

Freedom of Information Request
Received 16 November 2023, 14:26

1. Details of the expert group that advised the Government re: the formation of the Promise Scotland. Please provide names and roles.

The expert group was chaired by Sir John Elvidge, former Permanent Secretary of Scottish Government. Other members of the group were Andrew Cubie, Caroline Gardner former Auditor General for Scotland, Christine O'Neill KC, Chair of Brodies, Derek Feeley, former Chief Executive of NHS Scotland, Jim Savage, Chief Executive of Aberdeenshire Council, Lesley Fraser, Director General in Scottish Government, Ryan McCuaig, former Chair of Who Cares Scotland? and Stephen McCabe, Councillor and former COSLA Children and Families Representative.

2. Please give details of the cost provided to the Corra Foundation for the release of their CEO to Chair the Promise Scotland.

The Scottish Government deducted the provisional amount of £180,000 from The Promise Scotland budget 2021-22 to cover costs provided to the Corra Foundation. The Promise Scotland does not hold details of the final costs provided to the Corra Foundation by the Scottish Government. Pursuant to Section 17 of FOISA, we do not hold information that relates to your request.

3. Please provide details of all of those 'informally' spoken to about joining the board and the process by which they were chosen as people to approach.

The Chair spoke with representatives of COSLA, Solace and the NHS Chairs Group. These organisations were approached as critical parts of the 'system' to keep the promise. Each of the three organisations then ran its own process to nominate a person to join the board, and each of the three nominees was considered and appointed in a subsequent Directors' meeting.

4. Can you please provide a copy of the modelling re: the three roles?

Scenario 1: compatibility

The Promise Scotland

INTERNAL – looks at the resourcing and operations of the non-statutory company.



The Promise Oversight Board

EXTERNAL – looks all across Scotland at the entire system and services, national and local.

- ♥ The focus of **The Promise Scotland Board** will be ensuring the excellent the running of the non-statutory company (internal)
- ♥ By late May 2022, key stakeholders* to #KeepThePromise will be appointed to **The Promise Scotland Board** as Directors
- ♥ By late summer 2022, the Directors of **The Promise Scotland Board** will appoint a new Chair (to separate this post from Chair of **The Promise Oversight Board**)
- ♥ At meeting THREE, **The Promise Scotland Board** will sign off the recruitment plan for a Chief Executive, allowing this to commence immediately

* COSLA, Solace, rep from health and for money

1

Scenario 1: compatibility

The Promise Scotland

INTERNAL – looks at the resourcing and operations of the non-statutory company.



The Promise Oversight Board

EXTERNAL – looks all across Scotland at the entire system and services, national and local.

- ♥ The interview panel for the Chief Executive will be the (current) Chair and new members of **The Promise Scotland Board**
- ♥ The Chair of **The Promise Scotland Board** will line manage the Chief Executive
- ♥ On appointment the Chief Executive of The Promise Scotland, s/he will be appointed as a Director of **The Promise Scotland Board**
- ♥ On appointment of its new Chair and the Chief Executive to **The Promise Scotland Board**, the (current) Chair of **The Promise Oversight Board** will no longer have any operational responsibility for The Promise Scotland*

* This timeframe aligns with a review of the current secondment agreement for the Chair

2

Scenario 1: compatibility

The Promise Scotland
INTERNAL – looks at the resourcing and operations of the non-statutory company.



The Promise Oversight Board
EXTERNAL – looks all across Scotland at the entire system and services, national and local.

- 💡 **The Promise Oversight Board** is clear that it has no locus or responsibility for the governance or running of The Promise Scotland
- 💡 **The Promise Oversight Board's** focus is looking externally at all the work taking place to #KeepThePromise
 - This will include the work of The Promise Scotland with **The Promise Oversight Board** receiving a copy of the independent impact analysis (20/21-22/23) commissioned by **The Promise Scotland Board** for consideration

3

Scenario 1: compatibility

The Promise Scotland
INTERNAL – looks at the resourcing and operations of the non-statutory company.



The Promise Oversight Board
EXTERNAL – looks all across Scotland at the entire system and services, national and local.

- 💡 A formal link between the two Boards will be established to cover on strategy, risk and shared policies and procedures (such as Exception and Escalation Process and Reporting - see risk scenario 2) will be considered by both Boards in early summer
 - Both **The Promise Oversight Board** and **The Promise Scotland Board** will appoint named whistleblowing champions (see risk scenario 3)

* This timeframe aligns with a review of the current secondment agreement for the Chair

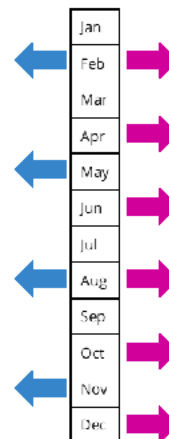
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Scenario 1: compatibility

- ♥ The Promise Scotland Board will oversee scheduling of meetings of the respective Boards →
 - this will include the management of any information flow in keeping with good governance, such as the Exception and Escalation Process and Reporting (see risk scenario 2)
 - The Promise Scotland Board will assess the need for a company secretary function
- ♥ The Promise Scotland Board will ensure The Promise Oversight Board is provided with secretariat support

The Promise Scotland

The Promise Oversight Board



5

5. Can you also supply a copy of the Promise Scotland policies and procedures document?

The Promise Scotland has a number of policies and procedures in place as follows.

Some further policies are in development and currently at draft stage.

The Promise Scotland – Additional Leave Policies

The Promise Scotland has a range of policies which refer to the different types of leave that may become applicable during an employee's employment with the organisation.

The types of leave that can be found within this policy can be found below:

Other Leave

- Time off in Lieu Policy
- Additional/Extended Leave Policy
- Leave for Trade Union Activities
- Leave for Public Duties
- Leave for Health Appointments
- Leave for Education and Training

Each of the policies will provide information regarding:

- The policy purpose,
- The eligibility criteria (if applicable),
- The pay entitlements,
- The notification requirements (if applicable),
- How to request leave, and
- Any other relevant information and/or support links to support networks.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in December 2022

Next review: December 2023

TOIL – Time off in Lieu Policy

In an effort to ensure a healthy work-life balance for all employees, efforts will be made to regularly monitor and minimise the need for working additional hours. Whilst we are committed to ensuring employees do not need to work additional hours, we also recognise there may be exceptional circumstances where employees are required to work hours in excess of their contractual hours e.g., to meet deadlines or to attend a work event.

The Promise Scotland aims to promote a culture of trust whereby employees feel assured that where additional hours have been worked, TOIL will be granted to ensure that employees are being given an adequate amount of time off in return.

In order to ensure that TOIL is managed in the most effective way for both the organisation and employees, managers should have an open discussion around the use of TOIL and whether the additional hours to be worked are required. This will also provide an opportunity for managers to ensure that employees are not working excessive hours regularly or where this could be avoided.

Where any additional hours are worked these should be logged on Breathe to keep an accurate record, so that employees do not forget to take TOIL and to remind managers that employees have TOIL to take. However, managers have a responsibility to encourage and remind employees to take their TOIL to avoid a build-up of time owed and to ensure that employees receive the appropriate time off and rest periods.

Where additional hours have been worked, TOIL should be taken as soon as possible, normally within four weeks. No more than two days should be accrued at a time, other than in exceptional circumstances and approved by your Line Manager.

Where employees are regularly working in excess of their contractual hours, this should be raised with their Line Manager as soon as possible so that we can assess whether further resources are required to meet the demand and so that we can take the necessary steps to address this. For the avoidance of doubt, TOIL is not flexitime and, therefore, can neither be acquired nor used as such.

Additional/Extended Leave Policy

In support and recognition of the varying demands all employees at The Promise Scotland face in balancing both their work and home life, we offer employees the opportunity and flexibility to apply for additional and/or extended leave.

While we will make an effort to accommodate requests for additional/extended leave, where requests are granted, this time off will be unpaid.

Eligibility

In order to make a request you must have worked for The Promise Scotland continuously for 26 weeks at the date the application is made.

Considering an Application

All applications will be considered in order to establish whether the additional/extended leave can be accommodated within the current needs of the business.

If the request is granted, specific annual leave requests will be considered in line with the usual process for submitting holiday request and in line with departmental needs.

Each request for additional/extended leave will be considered on its own merits in the light of the current business landscape and current business requirements. Each individual request granted may change the business landscape. Therefore, the fact that one request within a department is accepted and agreed, it does not necessarily follow that a further request for additional/extended leave could be accommodated.

Managers must also consider applications for additional leave in light of other forms of leave granted to the individual concerned.

Whilst The Promise Scotland strives to accommodate such requests and support employees in gaining a better work-life balance, we reserve the right to decline requests for additional/extended leave should it not align with business requirements at that time. The Head of Team may give the following responses:

Approve and let the employee know their request has been accepted – as soon as possible and within 28 days.

Decline – should advise the employee of their decision and the reasons why it was reached.

Defer – should advise the employee why the application is being deferred, the reason for this and a date for reconsideration.

Note

The authorisation of additional/extended leave in one year does not guarantee that the same would be the case the following year and an application would be required each year.

If any additional unpaid leave is granted, these additional day(s) should be logged on Breathe HR under the 'Other Leave' section which allows us to keep a record of any days taken but these will not be deducted from your holiday entitlement.

Leave for Trade Union Activities Policy

The Promise Scotland recognise that an employee who is an official of an independent trade union which is recognised by us must be allowed reasonable time off for carrying out trade union activities and/or duties.

Union representatives are entitled to time off where duties are concerned with:

- negotiations with the employer about matters concerning to collective bargaining;
- any other functions on behalf of employees of the employer which are related to matters falling within section 178(2) TULR(C)A and which the employer has agreed the union may perform;
- activities related to redundancy or transfer of undertakings.

The Promise Scotland is not obliged to pay the employee for time off for these activities.

For more information please follow the link provided - [Code of Practice on time off for trade union duties and activities including guidance on time off for union learning representatives | Acas](#)

Leave for Public Duties Policy

The Promise Scotland recognises that from time to time, employees will have responsibilities outside of work in order to undertake public and civic duties, either in a professional capacity, or on a mandatory or voluntary basis.

The Promise Scotland understands the importance of these commitments and is supportive to these situations. We strive to balance the business demands of The Promise Scotland whilst ensuring that requests for time off are granted where appropriate and when there is a statutory right to request it. Where leave is granted, this time off will usually be unpaid.

