pay issues in respect of employees already in the same post or a comparable post within the department/directorate and the Health Board.
- Employees with longer service in the same or a comparable post within the department.
- All new employees will normally commence at the minimum of the scale unless evidence is provided that they are entitled to incremental credit in accordance with this Policy.

New joiners to the NHS

New joiners to the NHS automatically commence on the minimum of the pay band.

Applications for incremental credit to take previous equivalent relevant experience into consideration must be evidenced.

Any such evidence presented by the individual or their previous employer should be measured and evaluated against the post's job description and person specification and validated by the Appointing Officer prior to authorisation.

For example, a new Personal Secretary appointed to a post on Band 4 with 1 year 10 months experience gained at a senior secretarial level in a private sector organisation (with similar duties and responsibilities) can be taken into account.

When implementing incremental credit:

- any previous service at a lower secretarial level will not be counted

- Only whole years of experience may be credited. (In this example the appointee would be credited with 1 year's relevant experience.)

Newly Qualified Staff

In the event of a newly qualified member of staff commencing with the Health Board prior to receiving their PIN the member of staff will be placed in the appropriate lower band dependent on the nature of the role. Once in receipt of their PIN the member of staff will transfer to the band to which they were recruited.

STAFF RE-JOINING THE NHS

Staff re-joining the NHS automatically commence on the minimum of the pay band. Applications for incremental credit to take previous equivalent relevant experience within the same job family into consideration must be evidenced.

Staff Re-joining On Lower Banded Posts, Within their Former Profession or Same Job Family

Where a candidate is appointed to a post, which is at a lower grade than the post they held prior to leaving the NHS, they may be eligible for a higher incremental point if they are able to evidence maintenance of the skills / competencies in question.

Staff Re-joining to a Lower Banded Post where the Post is from a Different Job Family or Different Role
As the employee will be a new entrant to the post, within a new job family, if they have no previous experience in that field they would be appointed to the bottom of the scale. If the employee has relevant proven experience gained either within the NHS or another sector, they can be given the relevant number of year's credit, as set out in ['New joiners to the NHS'](#) section above.

Staff Re-joining to a Higher Banded Post

As the employee will be a new entrant to the post, if they have no previous experience in that field they would be appointed to the bottom of the scale. If the employee has relevant proven experience gained either within the NHS or another sector, they can be given the relevant number of year's credit, as set out in ['New joiners to the NHS'](#) section above.

Existing staff in continuous NHS employment

Existing Staff Transferring on the same Band within the same Staff Group / Job Role

Existing staff transferring on the same band and same staff group from a previous NHS employer will transfer on their existing salary and retain their incremental date. NWSSP (Recruitment) will request an Inter Transfer Authority transfer after the applicant's pre-employment checks have been completed. Appointing Managers can also request an Inter Transfer Authority to be completed when submitting the commencement / change of circumstances form to payroll.

Existing Staff Transferring on a Lower Band within the same Staff Group / Job Role

Where a candidate is appointed to a post, which is at a lower grade than the post they held they may be appointed to the top of the pay band subject to them having maintained the relevant level of experience, skills and knowledge, required for the post.

Existing Staff appointed to the Same or a Lower Band where the Post is from a Different Job Family or Different Role

As the employee will be a new entrant to the post, within a new job family, if they have no previous experience in that field they would be appointed to the bottom of the scale. If the employee has relevant proven experience gained either within the NHS or another sector, they can be given the relevant number of years' credit as set out in the [new joiners section](#) above.

Existing Staff appointed to a Higher Pay Band

There are strict rules within the Terms and Conditions Handbook regarding the incremental point to which an employee is appointed on for temporary upgrading and on promotion and [new joiners section](#) A4C sets out the following:-

Temporary movement into a higher pay band

Individuals may be moved into a higher pay band where it is necessary to fill a post on a temporary basis when a vacancy is unfilled, but being advertised, or the post is being held open for someone who is due to return, e.g. from long-term sick leave, maternity leave, or from extended training. Pay should be set either at the minimum of the new pay band or, if this would result in no pay increase the first pay point in the band which would deliver an increase in pay.

Temporary movement into a new pay band should not normally last more than six months or less than one month except in instances of maternity leave or long-term sick leave where a longer period may be known at the outset. In circumstances where the individual is not required to carry out the full responsibilities of the post, pay will be determined by job evaluation.

Where temporary movement into a higher pay band results in only one extra pay point the incremental date remains the same. Where temporary movement results in more than one extra pay point the incremental date for the period of the temporary movement becomes the date the movement began.

Pay On Promotion/Pay progression

Pay on promotion should be set either at the minimum of the new pay band or, if this would result in no pay increase, the first pay point in the band which would deliver an increase in pay.

Applying for and authorising incremental credit

The appointing officer should never confirm a starting salary above the minimum of the pay band, until their application has been authorised by the Starting Salaries Panel. The appointing officer may however advise the new starter that this salary may be reviewed against any evidenced NHS reckonable service and/or equivalent relevant experience.

Incremental credit must be based on evidenced reckonable service and/or an equivalent number of years of experience relevant to the post, which has been measured and evaluated against the job description and person specification. Once this review has been completed and the documented evidence gathered, the Appointing Officer may make a recommendation and apply to award the new starter incremental credit using the Incremental Credit Application Form ([Appendix](#)).

It is the responsibility of the Appointing Officer to ensure that all relevant supporting documentation is attached to the applicant's application form prior to submission to the Starting Salaries Panel for consideration.

Failure to properly complete or attach the supporting evidence/documentation will result in the Incremental Credit Application Form being returned to the Appointing Officer and will delay the application. Applications submitted more than 6 months after someone has commenced in post will not be considered.

INCREMENTAL CREDIT QUERIES

If you have any queries regarding the award of incremental credit, you should contact a member of the Resourcing Team who will be able to advise you regarding this matter.

All queries regarding the application process and completed applications should be directed to StartingSalaryApplications.HDD@wales.nhs.uk

TRAINING

All staff will be made aware of this policy upon commencement with the Health Board at either the Health Board or the departmental induction. Copies can also be viewed on the Health Board's Intranet or obtained via the Workforce and OD Department.

IMPLEMENTATION

This policy is an update to the current Stating Salaries Policy currently implemented.

FURTHER INFORMATION

Further information can be obtained from the NHS Terms & Conditions of Service Handbook.

Appendix 1 Frequently Asked Questions – Starting Salaries

Who can submit a Starting Salaries application?

Applicants who have been recruited under the Agenda for Change framework (please refer to policy for additional criteria).

How early can an applicant submit a Starting Salaries Application?

Applicants can submit a Starting Salaries application once you have been verbally offered a role.

How long does an applicant have from start date to submit a Starting Salaries application request?

Applicants must submit their applications within 6 months of starting in post.

The applicant has completed part A of the form, what next?

Before the application can be submitted to the Starting Salaries Panel, the applicant needs to discuss their request with their new line manager. The form should be forwarded to the Line Manager to complete Part B before they submit to the Starting Salaries inbox.

What supporting documents need to be provided alongside the Starting Salaries Application?

To support your application, you will need to provide copies of previous Job Descriptions and payslips demonstrating equivalent previous experience. We will contact you if we require any further documents.

An applicant is changing roles within the Health Board but staying at the same grade, will they begin at the bottom of the band again?