An employee can get a 'reasonable' amount of time off if they are (not exhaustive):

- a magistrate
- a local councillor
- a school governor
- a member of any statutory tribunal
- cited for jury duty
- a member of a health authority
- a trade union member

There are also some instances where employees may be entitled to reasonable *paid* time off (taking departmental requirements into consideration) for example, employees who have been appointed as a Children's Panel member, or other relevant voluntary positions, particularly those that contribute to professional job development. If you are taking part in public duties, please speak to your line manager for more information on the pay/time off available.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Leave to Attend Health Appointments Policy

The purpose of this policy is to ensure consistent application in requesting and approving time off for any planned or unplanned dental or medical appointments by employees and managers at The Promise Scotland.

At The Promise Scotland we want to ensure that staff prioritise their health and wellbeing and as such we will endeavour to accommodate leave requests for medical or dental appointments, including GP and hospital appointments, tests, check-ups, health screenings, rehabilitation and on-going treatment of long-term health conditions.

Employees should endeavour to arrange their appointments for outside of normal working hours so as to minimise time off work. However, we recognise that this is not always possible and at times appointments will need to be made at short notice.

We encourage employees to speak to their line manager if they have a need for an upcoming medical or dental appointment so that options for appropriate leave/cover can be discussed. We appreciate the length of appointments can be impacted by waiting times and/or delays and you may be unable to determine the likely duration of your appointment.

The following options can also be considered by line managers and the employee who need to attend any medical or dental appointments:

- annual leave
- time off in lieu
- flexi-time
- arranging to work additional hours
- changing their work pattern; or
- unpaid leave

Pregnant women are entitled to paid time off to attend ante-natal care appointments.

Health Conditions & Disabilities

At the Promise Scotland we appreciate that appointments and treatment plans relating to health conditions and disabilities may vary so we will deal with these on an individual case-by-case basis.

Where employees have either planned or unplanned appointments or leave required due to an ongoing health condition or disability, employees should discuss this with their line manager so that the appropriate leave and pay can be arranged.

Leave for Education and Training Policy

The Promise Scotland recognises the quality of its work and success is directly related to the quality and effective performance of their employees. The Promise Scotland will ensure that employees are given the opportunity to enhance their performance through access to effective training and development opportunities.

The Promise Scotland will also consider applications from employees who wish to take time off for study purposes to either attain personal or organisational goals. We may also consider making a contribution to the fees where a course of study is directly relevant to an employee's role.

Should this policy become of interest to any employee, whether applying for time off and/or contributions to fees, this should be made in writing to the Head of Team and Senior Operations Manager. It should include details of course, how it relates to the employee's work and details of the proposed time off/ financial contribution sought.

The Head of Team will consider the employee's application in line with any budgetary or other relevant considerations.

Author	Zico Iqbal
Version number	v3 December 2022
Authorised by	
Date of sign off	
Policy type	Compulsory read

Anti-harassment and Bullying Policy

The Promise Scotland is committed to providing a working environment free from harassment and bullying and ensuring all employees are treated, and treat others, with dignity and respect. As such, harassment or victimisation on the grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy or maternity, race, religion or belief, sex or sexual orientation is unacceptable and will not be tolerated.

We also promote a culture where employees feel comfortable to raise any concerns in which they feel are relevant to this policy. To help to promote this culture, we encourage all employees to make themselves aware of the relevant procedures and provide additional support to colleagues who do not feel comfortable raising bullying or harassment concerns with their direct Line Manager.

Whatever form it takes, personal harassment is always taken seriously and is totally unacceptable in every circumstance.

The Promise Scotland recognises that personal harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment. In line with organisational values and aims, behaviours as such are not tolerated and will be dealt with in both a fair but appropriate manner.

The Promise Scotland recognises that it has a duty to implement this policy and all employees are expected to comply with it. The Promise Scotland will also review this policy regularly and at least annually, to monitor its effectiveness.

Definitions

Harassment: includes a range of unwanted behaviour which intentionally or otherwise creates feelings of unease, discomfort, embarrassment, humiliation and/or intimidation; causes offences and/or threatens/appears to threaten job security. Examples can include:

- Unwanted physical contact
- Sending or displaying offensive material
- Unwelcome sexual advances
- Coarse, insensitive jokes
- Abusive, insulting or threatening language
- Unwanted phone and email contact unrelated to work.



Bullying: bullying is a behaviour from a person or group that is unwanted and can result in making others feel uncomfortable, frightened, vulnerable, humiliate or intimidates. Examples can include:

- Physical or psychological threats
- Overbearing and intimidating levels of supervision/managements
- Inappropriate derogatory remarks about someone's performance
- Being excluded from fully participating in team meetings and discussions/social events
- Being given a heavier workload than others in a similar role.

Third Party Harassment

The Promise Scotland operates a zero-tolerance policy in relation to harassment perpetrated against one of its employees by any individual they may have contact with through their work. All employees are encouraged to report any and all instances of harassment that involve a third party in line with our reporting procedure, as outlined below.

If The Promise Scotland finds that the allegation is well-founded, The Promise Scotland will take steps it deems necessary in order to remedy this complaint. This can include, but is not limited to:

- warning the individual about the inappropriate nature of their behaviour
- banning the individual from company premises
- reporting the individual's actions to the police.

In addition to this, The Promise Scotland will endeavour to take all reasonable steps to deter and prevent any form of harassment from third parties taking place.

Responsibilities

Employee Responsibilities

The Promise Scotland requires its employees to behave appropriately and professionally by showing respect to all fellow employees at all times, including events outside of working hours. Employees must not engage in discriminatory, harassing or aggressive behaviour towards any other person at any time.

In addition, we expect employees to report any incidences where another colleague is subject to or if you are witness to any potential harassment or bullying as we know that some employees may not feel comfortable to do so.



Any form of harassment or victimisation and any breach of this policy will be treated as a disciplinary matter, if it is committed:

- in a work situation
- during any situation related to work, such as a social event
- against a colleague or other person connected to the employer outside of a work situation, including on social media
- against anyone outside of a work situation where the incident is relevant to their suitability to carry out the role.

Employer Responsibilities

The Promise Scotland will be responsible for ensuring every employee, understands the rules and policies relating to the prevention of harassing and bullying behaviour at work and during work-related social events. In addition, The Promise Scotland will promote a professional and positive workplace whereby managers receive training and development in their responsibilities to be alert and proactively identify areas of risk, incidents of, and responses to, harassment, sexual harassment and bullying.

The Promise Scotland will also take into account aggravating factors, such as abuse of power over a more junior colleague, when deciding what action to take.

Where an incident is witnessed, or a complaint is made under this policy, The Promise Scotland will take prompt action to deal with this matter. All incidents will be deemed serious and dealt with in a sensitive and confidential manner. In exceptional circumstances, the Company may seek external support to manage Anti-Harassment and Bullying claims.

The Procedure

Informal procedure

All incidents will be deemed serious, but it may be that the complainant or the witness wish to try and resolve the matter informally. In the first instance, if you are being bullied or harassed, you should explain clearly to the aggravator(s) that their behaviour is not welcome or makes you uncomfortable; be firm but not aggressive and stick to the facts. If this is too difficult or embarrassing, you should speak to your Line Manager, who can provide confidential advice and assistance in resolving the issue informally. As a member of a team, it is important to be able to resolve issues and conflict between colleagues at an informal level within the team, if possible.

The Promise Scotland recognises that complaints of personal harassment, and particularly of sexual harassment, will be of a sensitive or intimate nature. This may mean using an informal process to resolve the issue may not be appropriate, in these circumstances, a member of the Heads or Leads group will be obliged to proceed to a



formal procedure. The complainant will receive support and an independent mediator or advocate will be considered, if they wish.

Formal Procedure

If informal steps are not appropriate, or have not been successful, you should raise the matter formally and confirmed in writing under our Grievance Procedure, and should include, if possible, the following:

- the name of the alleged harasser
- the nature of the alleged harassment
- the dates and times when the alleged harassment occurred
- the names of any witnesses
- any action already taken by you to stop the alleged harassment.

On receipt of a formal notice, an investigation will then be conducted by someone with appropriate experience and who has had no prior involvement in the complaint, where possible.

If necessary, The Promise Scotland will separate the employee from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with contractual pay until the matter has been resolved.

On conclusion of the investigation, which will normally be within 5 working days of the receipt of the formal notice, a report of the findings will be submitted to the appropriate person who has been appointed to hold the grievance meeting. This will be the Chief Executive if the alleged harasser is a member of the Heads or Leads Group.

You will be invited to attend a meeting, at a reasonable time and location, to discuss the matter once the person hearing the grievance has had opportunity to read the report. You have the right to be accompanied at such a meeting by a colleague or a union representative and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

In the interest of fairness, you will have the opportunity to put your case forward at the meeting and respond to any concerns/allegations raised against you. The designated individual holding the grievance meeting will explain the outcome of the investigation to you. You have a right to appeal the outcome, which should be submitted to the nominated person identified in the outcome letter, within 5 working days of receiving the outcome. The appeal will be heard by the Chief Executive or a Director of the Board, if the designated manager was the Chief Executive.



If the decision is that the allegation is well founded, the harasser will be liable to disciplinary action in accordance with our disciplinary procedure up to and including dismissal.

The Promise Scotland is committed to ensuring employees are not discouraged from using this procedure and no employee will be victimised for having brought a complaint. Employees who make complaints or who participate in good faith in any investigation must not suffer any form of retaliation or victimisation as a result. Anyone found to have retaliated against or victimised someone in this way will be subject to disciplinary action under our Disciplinary Procedure.

Information about a complaint by or about an employee may be placed on the employee's personnel file, along with a record of the outcome and of any notes or other documents compiled during the process.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

Author	Zico Iqbal
Version number	v3 December 2022
Authorised by	
Date of sign off	
Policy type	Compulsory read

Anti-bribery Policy

The key principles of The Promise Scotland and its employees are being professional, respectful, ethical, transparent and showing integrity in all aspects of our business. We will act fairly and will maintain lawful practice in all our business dealings. Therefore, The Promise Scotland has a zero-tolerance approach to bribery by employees or by third parties acting for or on behalf of The Promise Scotland.

Bribery is, in the conduct of The Promise Scotland's business, the offering or accepting of any gift, loan, payment, reward or advantage for personal gain as an encouragement to do something which is dishonest, illegal or a breach of trust. Bribery is a criminal offence.

Offences

It is not acceptable for an employee or someone on their behalf to:

- offer a bribe
- accept a bribe
- fail to prevent a bribe.

Employees should be aware that bribery is considered a criminal offence and if you are found guilty by a court of committing bribery, you could face up to 10 years in prison and/or an unlimited fine. In addition, The Promise Scotland could also face prosecution and be liable to pay a fine.

Definitions of Bribery and Corruption

Corruption is the misuse of office or power for private gain. Bribery is a form of corruption which means in the course of business giving or receiving money, gifts, meals, entertainment or anything else of value as an inducement to a person to do something which is dishonest or illegal.

Scope

This policy applies to all employees of The Promise Scotland regardless of seniority. It also extends to anyone working for or on our behalf e.g., those engaged by us on a self-employed basis or an agency arrangement.



We will encourage the application of this policy where our business involves the use of third parties e.g., suppliers; contractors.

Policy

It is prohibited, directly or indirectly, to offer, give, request or accept any bribe i.e., gift, loan, payment, reward or advantage, either in cash or any other form of inducement, to or from any person or The Promise Scotland in order to gain commercial, contractual or regulatory advantage for The Promise Scotland, or in order to gain any personal advantage for an individual or anyone connected with the individual in a way that is unethical.

It is also prohibited to act in the above manner in order to influence an individual in his capacity as a foreign public official. You should not make a payment to a third party on behalf of a foreign public official.

If you are offered a bribe, or a bribe is solicited from you, you should not agree to it unless your immediate safety is in jeopardy. You should immediately contact the Chief Executive so that action can be taken if considered necessary. You may be asked to give a written account of events.

If you, as an employee or person working on our behalf, suspect that an act of bribery, or attempted bribery, has taken place, even if you are not personally involved, you are expected to report this to the Chief Executive. You may be asked to give a written account of events.

Appropriate checks will be made before engaging with suppliers or other third parties of any kind to reduce the risk of our business partners breaching our anti-bribery rules.

The Promise Scotland will ensure that all of its transactions, including any sponsorship or donations given to charity, are made transparently and legitimately.

The Promise Scotland takes any actual or suspected breach of this policy extremely seriously and will carry out a thorough investigation should any instances arise.

We will uphold laws relating to bribery and will take disciplinary action against any employee, or other relevant action against persons working on our behalf or in connection with us, should we find that an act of bribery, or attempted bribery, has taken place. This action may result in your dismissal if you are an employee, or the cessation of our arrangement with you if you are self-employed, an agency worker, contractor etc.

Gifts and Hospitality

We realise that the giving and receiving of gifts and hospitality where nothing is expected in return helps form positive relationships with third parties where it is proportionate and properly recorded. This does not constitute bribery and consequently such actions are not considered a breach of this policy.

Gifts include money; goods (flowers, vouchers, food, drink, event tickets when not used in a hosted business context); services or loans given or received as a mark of friendship or appreciation.

Hospitality includes entertaining; meals or event tickets (when used in a hosted business context) given or received to initiate or develop relations. Hospitality will become a gift if the host is not present.

No gift should be given nor hospitality offered by an employee or anyone working on our behalf to any party in connection with our organisation without receiving prior written approval from the Chief Executive. Similarly, no gift nor offer of hospitality should be accepted by an employee or anyone working on our behalf without receiving prior written approval from the Chief Executive.

A record will be made of every instance in which gifts or hospitality are given or received and maintained by the Senior Operations Manager.

As the law is constantly changing, this policy is subject to review and The Promise Scotland reserves the right to amend this policy without prior notice.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

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Budgeting Policy

The Promise Scotland's Financial Policy and Procedures outline the ways in which The Promise Scotland controls purchasing and spend as well as the broader financial policy and procedures, including those in place to safeguard against fraud. The document reflects best practice and serves to minimise risk and achieve compliance with the guidance on the appropriate management of finances.

Effective financial management is an essential part of organisational health and involves planning, organising, controlling and monitoring financial resources in order to achieve organisational objectives and compliance.

Facilitated by this guidance, sound financial management will become an integral part of The Promise Scotland's ongoing business planning process.

Policy Statement

This policy statement will ensure that the Promise Scotland Team can mobilise the necessary funds to deliver the planned programme of work and manage its resources responsibly.

In particular, The Promise Scotland Team will follow this policy and the associated procedures to:

- make sure that proper standards of financial conduct are maintained,
- ensure that all expenditure by The Promise Scotland will be lawful and procurement transactions carried out in accordance with best practice,
- establish delegation of responsibility, accompanied by clear lines of accountability, together with reporting arrangements,
- deliver best value from The Promise Scotland resources, by setting out proper arrangements having regard to efficiency and effectiveness,
- ensure that proper, accurate and complete accounting records are maintained by The Promise Scotland to:
- enable the provision of appropriate management information to The Promise Scotland,
- ensure that The Promise Scotland keeps spend within available resources,

- protect against the risk of fraud and irregularity.

Financial Arrangements

The Chief Executive is responsible for The Promise Scotland's corporate and financial governance arrangements which ensure that proper financial control is exercised throughout The Promise Scotland, with oversight and accountability by The Promise Scotland Board. The Senior Leadership Team is responsible for making sound decisions that deliver best value, both for their respective areas of responsibility and for the organisation as a whole. **The Senior Operations Manager** is responsible for ensuring that effective financial management processes are in place and that budget holders are well supported.

Grant Drawdown

Grant funding is drawn down from the Scottish Government Team with responsibility for The Promise Scotland grant, on a quarterly basis. The claim is made via the Scottish Government Sponsorship team together with a summary of activity against grant each quarter. On approval, the Scottish Government arranges the payment to The Promise Scotland account.

Grant can only be claimed on proposed spend as per forecasted budget and signed off by the Scottish Government Sponsorship team. Funding is released following submission of a Schedule 2, template of which can be found in the Grant Agreement Letter.

Budgetary Control

- Each team within The Promise Scotland (currently Insights, Public Affairs, Support and Governance & Operations) is required to operate within their agreed departmental budget.
- The Chief Executive and the Head of each team receive a monthly detailed finance report including variance from budget, provided by the 2nd of each month.
- A significant variance is defined as more than 10% or £7,500, whichever is the lower. Where a significant variance from budget is shown, the Head of the relevant team is required to provide an explanation to the Chief Executive for the variance and indicate whether it will reverse in future.
- Anticipated negative budget variances that are not expected to reverse, and which cannot be covered by the department's overall budget, must be discussed firstly with the Chief Executive and presented with a possible solution, (use of positive variances in other budget lines or departments).
- The Senior Leadership Team (SLT) members are responsible for managing their budgets overall, including the ability to transfer budget between different lines

within department budgets. The **Senior Operations Manager** will facilitate this process.

- On occasion, there may be a requirement to transfer budgets between departments. Transfers of budgets between departments must be discussed at SLT level and agreed by the Chief Executive and reported to the **Senior Operations Manager** for adjustment.

Delegated Authority

- Internal control processes are organised around a clear structure of delegated authority, where limits of approval apply. For items pertinent to procurement, the sections below describe the matters for approval at each level.
- Authority to approve any expenditure and influencing of expenditure must not be exercised where there is a conflict of interest.
 - In such cases the employee must declare a conflict of interest and take no part in the relevant procurement.
 - In such cases authorisation must be referred to the Chief Executive.
 - If the Chief Executive declares a conflict of interest, authorisation must be referred to either the Chair of The Promise Scotland Board or the Chair of the Finance Sub-Committee of The Promise Scotland Board.
- Matters reserved for the Chief Executive.
 - Approval of expenditure exceeding department budget, but not exceeding total organisation budget.
 - Approval of expenditure where the Head of Team has a conflict of interest, subject to the limits set out below
 - Waiving of competitive tendering under the circumstances set out below
- Matters reserved for Heads of departments
 - Expenditure up to budget limit within the department budget set out below

Procurement Process

- The procurement process is subject to The Promise Scotland's system of internal control and is designed to be effective and efficient.
- Any purchase that exceeds the total relevant departmental budget must be referred to the Chief Executive and the Chair for review and/or approval.
- The procurement process is divided into levels outlined below with the amounts referring to the total contract value including non-recoverable VAT. Orders must not be sub-divided so as to circumvent the control limit.
 - **Spend up to £5,000 not exceeding budget**
For spend up to £5,000, not exceeding budget, for any one order or supply, the Head of Team may instruct the purchase to proceed using a

supplier that is known to The Promise Scotland or the least cost supplier via the internet.

- **Spend up to £10,000 not exceeding budget**

For spend up to £10,000, not exceeding budget, for any one order or supply, the Senior Operations Manager may instruct the purchase to proceed using a supplier that is known to The Promise Scotland or the least cost supplier via the internet.

- **Procurement contracts between £10,001 and £20,000 not exceeding budget**

For spend between £10,001 and £20,000, not exceeding budget, 3 quotes must be obtained. The Head of Team shall authorise procurement. If the least cost quote is not chosen, the decision must be referred for approval by the Chief Executive. The Promise Scotland must seek best value, taking into account quality as well as cost.

- **Procurement contracts between £20,001 and £50,000 not exceeding budget**

For contracts between £20,001 and £50,000, not exceeding budget, a competitive tendering must be carried out. The contract must be approved by both the Chief Executive and the Chair.

- **Procurement contracts over £50,000 not exceeding budget**

For contracts over £50,000 and not exceeding budget, a competitive tendering must be carried out. The contract must be approved by The Promise Scotland Board.

- Exceptions to quotations and competitive tendering in the following circumstances are allowed only when accompanied by a comprehensive business case and with subsequent written authorisation by the Chief Executive. All exceptions will be reported on a quarterly basis to the Finance Sub-Committee and The Promise Scotland Board.
 - Where there is a continuation/extension of a project where a change of supplier would not be beneficial.
 - Extreme urgency, where time does not permit the obtaining of competitive quotes.
 - Where there is a person or supplier who has such specialist skills, expertise and knowledge that it would not be beneficial to pursue quotations or competitive tendering.

Fraud

- The Promise Scotland is committed to maintaining high ethical standards and integrity in the conduct of its activities. All staff and people acting on The Promise

Scotland's behalf are responsible for conducting activities professionally, with honesty, integrity and maintaining The Promise Scotland's reputation.

- Fraud encompasses deliberate misstatements, falsifying records, making or accepting improper payments or not acting in the best interests of The Promise Scotland for the purpose of personal gain. This also encompasses bribery and corruption.
- The Promise Scotland maintains systems of internal control to prevent procurement fraud.
- Smaller contracts are selected on the basis of 3 quotes. Larger contracts are subject to competitive tendering. For details please refer to the procurement process section of this policy.
- All supplier invoices are routed to the Finance inbox, (administrated by the **Finance & Admin Officer**), passed for authorisation by the budget holder (Head of Team), and then marked as approved on the Xero accountancy package by the Finance & Admin Officer.
- Payments to suppliers once authorised by Head of Team are input onto the online banking system by the Finance & Admin Officer. Payment is only made once the payment is verified by 2 authorised The Promise Scotland Officials.