If you are staying within the same staff group (Administrative & Clerical, Allied Health Professional, Nursing etc.), Payroll will transfer your incremental credit across to your new role. If you are changing staff group, a Starting Salaries application form will need to be completed and submitted if you feel that your experience within the other staff group is equivalent.

An application form has been submitted, when will I receive the outcome?

The panel meet on a regular basis to discuss applications. If we require further information to determine the outcome of the application, this will delay it being submitted for discussion. The panel will inform the appointing manager and applicant asap as to whether it has been approved or rejected.

Who determines the outcome of my application?

The Starting Salaries Panel will determine the outcome of the application form from the content and evidence that has been provided.

Where do I return my completed application?

The best way to return a completed application is via email to StartingSalaryApplications.hdd@wales.nhs.uk.

As the appointing manager, can I guarantee to the applicant that they will receive the salary they want?

No – it is only the panel that can determine the outcome of a request for incremental credit. Please do not make promises to applicants. The panel has been created to ensure newly appointed individuals are paid fairly and consistently for the work they undertake.

Appendix 2 - INCREMENTAL CREDIT APPLICATION FORM

Part A – To be completed by Applicant

Employee Name	
Pay Number	
Post Title	
Pay Band	
Address	

I am a (please choose one of the following options)

1. Current member of staff in the NHS

Name of Current NHS Employer	
Title of Post Held	
Duration of Post Held	
Current Pay Band	
Incremental Point	

2. A new starter to the NHS with Equivalent Relevant Experience

Name of Previous Employer	
Title of Post Held	
Duration of Post Held	

3. Re-joining the NHS with Equivalent Relevant Experience

Name of Last NHS Employer	
----------------------------------	--

Title of Post Held	
Duration of Post Held	
Date of Leaving	
Previous Pay Band	
Incremental Point	

I would like to apply for an incremental advance from the minimum of pay band

Evidence attached to support and justify the application - (please tick as appropriate)

- Most recent payslip (please do not supply P60's as these are not accepted)
- Letter of service / reference information containing a detailed breakdown of previous role, duties and responsibilities, length of time in post and confirmation from your past employer that you performed satisfactorily in the role
- Evidence of maintained Continued Professional Development (CPD) or Appraisal Documentation

Summary of Case for Application:

You must attach the documentary evidence to support and justify your application. Applications will not be considered if the appropriate documentation is omitted.

Applicants Signature	
Date	

Part B – To be completed by Appointing Officer

I have checked the above documentation and support the application for incremental credit. Based on their equivalent relevant experience I recommend the following starting salary:

Pay Band		Incremental Point	
-----------------	--	--------------------------	--

Appointing Manager rationale for support (or otherwise) of this application:

Appointing Officer Name	
Appointing Officer Signature	
Contact Number	
Date	

Please submit your completed application together with supporting evidence to:

Resourcing Team, Sealyham Building, Withybush General Hospital, Haverfordwest, SA61 2PZ or via email to StartingSalaryApplications.HDD@wales.nhs.uk

Part C – To be completed by representative of Starting Salaries Panel

Pay Band		Incremental Point	
Salary:		Date authorised by panel:	
Comments			
I do not authorise the application for the following reasons			
Name			
Signature			
Date			

Hywel Dda University Health Board Equality Impact Assessment (EqIA)

Please note:

Equality Impact Assessments (EqIA) are used to support the scrutiny process of procedures / proposals / projects by identifying the impacts of key areas of action before any final decisions or recommendations are made.

It is recognised that certain proposals or decisions will require a wider consideration of potential impacts, particularly those relating to service change or potential major investment. For large scale projects and strategic decisions please consult the Health Board's Equality and Health Impact Assessment Guidance Document and associated forms.

The completed Equality Impact Assessment (EqIA) must be:

- Included as an appendix with the cover report when the strategy, policy, plan, procedure and/or service change is submitted for approval.
- Published on the UHB intranet and internet pages as part of the consultation (if applicable) and once agreed.

For in-house advice and assistance with Assessing for Impact, please contact:

Email: Inclusion.hdd@wales.nhs.uk

Tel: 01554 899055

Form 1: Overview

1.	What are you Equality Impact assessing?	Starting Salaries Policy
2.	Brief Aims and Description	Advice on starting salaries for new entrants to the NHS, re-joiners and existing NHS Staff transferring from another Health Board.
3.	Who is involved in undertaking this EqIA?	Mrs Alison Thomas, Workforce Manager (Recruitment) Policy review included a task and finish group comprising of a broad range of colleagues who have previously used the policy to request a starting salary above the bottom of the band, line managers who have supported those applications (or otherwise) and Trade Union representatives.
4.	Is the Policy related to other policies/areas of work?	Agenda for Change documentation related to salaries and Recruitment procedures and guidelines
5.	Who will be affected by the strategy / policy / plan / procedure / service? (Consider staff as well as the population that the project / change may affect to different degrees)	All staff working under Agenda for Change Terms and Conditions Manager and Appointing Officers New starters Applicants
6.	What might help/hinder the success of the Policy?	Lack of awareness of the policy Misinterpretation of the policy National Economic climate

Form 2: Human Rights

Human Rights: The Human Rights Act contains 15 Articles (or rights), all of which NHS organisations have a duty to act compatibly with and to respect, protect and fulfil. The 6 rights that are particularly relevant to healthcare are listed below.

Depending on the Policy you are considering, you may find the examples below helpful in relation to the Articles.

Consider, is the Policy relevant to:	Yes	No
Article 2: The right to life Example: The protection and promotion of the safety and welfare of patients and staff; issues of patient restraint and control		X
Article 3: The right not to be tortured or treated in an inhuman or degrading way Example: Issues of dignity and privacy; the protection and promotion of the safety and welfare of patients and staff; the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travellers; Issues of patient restraint and control		X
Article 5: The right to liberty Example: Issues of patient choice, control, empowerment and independence; issues of patient restraint and control		X
Article 6: The right to a fair trial Example: issues of patient choice, control, empowerment and independence		X
Article 8: The right to respect for private and family life, home and correspondence; Issues of patient restraint and control Example: Issues of dignity and privacy; the protection and promotion of the safety and welfare of patients and staff; the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travellers; the right of a patient or employee to enjoy their family and/or private life		X
Article 11: The right to freedom of thought, conscience and religion Example: The protection and promotion of the safety and welfare of patients and staff; the treatment of vulnerable groups or groups that may experience social exclusion, for example, gypsies and travellers		X

How will the strategy, policy, plan, procedure and/or service impact on:	Positive	Negative	No impact	Potential positive and / or negative impacts Please include unintended consequences, opportunities or gaps. This section should also include evidence to support your view e.g. staff or population data.	Opportunities for improvement / mitigation If not complete by the time the project / decision/ strategy / policy or plan goes live, these should also be included within the action plan.
Age Is it likely to affect older and younger people in different ways or affect one age group and not another?			X	<p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills.</p> <p>Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
Disability Those with a physical disability, learning disability, sensory loss or impairment, mental health conditions, long-term medical conditions such as diabetes			X	<p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills.</p> <p>Consistent application of this policy will</p>	

			<p>ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
Gender Reassignment Consider the potential impact on individuals who either: <ul style="list-style-type: none"> •Have undergone, intend to undergo or are currently undergoing gender reassignment. •Do not intend to undergo medical treatment but wish to live in a different gender from their gender at birth. 		X	<p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills.</p> <p>Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
Marriage and Civil Partnership		X	<p>Although societal factors may affect individual pay and overall pay gaps up to the point of</p>	