Reimbursement of expenses

- The Promise Scotland staff expenses are paid directly into employee bank accounts on completion and approval of their expenses form on the BreatheHR platform.

Oversight Board Members/Board of Directors financial reimbursement procedure

- Oversight Board members are entitled to claim £225 per month as fees for their time spent on The Promise Scotland Oversight Board. If additional work is required of Board members, the scope of work and additional fees must be discussed and agreed in advance with the Head of Public Affairs. Fee claim forms can be found [here](#) and they must be authorised by the Head of Public Affairs.
- Oversight Board members can claim back reasonable expenses incurred while carrying out their duties. Please refer to the Business Travel Policy for expense claim thresholds. Expense claim forms can be found [here](#) and they must be authorised by the Head of Public Affairs.
- The Promise Scotland Board of Directors are not remunerated but are entitled to claim reasonable travel and subsistence expenses for attendance at relevant The Promise Scotland meetings. All expenses must be in line with the Business Travel Policy. Expense claim forms can be found [here](#) and they must be signed and approved by the Chair of The Promise Scotland Board.

Who we bank with – Bank of Scotland

The Promise Scotland bank with the Bank of Scotland. The current signatory on the account is Jacqueline Brock and a second signatory is to be confirmed.

The Finance and Administration Officer has read only access to the banking system. The Events and Administration Officer has a Debit card, purchases are only made on this debit card after sign off from the relevant Head of Team.

Financial Processing system and accounting year

The Promise Scotland utilise the Xero account package to records its financial transactions.

The accounting year of the Promise Scotland runs from April 1st to 31st March.

Accounting Policies

- **Fixed assets**

Tangible fixed assets costing more than £3,000 are capitalised and included at cost including any incidental expenses of acquisition.

Depreciation is provided on all tangible fixed assets at rates calculated to write off the cost of each asset over its expected useful life as follows:

Furniture and office equipment: Over 7 years

Computer equipment: Over 5-7 years

Payroll

The Promise Scotland payroll is processed by SCVO. The Senior Operations Manager liaises with them regarding any changes.

Pensions

The Promise Scotland's contractual pension scheme is administered by Aviva. Employer contribution is 13% and minimum employee contributions are 5.5%. The pension scheme operates on a salary sacrifice basis where the employer's national insurance contributions are fully reinvested. The Finance and Administration Officer uploads the pension report to the Aviva website monthly and the contributions are taken by direct debit monthly.

HMRC

SCVO submit the necessary documentation to HMRC on a monthly basis. The payment is paid to HMRC on a monthly basis by direct debit based on the submission made by SCVO.

Insurance

The Promise Scotland's business insurance is with Gateway Insurance.

Employers' Liability Insurance cover is no less than £5m.

Professional Indemnity Insurance is up to £1m.

Public & Products Liability Insurance is no more than £5m.

Auditors

Currently tendering.

- The Finance Sub-Committee will appoint The Promise Scotland Auditors based on the recommendations of the Chief Executive. The decision will be reported to The Promise Scotland Board.
- The **Senior Operations Manager** will be the lead contact for the auditors and support their annual audit.
- The Management Account Services will produce draft financial statements by the end of April each year. These will be provided to the SLT before being submitted to the auditors. Once the draft financial statements have been audited, they will go for approval to the Finance Sub-Committee and the Board. Once approved they will be submitted to Companies House and Scottish Government. Any recommendations made by the auditors will be assessed by the Finance Sub-Committee who will agree necessary actions and amendments to procedures.
- The Chief Executive will review the draft annual accounts and audit and recommend approval to The Promise Scotland Board.
- The Chair of The Promise Scotland Board will sign the approved annual accounts for submission by The Chief Executive to Companies House and to the Scottish Government.
- The Chief Executive will report any recommendations made by the auditors to the Finance Sub-Committee and agree necessary actions and amendments to procedures.

Solicitors

The Promise Scotland current solicitors are Brodies LLP.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the **Senior Operations Manager**.

Reviewed in: December 2022

Next review: December 2023

Author	Zico Iqbal
Version number	v3 December 2022
Authorised by	
Date of sign off	
Policy type	Compulsory read

Child and Adult Protection Guidelines and Procedures

Section 1 – Introduction and Context

The [National Guidance for Child Protection 2021](#) states that all services and professional bodies should have clear policies in place for identifying, sharing and acting upon concerns about risk of harm to a child or children.

The [Adult Support and Protection \(Scotland\) Act 2007 Code of Conduct](#) states that while independent organisations do not have specific legal duties or powers under the Act, they have a responsibility to involve themselves with the Act where appropriate by making referrals, assisting inquiries and should discuss and share with relevant statutory agencies information they may have about adults who may be at risk of harm.

The Promise Scotland is a non-statutory company established to support the work of change and the shifts in policy, practice and culture demanded by the [Independent Care Review](#). As an organisation, we are not involved in direct service delivery and do not hold support relationships with children, young people or adults. However, during the normal process of delivering our work programmes, we are very likely to have direct and indirect contact with children, young people and adults.

The overall purpose of this policy and its associated procedures is to keep children, young people and adults safe, when engaging with The Promise Scotland and to best place the Promise Scotland to respond to child and adult protection concerns in a way that adheres to good practice

This includes responding to direct safeguarding concerns raised by children, young people, adults, staff and carers and members of the public. This policy aims to:

- Guide our staff, and Board members, to understand and respond to child and adult protection concerns
- Support an organisational culture where children, young people and adults are valued and their rights to safety and respect are upheld
- Outline how we will collaborate and communicate with other agencies to ensure that children, young people and adults are safeguarded and protected.

The Promise Scotland has designated two Safeguarding Leads*. The Senior Operations Manager is responsible for developing and reviewing all of the organisation's policies. Additionally, the Safeguarding Leads will also have a role in reviewing the Child and Adult Protection policy.

However, all workers for The Promise Scotland are required to implement the Child and Adult protection policy and procedures.

*The Promise Scotland Safeguarding Lead is Thomas Carlton

Child Protection – Child protection means protecting a child from abuse or neglect. In Scotland, the [National Guidance for Child Protection 2021](#) defines child abuse and neglect as follows:

“Abuse and neglect are forms of maltreatment. Abuse or neglect may involve inflicting harm or failing to act to prevent harm. Children may be maltreated at home within a family or peer network, in care placements; or community settings; and in the online and digital environment. Those responsible may be previously unknown or familiar, or in positions of trust. Children may be harmed pre-birth, for instance by domestic abuse of a mother or through parental alcohol or drug use.”

Child protection refers to the processes involved in consideration, assessment, and planning of required action, together with the actions themselves, where there are concerns that a child may be at risk of harm.

Protecting children means recognising when to be concerned about their safety and understanding when and how to share these concerns. These procedures direct the Promise Scotland staff in their responsibilities and action(s) in responding to any situation where they think a child may be at risk of abuse or neglect or may have been harmed.

Child protection procedures are initiated when police, social work or health professionals determine that a child may have been abused or may be at risk of significant harm.

Adult Protection – the Promise Scotland staff may also encounter situations where an adult is viewed as being at risk of harm and these procedures also provide information to ensure staff are aware of their responsibilities to recognise and respond in those contexts.

The [Adult Support and Protection \(Scotland\) Act 2007 Code of Conduct](#) defines an “adult at risk” as anyone aged 16 or over who :

- Are unable to safeguard their own well-being, property, rights, or other interests.
- Are at risk of harm; and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected

The definition of “harm” in the 2007 Act sets out the main broad categories of harm: physical, psychological, sexual and neglect. It also includes conduct which affects property, rights or interests. For the purposes of the Act an adult is at risk of harm:

- If another person’s conduct is causing (or is likely to cause) the adult to be harmed, or
- The adult is engaging (or is likely to engage) in conduct which causes (or is likely to cause) self-harm

The Adult Support and Protection Act 2007 details the measures to identify and protect individuals who fall into the category of ‘adults at risk’. An ‘adult at risk’ of harm is defined as a person aged 16 and over who may be unable to protect themselves from someone harming them, or from exploitation or neglect, because of a disability, mental disorder, illness or physical or mental infirmity.

For this policy, the definition of a child is up to the age of 18yrs. The Children (Scotland) Act 1995 and the Children and Young People (Scotland) Act 2014 defines a child as a person who is under 18 years of age (with some exceptions). Whilst a child can be defined differently in different legal

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contexts, particularly between the ages of 16-18 years, it is not for Promise Scotland staff to consider which legislation or policy, if any, can be applied.

Some young people aged 16-18yrs may be subject to statutory intervention through the Children's Hearing System and discussion will take place across child and adult protection services in securing the best outcome for the young person who may be subject to abuse, neglect, harm, or exploitation during this transition.

The Promise Scotland is committed to providing a safe experience for children, young people and adults. The Child and Adult Protection Guidelines and Procedures reflect this commitment and aims to ensure that all concerns about the care and protection of children, young people and adults are effectively responded to and managed.

Section 2 – Safeguarding, Child and Adult Protection.

Safeguarding refers to all of the actions the Promise Scotland takes to keep all children, young people and adults we come into contact with safe, and includes the proactive measures put in place to ensure they do not come to harm as a result of any direct or indirect contact with our organisation. Safeguarding encompasses the prevention of harm to children, young people and adults from staff and other persons whom the organisation is responsible for.

Child and Adult protection is an important part of safeguarding and refers to the actions the Promise Scotland takes to address a specific concern about a particular child, young person or adult at risk of significant harm. A child or adult protection response is essential if there is a concern that a child, young person or adult is at risk of experiencing harm.

Section 3 – Supporting staff

For the safeguarding policies and procedures to be realised the Promise Scotland recognises the need to support staff for it to be implemented in every day working. This requires staff to be supported to be able to be alert to, and respond to safeguarding concerns of individuals, or groups, that engage in the work of the Promise Scotland. There is a further requirement to ensure there is support for staff, in a tailored and proportionate manner, beyond the initial response. This is because the Promise Scotland recognises that responding to safeguarding concerns can have an impact on the wellbeing of the responder.

Being trusted with a disclosure of abuse directly from a child, young person or adult can be emotionally draining, worrying and very stressful. Whilst it's essential that confidentiality is maintained at all times, it's important that you consider your own emotional feelings and discuss any anxieties you have with your line manager or one of our Safeguarding Leads*. If appropriate, the organisation will arrange additional support for you.

Section 4 - Responding to suspicions or allegation of abuse

Organisational response

As a staff member your role in child and adult protection is not to investigate or decide if abuse has taken place. Your role is to observe, record and report.

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There will be no delay in contacting relevant agencies, when there is significant concern for the welfare of a child, young person or adult engaging with the Promise Scotland.

The Promise Scotland is not a service delivery organisation, but staff may become aware of concerns about a child or adult:

- through a communication or disclosure by a child, young person or adult to one of our staff over a period of time, or in response to a particular incident
- through a telephone call or email received by our organisation
- direct observation, or awareness, of a concern by Promise Scotland staff, through the delivery of work programmes.
- information on concerns from another child, young person or adult, a relative, or a member of the public
- concerns about a child, young person or adult from their social media communications – this could also be direct communication to our social media accounts.

Section 5 - Responding when a child, young person or adult makes a disclosure.

It is likely that a child, young person, or adult who has been abused will have given a lot of thought as to whether they should disclose the abuse. It is highly likely that they will be anxious and afraid that they might be rejected, blamed, or not believed. It is important that staff, and representatives, of the Promise Scotland, follow the steps outlined below:

Stay calm

Remain calm. You may have been approached because you are trusted, not because you are an expert counsellor. Do not promise to keep the information secret; you may have to inform an appropriate person. You must take any disclosure seriously and reassure the young person that you believe them.

Listen and take the allegation seriously

Listen to what the child or young person is saying. Give them the time and opportunity to tell you as much as they are able and willing to. Do not pressure them and allow them to disclose information at their own pace. You should not investigate, ask leading questions or ask specific or explicit questions. You should only clarify what they are willing to tell you in their own words.

Respond

Reassure them that you believe what they are saying and that you know it is not their fault. You should also give them some indication of what you will do next with the information that they have given you.

Share

Discuss with your line manager immediately and inform one of the Safeguarding Leads*. If you cannot reach your line manager you should contact one of the Safeguarding Leads immediately.

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Record

Attempt to gather essential information, i.e., name, address, and date of birth for clarification purposes and details of disclosure. Remember to keep questions to a minimum. If you are able to, make brief notes during the initial disclosure, explaining to the child, young person, or adult why you are doing so. If it's not possible to do so at the time, record the details as soon as possible after the disclosure with as many facts as possible (dates, times, actual words used).

Confidentiality

Reiterate that you cannot promise to keep the information secret. You must take any allegation, concern, or disclosure seriously. Details should only be passed on to your line manager and one of the Safeguarding Leads*, who will agree next steps with you.

Immediate Response

Members of staff have a duty to report any concerns, allegations or disclosures to their line manager and the designated Safeguarding Leads* for the Promise Scotland. However, the first concern must be the reassurance of the child, young person and adult and their protection from any potential risk. During the reporting process, and if relevant, they should be protected from further contact with the individual involved in the allegation.

In following the procedures below please bear in mind:

DO NOT INVESTIGATE

Staff should not attempt to investigate the situation any further or interview the child, young person or adult regarding the situation.

CONFIDENTIALITY

Details of suspicion, allegations or disclosures should only be passed on to your line manager and one of the Safeguarding Leads*. If responding to an allegation or disclosure, you must not promise to keep the information they disclose confidential.



COMMUNICATION

In responding to any child or adult protection concerns, staff should communicate their concerns immediately to their line manager **and** one of the designated Safeguarding Leads* for the Promise Scotland.

No member of staff should feel they are responding to concerns on their own and should seek early support from their manager.



COMMUNICATION

If your line manager is not available, staff should communicate their concerns immediately to one of the designated Safeguarding Leads* for the Promise Scotland.

A member of staff should not wait until they can communicate with their own line manager and seek support from one of the Safeguarding Leads*.



ACTION/NEXT STEPS

Your line manager, in consultation with the Safeguarding Lead, will agree next steps with you, and how to respond.

Discussion should focus on the nature of the concerns, the risks to the child, young person or adult and agreed actions and next steps to be taken

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RECORD INFORMATION

Detailed written records should be made of all events and what the child, young person, adult or other individuals have said (where this applies). Guidance and a form are supplied in Appendix 1 and 2 to help structure this. It can also be used to inform Social Work/Police of the events that have occurred. Above and beyond the facts, any opinions or personal interpretations of the facts presented can be recorded but it should be clear they are opinions, rather than facts. Records should be signed and stored in a secure place.



REPORTING CONCERNS

Contacting social work, or police to notify them about a child or adult protection concern is referred to as a child/adult protection referral or a notification of concern. If there are concerns that a child or adult has suffered, is suffering or is at immediate risk of abuse this should be done without delay.

In principle, if you have a concern pass information on to one of the Safeguarding Leads and agree a referral to social work or police and any action required.



DEBRIEF AND SUPPORT

Responding to concerns and allegations about children, young people and adults can be impactful for staff who are closely involved with the person, the content of the concerns and the subsequent processes.

Line managers and the Safeguarding Lead should debrief the member of staff and provide appropriate support

Section 6 – Allegations or suspicions of abuse against a staff member

Any allegation in relation to any staff member will be taken seriously and investigated. One of the designated Safeguarding Leads will deal with the concern in line with the Promise Scotland Disciplinary Procedures. Any concern or complaint raised in relation to one of the safeguarding leads, will be dealt with by the Chief Executive.

Any suspicion of criminal activity will be shared without delay with Police Scotland.

In recognition of the Protection of Vulnerable Groups (Scotland) Act 2007, the Promise Scotland is obliged to refer to Disclosure Scotland the case of any member of staff or volunteer who, whether or not in the course of their role with the Promise Scotland has:

- harmed a child or adult
- placed a child or adult at risk of harm
- engaged in inappropriate conduct involving pornography
- engaged in inappropriate conduct of a sexual nature involving a child, or
- given inappropriate medical treatment to a child.

If Disclosure Scotland informs the Promise Scotland that an individual is barred, that member of staff or volunteer will be removed from regulated work with children and/or protected adults immediately in line with the Protection of Vulnerable Groups (Scotland) Act 2007.

Section 7 - Protection of Workers who report care and protection concerns

Deciding to share concerns or report a colleague you suspect of abusing or otherwise harming a child or adult can be stressful and difficult and you may be worried about the person concerned taking action against you. The law does give you protection if you raise concerns or report a colleague as long as the report was not malicious or vexatious. Staff should also be aware of the organisations Whistleblowing Policy.

Section 8 - Data Protection and management of confidential information

The Promise Scotland is committed to the safe and secure management of confidential information. All personnel information is kept secure and can only be accessed by those that require it to carry out their role. Only relevant information is kept and this is regularly reviewed and outdated information destroyed appropriately.

The Promise Scotland is also committed to the rights of children, young people and adults to confidentiality and this will be respected by all staff members. In general, information will normally only be shared with consent. However, where there is a risk to a child's wellbeing, consent should not be sought, and relevant information should be shared with other individuals or agencies as appropriate: without hesitancy. There is an important distinction between making the child aware that information will/may be shared and seeking their consent for that sharing.

In relation to adults, information should be shared only when it will provide benefit to the adult which could not reasonably be provided without such an intervention, and the amount of

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information shared should be proportionate to addressing the concerns relating to protecting the adult from harm.

Where a staff member feels that the information disclosed by a child, young people or adult should be referred to their line manager for investigation by an appropriate agency, they should be told that their confidentiality cannot be kept.

Section 9 – Monitoring and storage of information

The Promise Scotland is not a service delivery organisation, so we do not keep or hold files or information on children, young people and adults. However, we will retain electronic versions of any completed recording and referral forms in a secure file for up to 6 months after we have made any referral to an appropriate agency.

Section 10 – Staff awareness, training and support

All staff at The Promise Scotland will receive training, support, information and guidance to ensure they understand their role and responsibilities with regard to Child and Adult Protection. This will be mandatory. In addition, an annual update and refresh will take place to ensure each member of staff is fully aware of both their individual responsibilities and also the requirements of The Promise Scotland in any case where there may be a concern about a child or adults safety and wellbeing.

All staff will be made fully aware about:

- The Promise Scotland's responsibility for child and adult protection
- The aims and objectives in relation to the Promise Scotland fulfilling its child and adult protection responsibilities
- The roles and responsibilities of staff within the organisation
- The need for staff to adhere to The Promise Scotland's Child and Adult Protection Policy and procedures

Section 11 - Recruitment

The Promise Scotland recognises that appropriate recruitment and selection procedures are a vital part in developing and maintaining a safe environment for children, young people and adults. The following procedures are in place to ensure that only suitable applicants are accepted as staff of The Promise Scotland:

- All applicants will be asked to complete an application form
- All successful applicants will be asked to provide suitable references
- All suitable applicants will be asked to attend an interview

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- All successful applicants appointed will be required to become members of the PVG Scheme or, if already a member, provide their PVG Scheme Record and permit access to a PVG Scheme Record Update
- Any applicant found to be fully listed on the Children's List and barred from working with children under the PVG scheme will not be appointed to a position.

Section 12 - Review of Child and Adult Protection policy and procedures

This policy and procedures document will be reviewed annually by the Senior Operations Manager and approved by the Safeguarding Leads. All staff members will be notified of any changes. This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

Appendix 1 - The Promise Scotland Recording and Referral Form

- A report should be made by the person who has had the initial concerns about a child's or adults welfare using this recording and referral pro forma
- As soon as is practical and in any case within 24 hours of the concerns arising, write down the concern or what you have been told using the exact words if possible.
- Using the Promise Scotland Recording/Referral Form (Appendix 2) note down the relevant information, ensuring that the document is password protected
- Send the Promise Scotland Recording/Referral Form to your line manager and the Safeguarding Leads.
- The Recording/Referral Form will be saved in a dedicated, restricted access folder termed Child and Adult Protection on Sharepoint.
- Only the Safeguarding Leads and the relevant Senior Leadership Team members will have access to this sub-folder.
- When further action is agreed, or is deemed necessary, a copy of the TPS Recording/Referral Form should be forwarded, without delay, to the relevant social work department or agency.
- When sharing the form externally, the form must be password protected and sent by email. The password needs to be communicated separately and to the relevant individuals only, either over the phone or in another email.
- It is essential that every care is taken not to include any personal data or confidential information in emails, unless there is a reason this is unavoidable. All emails and documents must be stored to the relevant folder only and promptly deleted from any other folders and mailboxes
- Staff should promptly ensure all necessary follow up, seek written confirmation that the social work department and/or police has received the written information/the form and that information has been noted and where necessary decisions made by line managers and the Senior Leadership Team of the Promise Scotland.