<p>This also covers those who are not married or in a civil partnership.</p>				<p>application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills.</p> <p>Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
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Form 3 Gathering of Evidence and Assessment of Potential Impact

<p>Pregnancy and Maternity Maternity covers the period of 26 weeks after having a baby, whether or not they are on Maternity Leave.</p>			<p>X</p> <p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills. Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
<p>Race/Ethnicity or Nationality People of a different race, nationality, colour, culture or ethnic origin including non-English / Welsh speakers, gypsies/travellers, asylum seekers and migrant workers.</p>			<p>X</p> <p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this</p>	

			<p>policy will be applied on an individual basis, considering only previous experience and skills. Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
<p>Religion or Belief (or non-belief) The term 'religion' includes a religious or philosophical belief.</p>		X	<p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills. Consistent application of this policy will ensure that each</p>	

				<p>individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
<p>Sex Consider whether those affected are mostly male or female and where it applies to both equally does it affect one differently to the other?</p>			X	<p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills. Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is</p>	

				<p>requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
Sexual Orientation Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.			X	<p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills. Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p>	

				The application of this policy will neither deepen or reduce existing inequalities.	
Armed Forces Consider members of the Armed Forces and their families, whose health needs may be impacted long after they have left the Armed Forces and returned to civilian life. Also consider their unique experiences when accessing and using day-to-day public and private services compared to the general population. It could be through 'unfamiliarity with civilian life, or frequent moves around the country and the subsequent difficulties in maintaining support networks, for example, members of the Armed Forces can find accessing such goods and services challenging.' For a comprehensive guide to the Armed Forces Covenant Duty and supporting resource please see: Armed-Forces-Covenant-duty-statutory-guidance			X	<p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills. Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	

<p>Socio-economic Deprivation Consider those on low income, economically inactive, unemployed or unable to work due to ill-health. Also consider people living in areas known to exhibit poor economic and/or health indicators and individuals who are unable to access services and facilities. Food / fuel poverty and personal or household debt should also be considered.</p> <p>For a comprehensive guide to the Socio-Economic Duty in Wales and supporting resource please see: https://gov.wales/more-equal-wales-socio-economic-duty</p>			<p>X</p> <p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an individual basis, considering only previous experience and skills. Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p> <p>The application of this policy will neither deepen or reduce existing inequalities.</p>	
<p>Welsh Language Please note opportunities for persons to use the Welsh language and treating the Welsh language no less favourably than the English language.</p>			<p>X</p> <p>Although societal factors may affect individual pay and overall pay gaps up to the point of application under this policy, this policy will be applied on an</p>	

				<p>individual basis, considering only previous experience and skills. Consistent application of this policy will ensure that each individual is considered on their own merits, in line with Agenda for Change Guidelines. No information relating to the protected characteristics is requested as part of the starting salaries application.</p>	
				<p>The application of this policy will neither deepen or reduce existing inequalities.</p>	

Form 4: Examine the Information Gathered So Far

1.	Do you have adequate information to make a fully informed decision on any potential impact?	Yes
2.	Should you proceed with the Policy whilst the EqIA is ongoing?	Yes
3.	Does the information collected relate to all protected characteristics?	Yes
4.	What additional information (if any) is required?	N/A
5.	How are you going to collect the additional information needed? State which representative bodies you will be liaising with in order to achieve this (if applicable).	N/A

Form 5: Assessment of Scale of Impact

This section requires you to assign a score to the evidence gathered and potential impact identified above. Once this score has been assigned the Decision column will assist in identifying the areas of highest risk, which will allow appropriate prioritisation of any mitigating action required.

Protected Characteristic	Evidence: Existing Information to suggest some groups affected. (See Scoring Chart A below)	Potential Impact: Nature, profile, scale, cost, numbers affected, significance. Insert one overall score (See Scoring Chart B below)	Decision: Multiply 'evidence' score by 'potential impact' score. (See Scoring Chart C below)
Age	3	0	0
Disability	3	0	0
Gender Reassignment	3	0	0
Marriage and Civil Partnership	1	0	0
Pregnancy and Maternity	3	0	0
Race/Ethnicity or Nationality	3	0	0
Religion or Belief	3	0	0
Sex	3	0	0
Sexual Orientation	3	0	0
Armed Forces	1	0	0
Socio-Economic Deprivation	3	0	0
Welsh Language	1	0	0

Scoring Chart A: Evidence Available	
3	Existing data/research
2	Anecdotal/awareness data only
1	No evidence or suggestion

Scoring Chart B: Potential Impact	
-3	High negative
-2	Medium negative
-1	Low negative
0	No impact
+1	Low positive
+2	Medium positive
+3	High positive

Scoring Chart C: Impact	
-6 to -9	High Impact (H)
-3 to -5	Medium Impact (M)
-1 to -2	Low Impact (L)
0	No Impact (N)
1 to 9	Positive Impact (P)

Form 6 Outcome

You are advised to use the template below to detail the outcome and any actions that are planned following the completion of EqIA. You should include any remedial changes that have been made to reduce or eliminate the effects of potential or actual negative impact, as well as any arrangements to collect data or undertake further research.

Will the Policy be adopted?	Yes
If No please give reasons and any alternative action(s) agreed.	
Have any changes been made to the policy/ plan / proposal / project as a result of conducting this EqIA?	No

<p>What monitoring data will be collected around the impact of the plan / policy / procedure once adopted? How will this be collected?</p>	No
<p>When will the monitoring data be analysed? Who will be responsible for the analysis and subsequent update of the impact assessment as appropriate?</p>	N/A
<p>Where positive impact has been identified for one or more groups please explain how this will be maximised?</p>	N/A
<p>Where the potential for negative impact on one of more group has been identified please explain what mitigating action has been planned to address this.</p> <p>If negative impact cannot be mitigated and it is proposed that HDUHB move forward with the plan / project / proposal regardless, please provide suitable justification.</p>	N/A

Form 7 Action Plan

Actions (required to address any potential negative impact identified or any gaps in data)	Assigned to	Target Review Date	Completion Date	Comments / Update

EqIA Completed by:	Name	Alison Thomas
	Title	Workforce Manager - Recruitment
	Team / Division	Workforce & OD
	Contact details	Alison.Thomas5d4aa@wales.nhs.uk
	Date	05 August 2023
EqIA Authorised by:	Name	Anna Morgan
	Title	Diversity and Inclusion Manager
	Team / Division	SPD&I
	Contact details	Anna.Morgan@wales.nhs.uk
	Date	06 August 2023

Volunteers Policy

Policy information

Policy number: 107

Classification:

Employment

Supersedes:

Previous versions

Version number:

6

Date of Equality Impact Assessment:

26/07/2023

Approval information

Approved by:

PODCC

Date of approval:

Click or tap to enter a date.

Date made active:

Click or tap to enter a date.