Appendix 2

THE PROMISE SCOTLAND CHILD OR ADULT PROTECTION Recording/Referral Form	
Your name:	
Job title:	
Date form completed:	
Child/Adult's name and address:	
Date, time and location of alleged incident/concern/event:	
Nature of the concern /allegation/ disclosure? Distinguish between fact and opinion.	
What did the child/adult tell you? In their own words, as far as is possible	

Any immediate protective actions required or taken?	
Additional line manager / Senior Leadership Team advice and action: Please offer a brief description of any further advice given, or action taken. Include when it is agreed that no further action will be taken or where information will not be shared. NB: It is important to ensure the justification is clear.	
Action taken by the Promise Scotland:	
Your name Signature Date	
Line manager name Signature Date	

APPENDIX 3

The Promise Scotland - Understanding of Child Abuse and neglect

Abuse to children or vulnerable young people is described under the following headings:

Physical Abuse

Physical abuse is the causing of physical harm to a child or young person. Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating. Physical harm may also be caused when a parent or carer feigns the symptoms of, or deliberately causes, ill health to a child they are looking after.

Signs which may raise concerns about physical abuse include:

- refusal to discuss injuries
- aggression towards others
- improbable excuses given to explain injuries
- fear of parents being approached for an explanation
- running away
- untreated injuries
- excessive physical punishment
- avoiding activities due to injuries or possibility of injuries being discovered
- unexplained injuries, particularly if recurrent

Emotional Abuse

The adverse effect on the behaviour and emotional development of a child or young person, caused by failure to provide for their basic emotional needs. For example:

- Persistent failure to show any respect to a child (e.g., continually ignoring a child)
- Constantly humiliating a child by telling them they are useless.
- Continually being aggressive towards a child, making them feel frightened.
- Acting in a way which is detrimental to the child's self-esteem (e.g., name calling, sarcasm, constant criticism)

Signs which may raise concerns about emotional abuse include:

- low self-esteem
- significant decline in concentration
- running away
- indiscriminate friendliness and neediness
- extremes of passivity or aggression
- self-harm or mutilation

Sexual Abuse

Any child or young person below the age of 18 may be deemed to have been sexually abused when any person, by design or neglect, exploits the child or young person directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person

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or any other person including organised networks. The activities may involve physical contact, including penetrative or non-penetrative acts. They may include non-contact activities, such as involving children in looking at or in the production of indecent images, in watching sexual activities, using sexual language towards a child, or encouraging children to behave in sexually inappropriate ways. For example:

- exposure to sexually explicit inappropriate language or jokes.
- showing a child pornographic material or using a child to produce such material.
- inappropriate touching.

Signs which may raise concerns about sexual abuse include:

- lack of trust in adults or over familiarity with adults, fear of a particular adult
- social isolation - being withdrawn or introverted, poor peer relationship
- sleep disturbance (nightmares, bedwetting, fear of sleeping alone)
- running away from home
- drug, alcohol or solvent abuse
- display of sexual knowledge beyond the child's age

Neglect

The persistent or severe neglect of a child or young person, whether wilful or unintentional, which results in serious impairment to physical health and development. For example:

- exposing a child to extreme weather conditions e.g., heat and cold.
- failing to seek medical attention for injuries.
- exposing a child to risk of injury through the use of unsafe equipment.
- exposing a child to a hazardous environment without a proper risk assessment of the activity.
- failing to provide adequate nutrition and water

Signs which may raise concerns about physical neglect include:

- constant hunger
- poor personal hygiene and/or poor state of clothing
- constant tiredness
- frequent lateness or unexplained non-attendance (particularly at school)
- untreated medical problems
- low self-esteem
- poor peer relationships
- stealing

Online Abuse

Online abuse is any type of abuse that happens on the internet, facilitated through technology like computers, tablets, mobile phones and other internet-enabled devices.

It can happen anywhere online that allows digital communication, such as:

- social networks
- text messages and messaging apps
- email and private messaging
- online chats
- comments on live streaming sites
- voice chat in games.

Children and young people can be re-victimised (experience further abuse) when abusive content is recorded, uploaded or shared by others online. This can happen if the original abuse happened online or offline.

Other abusive behaviour towards children and young people

Staff should also be aware of other, perhaps less obvious, forms of abuse. These may be dismissed or minimised by perpetrators but can have a serious impact and cannot be allowed or go unchallenged:

- Bullying of any form, including name calling or constant criticism
- 'Picking on' a young person because of their family background, manner of dress or physical characteristic
- Racism or sectarianism in any form
- Favouritism and exclusion - all young people should be equally supported and encouraged
- Abusive language or gestures

APPENDIX 4

The Promise Scotland - Understanding of Adult Abuse, exploitation and neglect

Abuse to adults is described under the following headings:

Physical Abuse

- hitting
- pushing
- rough handling
- exposure to heat or cold
- force feeding
- improper administration of medication
- denial of treatment
- misuse or illegal use of restraint
- not being allowed to go where you wish, when you wish

Signs which may raise concerns about physical abuse include:

- fractures
- bruising
- burns
- pain
- marks
- not wanting to be touched

Psychological or emotional abuse

Psychological or emotional abuse is harmful behaviour that can cause mental distress. It can involve both verbal and non-verbal abuse which can scare, humiliate and isolate a person. This may include:

- threats
- humiliation or ridicule
- provoking fear of violence
- shouting, yelling and swearing
- blaming
- controlling
- intimidation
- coercion

Signs which may raise concerns about psychological or emotional abuse are:

- being withdrawn
- too eager to do everything they are asked
- showing compulsive behaviour
- not being able to do things they used to
- not being able to concentrate or focus

Financial abuse

Financial abuse happens if someone tries to steal, steals or defrauds you of your money, goods or property. This includes:

- exploitation
- embezzlement
- withholding pension or benefits
- exerting pressure around wills, property or inheritance

Signs which may raise concerns about financial abuse are:

- having unusual difficulty with finances
- not having enough money
- being too protective of money and things they own
- not paying bills
- not having normal home comforts

Sexual abuse

Sexual abuse is unwanted sexual activity or sexual behaviour that happens without consent or understanding. Sexual violence and abuse can be physical contact or non-contact sexual activities, such as:

- indecent exposure
- stalking
- grooming
- forced to look at or be involved in producing sexually abusive material
- forced to watch sexual activities

Signs which may raise concerns about sexual abuse are:

- genital itching, soreness or having a sexually transmitted disease
- using bad language
- not wanting to be touched
- behaving in a sexually inappropriate way
- changes in appearance

Institutional abuse

Institutional abuse is the mistreatment or neglect of an adult at risk by a regime or individuals. It takes place within settings and services that adults at risk live in or use, including any organisation, in or outside the Health and Social Care sector.

Institutional abuse may occur:

- when routines, systems and regimes result in poor standards of care
- when poor practice and behaviours are in place
- within strict regimes and rigid routines which violate the dignity and human rights of the adults and place them at risk of harm
- within a culture that denies, restricts or curtails privacy, dignity, choice and independence

Signs which may raise concerns about institutional care are:

- the person has no personal clothing or belongings
- there is no care plan for them
- they are admitted often to hospital
- professionals having treated them badly or unsatisfactorily or acting in a way that cause harm to the person

Neglect

Neglect occurs when a person deliberately withholds, or fails to provide, suitable and adequate care and support needed by another adult. It may be through a lack of knowledge or awareness, or through a decision not to act when they know the adult in their care needs help. It may impair the health or well-being of an adult.

Signs which may raise concerns about neglect are:

- having pain or discomfort
- being very hungry, thirsty or untidy
- failing health

Exploitation

Exploitation is the deliberate maltreatment, manipulation or abuse of power and control over another person. It is taking advantage of another person or situation usually, but not always, for personal gain.

Exploitation comes in many forms, including:

- slavery
- being controlled by a person or a group
- forced labour

- domestic violence and abuse
- sexual violence and abuse
- human trafficking

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Authorised by	
Date of sign off	
Policy type	Compulsory read

Criminal convictions gained whilst in employment with The Promise Scotland and non-conviction relevant information

Criminal Convictions Policy

The Promise Scotland aims to ensure that all work carried out by The Promise Scotland staff is of high quality and that, at all times, no one in contact with The Promise Scotland is placed at risk from a The Promise Scotland member of staff and that none of The Promise Scotland's work is placed at risk due to the actions of a The Promise Scotland member of staff.

Disclosure Checks

To determine the relevance of any conviction(s) to the post applied for, The Promise Scotland's recruitment procedures require all new staff, to disclose criminal convictions in writing as appropriate, and for a Disclosure Scotland certificate or PVG Scheme membership to be obtained for successful candidates as appropriate.

To ensure effective recruitment policies and procedures are maintained, it is a requirement for The Promise Scotland's members of staff to disclose any convictions that are gained whilst in employment to the Senior Operations Manager. Convictions that are gained whilst in employment should be disclosed in writing and sealed in an envelope – marked 'Private and Confidential' - for the attention of the Senior Operations Manager.

As part of The Promise Scotland's recruitment policies and risk reduction procedures it is a requirement for current members of The Promise Scotland's staff to obtain a Disclosure Scotland certificate every three years (or have PVG scheme membership). This is paid for by The Promise Scotland.

The kind of check accessed will be determined by the roles and responsibilities of the staff member and the criteria set by the Protecting Vulnerable Groups (Scotland) Act 2007.

Further information on Disclosure Scotland certificates and the PVG scheme is available in the Disclosure Scotland section in this handbook.

Convictions

The decision as to whether any conviction is relevant to the post currently held will be taken by the Senior Leadership Team. The staff member may be asked to attend a meeting with the relevant Head of Team and other relevant staff to clarify and expand on any of the information disclosed. Criteria used to determine relevance, and decisions reached, will be recorded in writing.

Failure to disclose a conviction received either prior to, or after taking up employment may lead to the disciplinary procedure being invoked which could lead to dismissal from The Promise Scotland. (Disclosures should include convictions which are spent if the post is assessed as requiring PVG scheme membership).

Convictions gained whilst in employment, which are deemed to be relevant to the post currently held and which would make the employee unsuitable for their type of work may lead to the disciplinary procedure being invoked which could lead to dismissal from The Promise Scotland. Factors that will be taken into account will include the nature of the offence, the nature of the work to be done, the extent to which the work involves contact with other employees or the general public and the status of the employee.

Non Conviction Relevant Information

Non-conviction relevant information is intelligence held by Chief Constables in each geographical area. When an applicant applies for PVG Scheme membership, any intelligence held on the applicant, which is deemed to be relevant to the job applied for, will be documented on the Scheme record disclosure.

On receipt of the Scheme record disclosure the Senior Operations Manager plus one other member of the Senior Leadership Team, will assess this information in accordance with the recruitment process.

Any non-conviction relevant information (applicable to PVG Scheme Record disclosures only) that has been gained prior to employment with The Promise Scotland, or whilst in employment with The Promise Scotland, which has not been disclosed to the organisation, may lead to the disciplinary procedure being invoked and could lead to dismissal.

The decision, in relation to the relevance of any convictions disclosed, any non-conviction relevant information or any action taken as a result of failure to disclose convictions or other relevant information, will be taken by the Senior Leadership Team.

Any decision may be subject to review by the Chief Executive.



Review

This policy will be reviewed annually at least and in line with legislative changes, by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

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Disciplinary Policy

The Promise Scotland is committed to supporting and encouraging all employees to achieve and maintain standards of conduct, attendance and job performance and to ensure consistent and fair treatment for all. However, there will be occasions when it may be necessary to invoke disciplinary procedures. Should the need arise, the employee will be given the opportunity to improve throughout the stages of the procedure.

When work falls below an acceptable standard, help will be given to the employee to improve. If standards of work continue to fall and there is a necessity for action, it will automatically begin with a pre-disciplinary informal discussion. Similarly, when an employee's behaviour is potentially inappropriate and unacceptable, the initial response will be to resolve and settle the concerns informally, although this will depend on the severity of the poor work performance or alleged inappropriate behaviour.

If disciplinary action should become necessary, each case will be treated consistently and fairly, and the disciplinary procedure will be observed at all steps. The employee will be given the opportunity to provide their version of events and any extenuating circumstances will be considered. An employee's rights will be upheld at all times, and employees will have the right to:

- know the case against him/her
- reply
- due consideration of their case
- be accompanied
- appeal.

This policy is adopted on a non-contractual basis and therefore does not make up part of employees' contractual terms and conditions.

The Promise Scotland are not obliged to follow the process herein if the employee is within their probationary period or has less than 2 years' service.

Investigation

Prior to taking the decision to invoke the disciplinary procedure, The Promise Scotland will ensure that a thorough investigation is carried out. This is a fact-finding process and

may necessitate the gathering of detailed information as well as the carrying out of formal interviews, taking of written statements, etc.

A proper investigation is an integral part of the process and, where an allegation of gross misconduct is involved, may require employees to be suspended on contractual pay whilst this is carried out. Suspension of pay is not considered to be a sanction taken under the disciplinary procedure. It is there to ensure that issues are dealt with in a fair and reasonable manner, and adequate protection is given to all employees.

In most cases, the Line Manager will conduct the investigation. Where this is not appropriate, a member of the Senior Leadership Team (not the Chief Executive) will conduct it.

Informal Pre-disciplinary Discussion

The aim of the investigation will be to establish the facts and whether there is a need to invoke the formal aspects of The Promise Scotland's disciplinary procedure.

Minor misconduct, poor performance or minor breaches of rules will normally result in an informal warning being given by the Line Manager or investigating officer. This will not be recorded in writing.

The Disciplinary Procedure

This procedure will be used in cases which have either not been remedied by an informal warning or have been assessed as sufficiently serious as a result of investigation to require formal disciplinary procedures.

Normally, the procedure will follow the steps listed below, although it is acceptable to move directly to steps two or three if a case is sufficiently serious.

In the first formal step of the disciplinary procedure, the Line Manager or investigating officer will present their record of the investigation. The employee has the option to have a work colleague or trade union representative present.

A member of the Senior Leadership Team will hold the disciplinary meeting where all the facts will be considered, and any mitigating circumstances discussed.

Where a warning (verbal or written) is issued by the member of the Senior Leadership Team, a copy will be placed on the employee's personnel file for the specified period. All warnings issued under this procedure will state clearly that the employee will be liable for further disciplinary action should their performance not improve or should there be a further breach of The Promise Scotland's policies or procedures. In the event of no further misconduct occurring and the performance improving, the warning will be removed from the employee's file.

The employee will also be advised of their right to appeal against the decision to take disciplinary action.

The stages in the disciplinary procedure are as follows:

Verbal Warning

A verbal warning will be applied where the matters of concern are substantiated. A record of the verbal warning will be given to the employee and a copy will be retained on the personnel file for 3 months unless there is repetition within this period.

First Written Warning

A first written warning will be applied where there are serious matters of concern and which are substantiated. A record of the first written warning will be given to the employee and a copy will be retained on their file for 6 months unless there is repetition within this period.

Final Written Warning

A final written warning will be applied where the matters of concern are of such seriousness that they merit this response; or, where matters of concern persist despite a verbal and/or written warning. A record of the final written warning will be given to the employee and a copy will be retained on the personnel file for 6 months unless there is repetition within this period. The employee given a final written warning will be informed that further misconduct within the specified period may result in their dismissal.

Dismissal or Action Short of Dismissal

The Promise Scotland will never make the decision to dismiss an employee lightly. However, an employee will be dismissed if they have failed to improve during the previous steps or if there are instances of similar behaviour. In the event of a gross misconduct allegation, The Promise Scotland may enter the process at this last stage and dismissal may occur. As an alternative to dismissal, The Promise Scotland may decide that suspension without pay, transfer or demotion are appropriate sanctions.

Gross Misconduct

The following offences will be viewed by the organisation as gross misconduct:

- unauthorised use of The Promise Scotland's assets and equipment
- insubordination e.g., refusal to carry out duties or obey reasonable instructions, except where employee safety may reasonably be in jeopardy
- intentional sexual harassment, harassment, bullying or violent, dangerous or intimidatory conduct

- serious breach of rules, policies or procedures, especially those designed to ensure safe operation
- divulging or misusing confidential information
- theft or fraud
- possession or consumption of alcohol or drugs, or intoxication by reason of alcohol or drugs, which could affect work performance in any way or have an impact on other employees
- unauthorised or inappropriate use of email, internet and/or computer systems
- falsification of any Company records including reports, accounts, expenses claims or self-certification forms
- bringing unauthorised person(s) onto Company premises.

This list of examples above is not exhaustive or exclusive.

For employees whose Line Manager is the Chief Executive, the Chief Executive will conduct the investigation, a director of The Promise Scotland Board of Trustees will hold the disciplinary meeting. An appeal will be heard by the Chair of the Board or of one of its sub-committees. Their decision will be final.

Appeals

At every step, the employee has the right to appeal in writing. An appeal should be considered by a member of the senior leadership team who has not been either the investigating officer or the officer who has held the disciplinary meeting.

Appeals against dismissal and findings of gross misconduct should always be heard by the Chief Executive.

If the appeal is being made by a member of the Senior Leadership Team and the Chief Executive has held the disciplinary meeting, a director of The Promise Scotland Board will hold an appeal hearing.

At each stage, an appeal should be made in writing within 5 working days of the decision and the employee will be invited to attend an appeal hearing, after which a decision will be made on whether the disciplinary sanction is to be upheld or overturned. The decision at appeal stage will be final.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

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Equality, Diversity and Human Rights Policy

The Promise Scotland are opposed to all forms of unlawful and unfair discrimination, harassment, or victimisation. All job applicants, employees and others who work for the Company will be treated fairly and will not be discriminated against on any of the above grounds.

We are committed to promoting equality of opportunity as set out in the Equality Act 2010. We will provide employment equality to all, irrespective of age, gender, disability, sexual orientation, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief.

In addition, The Promise Scotland will ensure that all employees regardless of their upbringing or background have equal opportunities within the organisation. This includes employees who are care experienced either currently or who have been at some other time throughout their life.

This policy sets out our approach to equal opportunities and the avoidance of discrimination at work. It applies to all aspects of employment with us, including recruitment, pay and conditions, training, appraisals, promotion, conduct at work, disciplinary and grievance procedures, selection for redundancy and termination of employment.

In addition, all employees, and consultants are expected to instil and uphold the principles of equity, diversity, dignity respect, inclusion and accessibility within their practice according to the Equality Act 2010. We will also apply these principles to its partnership work and engagement with stakeholders including professionals, children, young people, parents, carers and community members.

The Promise Scotland is committed to progressing human rights and to realising children and young people's rights in Scotland according to The United Nations Convention on the Rights of the Child. This means enabling all young people to exercise their rights, embedding this approach into our practice, and holding professionals and public bodies to account where young people's rights are not being met.

Forms of Discrimination

Direct discrimination: treating someone less favourably because of a Protected Characteristic. For example, rejecting a job applicant because of their religious views or because they might be gay.

Indirect discrimination: where a person imposes, or proposes to impose, a requirement, condition or practice that has, or is likely to have, the effect of disadvantaging people with a protected attribute, and that is not reasonable. An example could be a requirement for all job applicants to have GCSE Maths and English: people educated in countries which don't have GCSEs would be discriminated against if equivalent qualifications were not accepted.

Bullying: Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority but can include both personal strength and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal, and non-verbal conduct.

Harassment: this includes sexual harassment and other unwanted conduct related to a Protected Characteristic, which has the purpose or effect of violating someone's dignity or creating an intimidating hostile, degrading, humiliating or offensive environment for them.

Harassment by Association: this can occur when an employee is harassed because they associate with someone who has a protected characteristic or because someone thinks you have one of the protected characteristics. For example, you are harassed because your son or daughter is gay.

Harassment by Third Parties: This may include customers, visitors or clients who are harassing our employees resulting in an uncomfortable and awkward environment for them. Employees are therefore encouraged to raise the matter, either informally, or through the grievance procedure in the first instance should they witness Third Party Harassment.

Victimisation: retaliation against someone who has complained or has supported someone else's complaint about discrimination or harassment.

Disability Discrimination: this includes direct and indirect discrimination, any unjustified less favourable treatment because of the effects of a disability, and failure to make reasonable adjustments to alleviate disadvantages caused by a disability.

Recruitment and Pay

The Promise Scotland will ensure that all employees, have the right to the same contractual pay and benefits for carrying out the same work, work rated as equivalent work or work of equal value. The organisation commits to ensuring that progression opportunities are available to all employees and equality of pay in the workplace is good management practise and makes sound business sense.

The Promise Scotland's Commitment

The Promise Scotland is committed to:

- creating an environment in which individual differences and the contributions of its employees are recognised and valued
- entitling everyone to a working environment that promotes dignity and respect to all. No form of intimidation, bullying or harassment will be tolerated
- providing training, development and progression opportunities to all employees
- understanding equality and inclusion in the workplace is good management practice and makes sound business sense
- reviewing all its employment practices and procedures to ensure fairness and inclusion for all
- taking steps to ensure equity amongst its workforce such as ensuring that its vacancies are advertised to a diverse range of potential candidates and, where relevant, to particular groups that have been identified as disadvantaged or under-represented in the Promise Scotland, taking positive action to recruit disabled people and ensuring there are no unlawful barriers to accessing employment opportunities, training, progression opportunities, benefits and facilities
- diversity in our workforce will be regularly monitored by the Senior Operations Manager, to ensure equal opportunities throughout the organisation. Where appropriate, measures will be taken to identify and remove unnecessary obstacles and to meet the special needs of disadvantaged or underrepresented groups.
- Promoting a positive and harmonious working environment in which all persons are treated with respect
- Taking lawful affirmative or positive action, where appropriate
- Providing equality training and guidance as appropriate, including training on induction and management courses
- Ensuring that those who are involved in assessing candidates for recruitment or promotion are trained in non-discriminatory selection techniques.