Review date:

To be read in conjunction with:

The Volunteering policy also links to other Hywel Dda policies to ensure that we deliver high standards of service delivery:

[10 - Health and Safety Policy](#) (opens in new tab)

[133 - Equality and Diversity policy](#) (opens in new tab)

[748 - Data Protection Policy](#) (opens in new tab)

[995 – Respect and Resolution Policy](#) (opens in a new tab)

[1036 - Welsh Language Scheme](#) (opens in new tab)

[170 - Lone Working Policy](#) (opens in new tab)

[334 - Personal Relationships at Work Policy](#) (opens in new tab)

[182 - Staff Concerns/ Whistle blowing Policy](#) (opens in new tab)

HDUHB Strategic Equality Plan and Objectives

Patient information:

Include links to [Patient Information Library](#)

Executive lead:

Lisa Gostling, Director of Workforce & OD

Reviews and updates:

- 1- New Policy
- 2- Updated – 04.02.2014
- 3- Amendment minor only – 15.02.2015
- 4- Updates to DPA / GDPR Regulations – 17.05.2018
- 5- Review – no changes to content only layout – 14.09.2018
- 6- Full review and changes to policy. New EqIA completed –

CONTENTS

Introduction & Scope 4

Aims & Objectives 4

Volunteering Guides for Stakeholders 5

Values & Behaviours Framework 5

Contacting the Future Workforce Team 5

Introduction & Scope

Volunteering is an activity where volunteers give their time, skills, and experience to support services. Volunteering is undertaken through choice, with no obligation or financial gain.

There are many benefits of volunteering in Hywel Dda University Health Board, to patients, visitors, staff and the volunteers themselves.

- Volunteering can contribute to supporting people into paid employment by developing and enhancing transferable skills.
- Volunteering can contribute to an improvement in the volunteer's confidence and self-esteem.
- Volunteering can support staff and patient experience.

Hywel Dda University Health Board recognises and appreciates the invaluable contribution that volunteers make every single day. There are a range of roles in volunteering and can be something as simple as chatting with a patient or helping visitors to find the right ward at visiting times. You could be a pharmacy volunteer, befriender, gardening support, working with our shop or library trollies - or in a clinical setting such as a children's ward or in the accident and emergency department.

This policy sets out how Hywel Dda University Health Board will recruit, place and manage volunteers in relation to the Volunteering within the Health Board. It is also intended to act as an introduction to Volunteering at Hywel Dda University Health Board for potential volunteers, host departments and managers and third sector partners.

Aims

- To raise awareness of volunteering and where it sits in the Future Workforce offer.
- Celebrate volunteers and the role they play in enhancing service delivery and patient experience.
- To encourage participation in volunteering, to create new volunteer opportunities for diverse and under-represented groups.
- To provide accessible information and guidelines for volunteers, host managers and colleagues and third sector partners.
- To foster collaboration amongst all stakeholders to deliver a quality and proactive Future Workforce offer.

Objectives

The aims will be achieved by:

- Providing accessible and engaging information and guidance to Hywel Dda staff, volunteers, potential volunteers and key stakeholders.
- Highlighting the roles and responsibilities of all participants and the support available from the Future Workforce Team.
- Promoting Equality, Diversity and Inclusion through the provision of accessible volunteering opportunities for under-represented groups and those with protected characteristics; including neurodiverse volunteers, those with learning difficulties and disabilities.

- Implementing evaluation and impact measurement systems to celebrate success and identify areas for development.
- Proactive engagement to improve links with Health Board services, stakeholders and the wider community.

Volunteering Guides for Stakeholders

The Volunteering Policy has a broad reach and recognises the importance of engaging with key stakeholders and partners:

- Volunteers and potential volunteers
- Hywel Dda colleagues and managers who host volunteers
- Third sector partner organisations
- The Future Workforce team who oversees the planning and organisation of Volunteering.

Please find operational guides in the appendices written for the different stakeholders.

To raise awareness of the Future Workforce Volunteers policy amongst stakeholders, we will take a proactive approach to publicising the policy and guidelines. This will include:

- An engagement strategy to promote Volunteering to all stakeholder groups.
- The production of short videos and webinars highlighting Volunteering key messages.
- A comprehensive induction for all volunteers.
- A relationship management approach with host departments.
- Posters to highlight volunteers and the role they play.
- Celebrating success and sharing good practice.

Values & Behaviour Framework

Hywel Dda University Health Board operates to a set of organisational values which underpin all that we are and do as an organisation. Living our values supports us in our patient care and continued development as a health care provider.

All volunteers will be treated in accordance with Hywel Dda's Organisational Values and Behaviours Framework. Volunteers will be expected to embrace our values and exhibit as a minimum, the core standard of behaviours detailed in the *Organisational Values & Behaviours Framework Staff Handbook* (available on the [Staff Intranet Values Page](#) - Opens in a new tab)

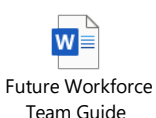
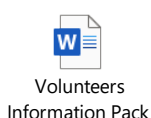
We would love to hear from you...

Should you wish to provide feedback on this policy or wish to find out more about Volunteering please email HDD.FutureworkforceTeam@wales.nhs.uk

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Appendices

Click on the links below for our operational Volunteering Guides for volunteers, departments, the Future Workforce team and the Third Sector guide.



Volunteers Guide

Summary of Content

Welcome and Introduction
Contacting the Future Workforce Team
Volunteer Guidelines
Becoming a Volunteer
Induction, Volunteer Rights & Support
Our expectations of Volunteers
Expenses, Uniforms, Record keeping
Problem Solving & Complaints
Useful Documents

Host Department Guide

Summary of Content

How could volunteers support your department?
Preparing for Volunteer support
Volunteers Role Descriptions
Volunteer Guidelines
Risk Assessments
Starting a Volunteer
Trial Period, Support and Supervision
Uniforms, Record keeping & problem solving
Useful Documents.

Future Workforce Guide

Summary of Content

Our commitment
Access to volunteering
Recruitment and selection
Onboarding, Induction
Support and supervision, Expenses
Role descriptions and risk assessments
Monitoring and evaluation
Recognising volunteer achievement

Third Sector Guide

Summary of Content

Third Sector Organisation & Charities
County Voluntary Councils (CVCs)
Volunteering Wales.net
Radio Station Volunteers
Managing Volunteers; Guide for Managers and
third sector organisations
Annual Checks

SUMMARY EQUALITY IMPACT ASSESSMENT – 107 – Volunteers Policy

Organisation:	Hywel Dda University Health Board
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Proposal Sponsored by:	Name:	Claire Steel
	Title:	Future Workforce Programme Manager
	Department:	Workforce and Organisational Development

Policy Title:	Volunteers Policy
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Brief Aims and Objectives of Policy:	<p>Aims of the policy;</p> <ul style="list-style-type: none">• To raise awareness of volunteering and where it sits in the Future Workforce offer.• Celebrate volunteers and the role they play in enhancing service delivery and patient experience.• To encourage participation in volunteering, to create new volunteer opportunities for diverse and under-represented groups.• To provide accessible information and guidelines for volunteers, host managers and colleagues and third sector partners.• To foster collaboration amongst all stakeholders to deliver a quality and proactive Future Workforce offer. <p>The aims will be achieved by:</p> <ul style="list-style-type: none">• Providing accessible and engaging information and guidance to Hywel Dda staff, volunteers, potential volunteers and key stakeholders.• Highlighting the roles and responsibilities of all participants and the support available
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	<p>from the Future Workforce Team.</p> <ul style="list-style-type: none"> • Promoting Equality, Diversity and Inclusion through the provision of accessible volunteering opportunities for under-represented groups and those with protected characteristics; including neurodiverse volunteers, those with learning difficulties and disabilities. • Implementing evaluation and impact measurement systems to celebrate success and identify areas for development. • Proactive engagement to improve links with Health Board services, stakeholders and the wider community.
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Was the decision reached to proceed to full Equality Impact Assessment?		No ✓
	<p>The policy was written with the intention of providing opportunities for volunteers from a range of backgrounds and with the ethos that volunteering should be open to all. The policy does not exclude anyone on the grounds of any protected characteristic from requesting to become a volunteer and actively seeks to recruit from a diverse range of people. It promotes opportunities for people with disabilities, facilitating them to participate in public life and to gain experience that may help them in future employment opportunities.</p> <p>It assists managers to deal with all requests for volunteering in a consistent and fair manner. The addition of guidance documents to the policy gives managers a clear understanding of volunteering services and the expectation on supporting volunteers in their role. The Core Human Rights values of fairness, respect, equality, dignity and autonomy underpin this policy. Volunteers will have their individual needs taken into account and it is expected that they will be treated with dignity and respect by colleagues within the organisation.</p> <p>It outlines a clear process for addressing any problems during the term of the Volunteering Agreement and volunteers have the right to appeal if a decision is made to end their</p>	

	<p>Volunteering Agreement. Having a robust Policy on Volunteers will be of benefit to managers and staff within the organisation, patients and service users and Volunteers themselves. It may also be beneficial to the community at large in fostering good relations between those who share a protected characteristic and those who do not by facilitating those who experience social exclusion to participate in a Volunteering role and engage with staff, patients and service users.</p>	
<p>If no, are there any issues to be addressed?</p>	<p>Yes ✓</p>	
	<p>Copies of the Policy may be made available in alternative formats as required. Induction material and its delivery will be adapted to suit Volunteer needs. Reasonable adjustments will be made for those who may not be able to sign requisite documents. e.g. arrangements are in place for a record of verbal consent or, if unable to speak, implied consent. To reach a wide section of the community, recruitment will be through a variety of means, including Volunteer Centres, adverts in the local/minority press, poster campaigns, social media campaigns, leaflets, contacts with schools, colleges, churches, community groups and by word of mouth.</p> <p>People under 18 are excluded from certain ward/clinical based work due to legal restrictions, e.g. A+E but this may be mitigated by finding opportunities in alternative areas. Risk assessments are undertaken on all situations prior to undertaking a Volunteering role and parental/guardian/social services consent is sought where required for those aged 16-18.</p> <p>Efforts will be made to find opportunities in suitable areas for people for whom English is not their first language and/or who may have communication difficulties in a public facing role. e.g. gradual exposure to front-facing role. Reasonable adjustments will be made to accommodate anyone with a disability who is offered a Volunteering position.</p> <p>A Volunteering Mentoring Scheme is under discussion, currently undertaken on an informal basis.</p>	

	Update July 2023 <ul style="list-style-type: none"> • Language in policy updated to make it more gender inclusive • To ensure that no-one is disadvantaged because of where they live, volunteering opportunities and training will be tailored to take account of applicable public transport times. In addition, travel expenses are paid to ensure financial disadvantage is avoided. • A formal department mentor is identified to the Volunteer upon starting. All volunteers will also have access to an Engagement Officer on site to support with pastoral needs and signposting to services.
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Is the Policy Lawful?	Yes	The policy complies with relevant legislation.
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Will the Policy be adopted?	Yes	
	If no, please record the reason and any further action required:	

Are monitoring arrangements in place?	Yes	
	Any complaints received in relation to equality, diversity or human rights will be addressed on an individual basis and appropriate action taken. Equality monitoring will be an integral part of the recruitment process in order to ensure that volunteers from all sections of the community	

	are fairly represented and afforded equal opportunity in being considered for a volunteer role.
	Any complaints received in relation to equality, diversity and human rights following implementation of the policy will be addressed on an individual basis and appropriate action taken.

Who is the Lead Officer?	Name:	Claire Steel
	Title:	Future Workforce Programme Manager
	Department:	Workforce and Organisational Development
Review Date of Policy:	Three yearly or sooner if required	

Signature of all parties:	Name	Title	Signature
	David Fretwell	Head of volunteering Services	27/9/13
	Nia Gibbon	Volunteering Officer	27/9/13
	Jackie Hooper	Equality & Diversity	27/9/13

		Officer	
	Claire Steel	Future Workforce Programme Manager	Reviewed 26/7/23
	Alan Winter	Senior Diversity & Inclusion Officer	26/7/2023

Supporting Transgender Staff Policy

DRAFT FOR CONSULTATION

Policy information

Policy number: 350

Classification:

Employment

Supersedes:

N/A

Version number:

5.0

Date of Equality Impact Assessment:

Detail date of EqIA

Approval information

Approved by:

People, Organisational Development and Culture Committee (PODCC)

Date of approval:

Enter approval date

Date made active:

Enter date made active (completion by policy team)

Review date:

Enter review date (normally three years from approval date)

Summary of Document:

This policy outlines workplace support guidelines for when a trans or non-binary employee is recruited or transitions during their term of employment. It also aims to ensure that staff who are considering, are transitioning or who have transitioned are fully supported at all stages.

Scope

This policy applies on an organisation-wide basis to all staff, at all levels, in all departments.

To be read in conjunction with:

153 - [Equality and Diversity Policy](#) (opens in a new tab)

995 - [Respect and Resolution All Wales Policy](#) (opens in new tab)

201 - [Disciplinary Policy and Procedure](#) (opens in new tab)

139 - [Uniform and Dress Code Policy for All Health Board Staff](#) (opens in new tab)

HYWEL DDA UNIVERSITY HEALTH BOARD

- 129 - [Time off for Medical and Dental Appointments During Working Hours](#) (opens in new tab)
768 - [Managing Attendance at Work All Wales Policy](#) (opens in new tab)
340 - [Staff Psychological Wellbeing Policy](#) (opens in new tab)
131 - [Flexi Working Policy](#) (opens in new tab)

Owning group:

People, Organisational Development and Culture Committee (PODCC)

Date signed off by owning group

Executive Director job title:

Lisa Gostling, Director of Workforce and Organisational Development

Reviews and updates:

- 1 – New Policy – 31.10.2013
- 2 – Approved - 07.12.2016
- 3 – Approved – 17.05.2023
- 4 – Approved – 22.05.2019
- 5 – Approved – 21.01.2020

Keywords

Transgender/Trans

Glossary of terms

Provide a link to the Stonewall List of LGBTQ+ Terms

[List of LGBTQ+ terms \(stonewall.org.uk\)](https://www.stonewall.org.uk) (opens in new tab)

HYWEL DDA UNIVERSITY HEALTH BOARD

CONTENTS

Policy information 1

 Policy number: 350 1

 Classification: 1

 Supersedes: 1

 Version number: 1

 Date of Equality Impact Assessment: 1

Approval information 1

 Approved by: 1

 Date of approval: 1

 Date made active: 1

 Review date: 1

Enter review date (normally three years from approval date) 1

 Summary of Document: 1

 To be read in conjunction with: 2

 Owning group: 2

 Executive Director job title: 2

 Reviews and updates: 2

 Keywords 2

 Glossary of terms 2

 CONTENTS 3

INTRODUCTION 5

POLICY STATEMENT 5

SCOPE 5

AIM 5

PROCEDURE 5

 Action Plan 6

 Informing Colleagues 6

 Uniform and Dress Code 7

 Public Facing Roles 7

 Time Off Work 8

RESPONSIBILITIES 11

 Occupational Health Department 11

 Trade Unions 11

 Supporting Transgender Staff Policy 12

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HYWEL DDA UNIVERSITY HEALTH BOARD

INTRODUCTION

We want all our staff at Hywel Dda University Health Board (the Health Board) to feel included, so that everyone can be themselves, add value and fulfil their potential without fear of discrimination. This includes colleagues whose gender identity does not match the gender they were assigned at birth and who may identify themselves as transgender, and also those whose gender identity cannot be defined within the margins of the gender binary: man or woman (also known as “non-binary”).

The use of language and terminology frequently changes. In drafting this policy, the Health Board) has actively engaged with Stonewall Cymru to ensure inclusive language. For the purpose of this document, the term “trans” will be used throughout. Stonewall’s List of LGBTQ+ Terms can be found here: [List of LGBTQ+ terms \(stonewall.org.uk\)](https://www.stonewall.org.uk/resources/terminology) (opens in a new tab).

The Health Board’s Enfys LGBTQ+ Staff Network offers peer support to staff and can be contacted by email on LGBT.hdd@wales.nhs.uk (opens in new tab).

For union members, some unions have dedicated LGBTQ+/Equalities Officers who can provide advice and support.

The Health Board’s Staff Psychological Wellbeing Service provides a confidential support service to all staff on a self-referral basis, and is available as a first point of contact or for additional support.

POLICY STATEMENT

The Health Board aims to protect the right of all staff, volunteers, applicants and members of the public to be treated with fairness, dignity, respect and professionalism. For those who undergo gender affirmation, this may involve social transition (telling friends and family, dressing differently and changing official documents), medical transition (hormones and/or surgery), or both.

The Equality Act 2010 provides protection from discrimination for trans people who have undergone, are undergoing, or intend to undergo gender affirmation (described legally as ‘gender reassignment’ rather than ‘transitioning’). The Health Board will not tolerate discrimination, victimisation, harassment or bullying on the basis of a person’s sexual orientation, gender identity and/or gender expression. All reasonable steps will be taken at all times to provide a supportive and safe environment for trans staff, and appropriate and timely action will be taken against those who act outside this zero-tolerance approach.

SCOPE

This policy applies to all staff, including those currently employed, potential employees, locums, staff on honorary contracts and volunteers.

AIM

This policy aims to provide guidance on how trans, including non-binary, employees should be supported and treated in a dignified, non-discriminatory way.

PROCEDURE

Supporting Transition at Work

One of the most important factors in successfully supporting an employee’s transition is planning and agreeing with them how best to proceed. When an employee considers

HYWEL DDA UNIVERSITY HEALTH BOARD

transitioning, or are in the process of transitioning, it may be difficult to discuss with others, therefore what they share, when and with whom is entirely their decision. However, staff are encouraged to talk to their line manager openly as early as possible so they can listen to any concerns and discuss how best to provide support sensitively.

If an employee feels they cannot talk to their line manager or that they need additional support, they can contact any of the following for help and guidance:

- Equality, Diversity and Inclusion team
- Workforce and OD team
- Trade Union Representative

Any Health Board contacts will maintain confidentiality about an employees' trans or non-binary status, except as agreed otherwise by the individual.

Action Plan

The line manager (or nominated contact) and trans employee should agree an action plan together, detailing all the steps that need to be taken before, during and after transition. Trans employees are also encouraged to meet regularly with their manager to discuss how their action plan is progressing and agree any additions or changes needed.

The timescales, activity and communication will be driven and led by the trans employee. If at any point during the discussions they decide to delay their action plan, any information they have already shared will be kept confidential, in line with their wishes.

See [Appendix 1](#) for further information regarding the action plan.

Informing Colleagues

It would only be appropriate to inform others, including colleagues, service users and other relevant contacts about an employees' trans status or history where they have explicitly agreed. If agreed, the trans employee should decide who is responsible; whether they would prefer to do this, or the manager or a colleague, or a mixture of these options. The employee should also decide when and how this will happen, including the details of the message and who it will be shared with. Levels of disclosure may vary in detail for different types of contacts and should be agreed in advance.

Trans employees are not obliged to inform their employer about their trans history as a condition of employment or promotion. If they transitioned before joining the Health Board, no information about this should be shared with others unless absolutely necessary, and then only with the permission of the individual.

Where an employee is planning to change their gender expression in the workplace, careful consideration should be made on a case by case basis in relation to the extent of the formal disclosure of this information and should be agreed with the individual.

Use of Facilities

The use of changing, showering, toilet and any relevant facilities will be part of the discussion process with the trans employee, with a view to agreeing when the individual would like to begin using the facilities they are most comfortable with.

Trans employees are entitled to use single sex facilities in accordance with their gender. Non-

HYWEL DDA UNIVERSITY HEALTH BOARD

binary staff may wish to use either gendered, or gender-neutral facilities, or both. Under no circumstances should a trans employee be expected or asked to use disabled toilets, unless they wish to do so.

Should a situation arise where a member of staff has concerns in relation to sharing facilities with a trans employee, the relevant manager will sensitively discuss their reasons with them, carefully balancing the issues to make a reasoned decision.

Where changing or shower facilities are open plan, it is good practice to review and make some provision (e.g. curtained spaces) where staff need not be in a state of undress in the presence of others. If it is genuinely impossible to adapt facilities to accommodate a trans employees' needs, there is one very limited example of an instance where the law permits an employer to make separate time bound arrangements.

Uniform and Dress Code

If a uniform and/or dress code is in place for the role, managers will ensure that the trans employee has access to the uniform and/or dresses in a way that best fits with their gender identity and gender expression.

The Health Board adheres to the [All Wales Uniform and Dress Code Policy](#) (opens in new tab). Wherever possible, flexibility will be provided to support the preference of the trans employee, however they are otherwise required to adhere to the [All Wales Uniform and Dress Code Policy](#) (opens in new tab), dressing appropriately for the new gender from the date of transition (i.e. prior to and up to the point when they start to live fully in their affirmed gender). This is necessary for compliance with health and safety and security legislation and to ensure correct identity of roles across the Health Board.

Where clothing or uniform is provided by the Health Board, new clothing will be provided consistent with the change in gender on the same basis as replacement clothing/uniform is provided to accommodate a change in size.

Public Facing Roles

An employee's transition may be unavoidably visible to the public. Some staff may wish to move to another role during transition, however they will not be required to do so. Managers will support the individual in a positive manner and listen to how they feel and are finding their experience, with the aim of exploring suitable solutions.

Confidentiality

The trans employees' explicit permission should always be sought to disclose any information to others. This must be on a confidential, strictly 'need to know' basis.

Employees who have undergone gender affirmation may be eager to protect their privacy surrounding their trans history. Anyone with access to relevant information must maintain the trans employees' right to confidentiality.

Should an employee apply for their gender to be legally recognised under the Gender Recognition Act, they have additional legal protection where it is a criminal offence to reveal a individual's trans history or identity without their express permission.

Updating Records

Electronic records will be updated at a mutually agreed time to reflect the employee's gender identity and name. Where appropriate, this should include modifying records containing a binary

HYWEL DDA UNIVERSITY HEALTH BOARD

title (e.g. Mr, Mrs, Miss, Ms) or a non-binary title (e.g. Mx, Ind, M, Misc).

Care will be taken to ensure that records do not link back to the former name or title, e.g. this may entail creating a whole new email address rather than simply changing the name on the existing one. The manager and employee should work together to ensure nothing is missed.

Name changes can occur informally without any legal process upon request by the trans employee. An individual does not need to hold a Gender Recognition Certificate in order to have their name details changed in any Health Board systems.

New name badges and security passes with the correct name and a new photograph will be issued, without any replacement cost to the employee.

Where possible, paper records will be updated. Those which cannot be updated, e.g. paper copies of references relating to the employee's recruitment or documents referencing the trans employees' previous details, will be stored in a separate secure place and marked clearly for access by specifically named persons, as agreed by the employee.

Use of Pronouns

The manager will take lead from the trans employee to use the pronouns they prefer. Those identifying as non-binary may not wish to use male or female pronouns and would prefer to use 'they' rather than 'he' or 'she' or other pronouns entirely, e.g. 'ze' or 'zir'. It may not be obvious which pronouns someone uses based on their outward expression, therefore it is important to ask politely.

Professional Registration

If the employee's role involves professional registration, the individual is responsible for checking whether the registration body has a specific, confidential process for gender transition.

Time Off Work

The employee may wish to take a period of leave at the time of the transition and return to work in their affirmed gender.

Trans employees may undergo treatment, which can include hormone therapy and surgery. This may necessitate taking time off work, which may have an impact on workload and colleagues. Managers will be accommodating during this time and may need to consider making temporary adjustments to role requirements.

Time off for transition-related treatment is essential. The length and amount of time off will vary according to individual need, therefore trans employees will be given reasonable time off to attend appointments where possible. The individual transitioning will have the right to privacy of appointments.

Time off to attend appointments which last for part of a working day should not count as sick leave. Time taken during working hours for the appointments will be paid and the dates and times recorded, however not classified as sick leave. Time away from work for surgery and to recover from surgery will be recorded as sickness absence, however should not trigger the formal Sickness Absence Procedure. Trans employees are entitled to the same sickness absence and pay as other staff in accordance with the [All Wales Managing Attendance at Work Policy](#) (opens in new tab).

HYWEL DDA UNIVERSITY HEALTH BOARD

Managers will endeavour to be flexible and supportive to employees. This should include discussing workload allocation with employees before the absence from work and on return, and any adjustments that could be made to facilitate the return to work. Managers should not seek to impose a change of duties on the individual, however, where appropriate, should seek assistance, including advice from Occupational Health, before decisions are made.

Recruitment

Applicants

The Health Board welcomes applications for employment from trans people, and all applicants can be assured of equal and fair treatment. It should not be expected that applicants for employment would wish to disclose their gender identity. It is neither a relevant criterion for selection for a post, nor a question that should be asked at interview or alluded to in the recruitment and interview process.

However, if one of the limited exceptions applies, then an individual would be expected to disclose their gender identity and an interviewer would be able to ask an appropriate question. Appointing managers should seek advice from Workforce and OD team if considering claiming exemption as very specific criteria apply.

Any statement regarding the need for disclosure must be accompanied by the explicit reassurance that such information will be treated in absolute confidence and that disclosure will not preclude eligibility for the post.

There is no obligation for a trans person to disclose their status as a condition of employment. All decisions must be based around the qualifications and skills offered by individuals.

Individuals involved in the recruitment and selection process who become aware of an applicant's trans status must maintain full confidentiality in relation to this as indicated in the relevant legislation.

Disclosure and Barring Services (DBS)

For those staff requiring a Criminal Records Bureau disclosure for their role, part of the process involves a strict requirement for applicants to state all previous names and aliases. The last page of the form then has to be completed by the "Registered Person" who checks and verifies the contents and the evidence supplied. As a result, there can be some anxiety regarding the implications for trans applicants and existing trans employees who have legally changed their name.

The DBS has a confidential checking process for trans applicants who do not want to reveal details of their previous identity to a potential or existing employer. Further guidance and information regarding the sensitive DBS applications route for transgender applicants can be found here: [Transgender applications - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/transgender-applications) (opens in new tab).

References

Where a reference request is received for an existing employee who has transitioned, the Health Board will respect the employee's privacy and only respond using the employee's affirmed name and gender in the reference.

Disclosure on sickness absence will not include time taken off for transition-related medical appointments. This information is strictly confidential, and managers must be very careful of any

HYWEL DDA UNIVERSITY HEALTH BOARD

record keeping in this.

When the Health Board requests a reference, it will be made using the prospective employee's affirmed name and gender since transitioning. No reference will be made to previous names or gender identity, unless specifically asked to do so (in writing) by the trans individual.

It may sometimes be necessary for a trans person to disclose a previous identity in order for a reference from a past employer to be obtained. In these cases, strict confidentiality and respect for dignity must be applied and protected information kept secure.

Birth Certificates

An individual who has changed gender is able to obtain a new birth certificate which will not disclose the fact that they have changed gender.

Work Permits

Staff who are working in the Health Board on a work permit or student visa are responsible for complying with any work permit/visa regulations which may relate specifically to name change or gender identity in order that the work permit/visa continues to be valid.

National Insurance

Trans employees who change their name are responsible for informing the local Department of Work and Pensions, however are under no obligation to provide a Gender Recognition Certificate (GRC) or disclose their trans status.

For those who wish provide a full GRC, National Insurance (NI) contributions will be paid on the basis of their affirmed gender.

Pension

Currently the State Pension age is 66 for men and women. From 6 May 2026, State Pension age will increase for both men and women to reach 67 by 6 March 2028. The State Pension age is continuously under review, which means that it could change again in the future, depending on different factors, such as changes in life expectancy.

Pension entitlements relate to an individual's legal gender and these change only when a full GRC is obtained, which also allows them to obtain a new birth certificate in their affirmed gender. A trans employee who receives a GRC and thereby a new birth certificate will be treated according to their affirmed gender for pension purposes.

Trans employees who do not obtain a full GRC retain their full pension rights in accordance with the sex that is recorded on their original birth certificate.

In terms of pension provision, it is good practice for employees to be treated as having their birth gender up to the point of transition (i.e. prior to and up to the point when they start to live fully in their affirmed gender). Employees must be treated as having their affirmed gender from the point of transition (i.e. when they start to live fully in their affirmed gender). This would apply, for example, in calculating funds transfers between pension plans.

If an individual retires earlier than others of their gender because of their legal gender, employers must keep this confidential, for example a trans man who does not have a GRC and retires at the age for his birth gender.

HYWEL DDA UNIVERSITY HEALTH BOARD

RESPONSIBILITIES

Chief Executive

The Chief Executive holds overall responsibility for the effective management of organisational policies.

Director of Workforce and OD

- Ensure all employment policies are developed in line with employment legislation and practice.
- Ensure all employment policies are monitored and reviewed on a 3 yearly basis.

Workforce and OD

- Co-ordinate the monitoring of the effectiveness of this policy.
- Provide guidance, advice and support when required.
- Ensure fairness and consistency in the treatment of all employees.
- Refer employees to external bodies where appropriate.

Managers

- Support employees at work and encourage them to proactively discuss their individual needs.
- Maintain confidentiality at all times, including securing paper documents and files
- Appropriately investigate instances of discrimination, victimisation, harassment and/or bullying.

Employees

- Notify the employer that they wish to transition and engage in discussions under the terms of this policy.
- Adhere to the requirements of this policy and treat trans people, including non-binary, with dignity and respect, which requires an acceptance of the needs and differences of others.
- Report any instances of discrimination, victimisation, harassment and/or bullying.

Occupational Health Department

- Provide support, guidance and advice to managers and staff.
- Respond to referrals from managers.

Trade Unions

- Encourage their members to seek help where appropriate.
- Inform members of their rights and responsibilities under this policy.

Supporting Transgender Staff Policy

Appendix 1: Action Plan

DRAFT FOR CONSULTATION

It may be helpful for the trans employee and their manager to put an action plan in place to support their transitioning at work.

HYWEL DDA UNIVERSITY HEALTH BOARD

The table below is an example of how the journey could be supported. It does not represent binding and unchangeable arrangements, but rather is a commitment to ensure engagement and provide support in-line with the individual's needs.

Consideration	Action	Who	When
Agree the date you wish to start presenting in affirmed gender, which could be a transition over days or weeks			
Discuss acceptable levels of confidentiality with your line manager. Your explicit consent should be given before any information is shared.			
Is there anyone who needs to be informed, such as colleagues, who will work alongside you prior to and after transition?			
Consider how you want this communication to take place, e.g. an email or face to face communication with the team. Do you want your manager to handle this, or would you like to do it yourself?			
Agree what will be included in this communication, e.g. informing colleagues of preferred pronouns and name or title; consider also sharing the Supporting Transgender Staff Policy for basic guidance.			
Are there any temporary or permanent changes / reasonable adjustments to your role which should be considered? Discuss if there are any duties that should be avoided temporarily, such as lifting heavy items, strenuous physical work etc.			
Consideration should include security and/or health and			

HYWEL DDA UNIVERSITY HEALTH BOARD

safety aspects, such as lone working, night working.			
Is any time off required? If so, discuss the expected timescale and how will this be managed and recorded?			
If appropriate, consider flexible working methods			
Discuss any dress codes/uniform to be considered and flexibility required. Are new uniforms needed?			
Discuss amendments needed to records and/or systems. Agree how confidentiality and record keeping of sensitive information will be ensured.			
Discuss access to facilities (changing, showering, toilet and any other relevant) and how will this be managed.			
Is there any guidance material which you wish to share with managers and colleagues? Consider trans awareness training for the team, unless you do not wish this.			
Confirm key points of contact for additional support, e.g. Workforce and OD team, Trade Unions, Equality, Diversity and Inclusion team, Enfys LGBTQ+ Staff Network, Staff Psychological Wellbeing Service			
Discuss any implications for pensions and insurances.			
Date of next meeting?			

SUMMARY EQUALITY IMPACT ASSESSMENT – 350 – Supporting Transgender Staff in the Workplace Policy

Organisation:	Hywel Dda University Health Board
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Proposal Sponsored by:	Name:	Corinna Lloyd-Jones
	Title:	Head of Organisation Relations
	Department:	Workforce and Organisational Development

Policy Title:	Supporting Transgender Staff in the Workplace Policy
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Brief Aims and Objectives of Policy:	This policy outlines workplace support guidelines for when a trans or non-binary employee is recruited or transitions during their term of employment. It also aims to ensure that staff who are considering, are transitioning or who have transitioned are fully supported at all stages.
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Was the decision reached to proceed to full Equality Impact Assessment?:	Yes	No ✓
	The nature of the policy is to support all staff and potential employees. The policy will also advocate the Health Board wants all staff to feel included, so that everyone can be themselves, add value and fulfil their potential without fear of discrimination. This includes colleagues whose gender identity does not match the gender they were assigned at birth and who may identify themselves as transgender, and also those whose gender identity cannot be defined within the margins of the gender binary: man or woman (also known as “non-binary”). The policy is inclusive of all additional protected characteristics and is designed to have a positive impact on those to whom it applies. It is also intended to guide manager when	

	supporting a trans employee at work.	
	The policy is an update of an existing policy and has been further developed with advice from Stonewall and members of the Health Board's Enfys LGBTQ+ Staff Network. It uses updated terminology and language reflecting current usage.	
	No complaints have been received in relation to equality, diversity or human rights following implementation of the original policy which has been in existence for a number of years.	
	The policy has been assessed as having a positive impact in relation to trans employees across all protected groups.	
If no, are there any issues to be addressed?	Yes ✓	No ✓
	The policy will support staff and help them feel empowered; this will mitigate any potential negative impact.	

Is the Policy Lawful?	Yes ✓	See references within policy.
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Will the Policy be adopted?	Yes ✓	This policy is an update of an existing policy.
	If no, please record the reason and any further action required:	

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Are monitoring arrangements in place?	Yes ✓	Any complaints received in relation to equality, diversity or human rights following implementation of the policy will be addressed on an individual basis and appropriate action taken.

Who is the Lead Officer?	Name:	Lisa Gostling
	Title:	Director of Workforce and Organisational Development
	Department:	Workforce and OD
Review Date of Policy:	Three yearly or sooner if required.	

Signature of all parties:	Name	Title	Signature
	Corinna Lloyd-Jones	Head of Organisation Relations	25/07/2023

	Jackie Hooper	Senior Diversity and Inclusion Officer	15/08/2019 Update 13/12/2019
Please Note: An Action Plan should be attached to this Outcome Report prior to signature			

Date:-	Jun-23	Name of All Wales Policy	Last Issue Date	Original Planned Review Date	Currently Under Review	Current Position
		Disciplinary	Mar-17	Mar-20	No	Remains Extant*
		Organisational Change	Mar-17	Mar-20	Yes	Remains Extant*
		Capability	Jun-18	Jun-21	Yes	Remains Extant*
		Managing Attendance at Work	Oct-18	Dec-21	Yes	Remains Extant*
		Menopause	Dec-18	Dec-21	No	Remains Extant*
		Respect and Resolution	Apr-21	Apr-22	Yes	Remains Extant*
		Employment Break Scheme	Jan-20	Jan-23	No	Remains Extant*
		Reserve Forces Training and Mobilisation	Mar-20	Apr-23	No	Remains Extant*
		Procedure for NHS Staff to Raise Concerns	May-21	May-23	Yes	Remains Extant*
		Pay Progression	Jan-20	Oct-23	No	Remains Extant*
		Special Leave	Dec-20	Jan-24	No	Remains Extant*
		Recruitment and Retention Payment Protocol	Dec-20	Apr-24	No	Remains Extant*
		Secondment	Jul-21	Jul-24	No	Remains Extant*
		Upholding Professional Standards in Wales	Oct-15	Oct-18	No	Remains Extant*

At its meeting held on 8 June 2023, the Welsh Partnership Forum Business Committee, agreed to a new approach to the review of All Wales policies and procedures.

The core element of this new approach is to move away from using a review date as a prompt for review of an existing policy, to recognise key prompts for review and to provide an option for a transactional review where changes/updates to an existing policy are more administrative than material.

All Wales W&OD policies remain extant until replaced by an updated version approved by the Welsh Partnership Forum.

NHS Wales Employers will issue this schedule on a quarterly basis as confirmation of policies remaining extant to provide clarity and support organisations from a governance and assurance perspective.

*Extant - legal term derived from Latin for still in existence/still live