Responsibilities for employees, consultants & service users

- All employees and consultants are expected to accept and support the principles of equity, diversity, dignity, respect, inclusion and accessibility within their practice.

Discussions regarding employee and consultant practice are expected to be embedded into support and its 1to1 line management and supervision practice.

- All employees and consultants are expected to take reasonable steps or measures to ensure that all young people, parents, community members and stakeholders are and feel, included in The Promise Scotland services and activities.
- All managers are expected to embed the principles of The Promise Scotland's Equality, Diversity and Human Rights Policy into their project planning and evaluation systems; as well as support employees and consultants with their practice and concerns related to equality and diversity principles and practice.
- All managers will ensure that any allegations or discriminatory behaviour or practices are correctly investigated and appropriate action taken in line with The Promise Scotland's Grievance policy procedures.
- All managers will support employees and consultants' learning and development related to equality, diversity and human rights through its 1to1 supervision meetings and relating training and development activities.
- All The Promise Scotland leadership, management and working groups are responsible for paying due regard to this policy when making decisions and carrying out their business.
- When entering into a contractual relationship with any partner or supplier, The Promise Scotland will clearly set out its expectations in respect of equality and diversity.
- Young people, professionals, parents and carers and any visitors to our offices are expected to be respectful to our employees and consultants and to one another. Any abusive behaviour or derogatory comments will be challenged.

Breaches of the Equality, Diversity and Human Rights Policy

Breaches of this policy by any employee or consultant will be taken seriously, investigated thoroughly and fairly, and may lead to disciplinary measures. Where appropriate, The Promise Scotland may consider limiting or withdrawing the provision of services to individuals and where warranted will contact Police Scotland.

- If any employee or consultant considers that this policy has been breached, they should contact their Line Manager or their reporting officer, in the first instance.
- If any young person feels that this policy has been breached, they should contact their The Promise Scotland contact person in the first instance or any employee they would feel comfortable discussing this information with.



Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

The Promise Scotland – Family Friendly Leave Policies

The Promise Scotland has a range of policies which refer to the different types of leave that may become applicable during an employee's employment with the organisation.

The types of leave that can be found under each category can be found below:

Family Friendly Leave:

- Maternity Leave Policy
- Paternity Leave Policy
- Adoption Policy
- Shared Parental Leave Policy
- Parental Leave Policy
- Parental Bereavement Leave Policy
- IVF Policy
- Planned Termination
- Fostering Policy
- Dependents Family Carers Leave Policy
- Compassionate Leave Policy

Each of the policies will provide information regarding:

- The policy purpose,
- The eligibility criteria (if applicable),
- The pay entitlements,
- The notification requirements (if applicable),
- How to request leave, and
- Any other relevant information and/or support links to support networks.

Review

These policies will be reviewed in response annually at least and in line with any legislative changes by the Line Manager.

Reviewed in June 2022

Next review: June 2023

Maternity Leave Policy

At The Promise Scotland, we endeavour to ensure everyone is given support and encouragement before, during, and on their return to work from maternity leave.

Definitions

The following terms are used within this policy:

EWC: The expected week of childbirth is the week, beginning on the Sunday, during which the baby's birth is expected.

MATB1: The maternity certificate, or form, which is provided to confirm a pregnancy and confirm the expected week of childbirth

Qualifying week: The 15th week before the expected week of childbirth

Notification Requirements

Please notify the Head of Team or in their absence, another member of the Senior Leadership Team, as soon as reasonably practicable or by the 15th week before your baby is due about your pregnancy. You should confirm in writing that you are pregnant and provide the due date of the week your baby is due along with the MAT B1 form which is normally provided by your doctor/midwife. You should also confirm the date you would like to start your maternity leave.

We will provide a written response within 28 days confirming your maternity arrangements.

To qualify for maternity leave you must provide written notification by the qualifying week, or as soon as reasonably practicable after this, of the following information:

- your pregnancy
- your EWC, and
- the date you wish to start your ordinary maternity leave period, which can be any time from the 11th week before the EWC.

You should also give your MATB1 to your Line Manager. You will normally be provided with this at around the 20-week stage.

Once you have notified your Head of Team of your intended start date of ordinary maternity leave, we will confirm, in writing, the date that we expect you to return to work after additional maternity leave has ended. This confirmation will be sent to you within 28 days of your notification.

An informal meeting will then be arranged with your Line Manager and/or a member of HR to discuss your entitlements and the organisational processes involved. The meeting will include discussions on the following points:

- the amount of leave you can take and the payment arrangements
- the information that we will need from you to process your maternity leave
- time off for ante-natal appointments
- risk assessments to ensure your role does not pose a risk to your, or your baby's, health and safety
- your right to return after maternity leave to the same or a similar role
- the opportunity to request flexible working and how a request should be made.

In order to ensure good communication and a smooth transition in the time leading up to maternity leave, and during the leave itself, your Head of Team will inform you of the arrangements for covering your work and also for remaining in contact whilst you are on leave. You will be consulted on how to cover your workload during your leave and whether any temporary reporting arrangements need putting in place.

Your Head of Team will keep you fully informed of any news or developments at work during your leave and you will continue to receive general updates, information on social events etc. We will also keep you informed of any recruitment exercises undertaken during your absence.

Health and Safety

Upon notification of your pregnancy, you are entitled to a Risk Assessment of your workplace, to ensure there are no hazards that could affect you or your baby. If risks are identified, preventive and protective measures may include:

- changing your working conditions or hours of work
- offering you suitable alternative
- suspension from duties on full pay unless you have unreasonably refused suitable for work.

If you are worried about your own Health and Safety at any time please speak to your Head of Team.

Time off for ante-natal care

You are entitled to reasonable time off with full pay for pregnancy-related appointments before the baby is born ("antenatal"). This right applies to all employees. Such appointments must be on the advice of a doctor, nurse or midwife and can include scans, health checks, relaxation classes and parent craft classes.

Time off for such appointments will include the length of the appointment and travel to and from. If your appointment is in the middle of your working day, we encourage you to

discuss this with your Line Manager - as you may benefit from flexible working i.e. work from home.

You should endeavour to provide sufficient notice of such appointments and obtain authorisation from your Line Manager. You should also provide evidence of these appointments, except for the first appointment.

Length of Maternity Leave

Subject to meeting the notification requirements set out above, you are entitled to 52 weeks' maternity leave in total, broken down as follows:

- 26 weeks' ordinary maternity leave (OML), including a 2-week period of compulsory maternity leave.
- 26 weeks' additional maternity leave (AML) that starts immediately after OML.

Unless you notify us that you wish to take a shorter period, The Promise Scotland will automatically assume you are taking your full entitlement to 52 weeks and will write to you to confirm your expected return date.

During periods of OML and AML, you remain entitled to receive your normal contractual terms and conditions of employment that you would have received had you not taken this leave, with the exception of remuneration. This will include contractual benefits, subject to the terms of these benefits.

Commencing Maternity Leave

You can start maternity leave at any time from the beginning of the 11th week before the EWC until the date of birth. You are required to inform of us of the date you intend to start leave however you may change this date so long as you provide at least 28 days' notice of this change. Any application for a date change should be made in writing to your Head of Team and cc the Line Manager.

Compulsory maternity leave commences on the day after the childbirth occurs. Its purpose is to ensure that you have at least a two-week period of leave after the birth of your baby.

There are two incidences in which the maternity leave period is triggered automatically:

- Where childbirth occurs before the OML would otherwise commence. If this occurs, please notify us, in writing as soon as is reasonably practicable after the birth, of the date on which you gave birth. Your maternity leave period will begin automatically on the day following the date of the birth.
- Where you are absent from work, wholly or partly due to your pregnancy, after the beginning of the fourth week before the EWC. If this occurs, please notify us,

in writing as soon as is reasonably practicable, that your absence from work is wholly or partly due to your pregnancy and the start date of this absence. In these circumstances, The Promise Scotland may require that your maternity leave period begins on the day following the first day of such absence.

Once you have notified your Head of Team that your OML period has been triggered due to premature absence or premature childbirth, we will confirm, in writing, the date that we expect you to return to work after the AML period has ended. This confirmation will be sent to you within 28 days of your notification.

Enhanced Maternity Leave

All employees at The Promise Scotland will be entitled to Enhanced Maternity Pay (EMP) from their first day of employment with the organisation, providing their average weekly earnings in the eight weeks up to and including the qualifying week have been at least equal to the lower earnings limit for National Insurance contributions. To take advantage of the right to EMP, employees must also give the organisation proper notification. The enhanced pay provisions can be found in the table below:

Weeks	Amount of contractual pay	Notes
Weeks 0-26	Full pay	Consisting of SMP topped up to EMP
Weeks 27-39	50% pay	Consisting of SMP topped up to EMP
Weeks 40-52	Unpaid	

EMP and SMP are payable during your agreed maternity leave. If the employee decides to return to work before the end of their EMP or SMP entitlement, the employee will not be paid EMP or SMP for the weeks worked. Instead, the employee will receive their normal salary.

After returning from a period of maternity leave and enhanced pay, there must be a period of at least 12 months between the end of one period of maternity leave and the start of another period of maternity leave to be able to qualify for EMP for the next period of maternity leave. If 12 months have not been completed, employees will be entitled to SMP only.

Maternity pay and your pension

While you are on maternity leave your pensionable service and benefits will continue to accrue as set out in the pension scheme rules. Your pension contributions will be based on the amount of actual pay you are receiving whilst the Company's contributions will

be based on the salary you would have received had you not gone on maternity leave (i.e., it will continue to make any employer contributions that it usually makes).

Statutory Maternity Leave

Weeks	Pay	Notes
Weeks 0-6	Higher rate SMP	90% of normal weekly earnings
Weeks 7-39	Lower rate SMP	£172.48 at April 2023 or 90% of average gross weekly earnings - whichever is lower
Weeks 40-52	Unpaid	

The current maternity rates can be found [here](#).

You will qualify for SMP if you meet the following criteria:

- You have at least 26 weeks service at the Notification Week (15th week before the EWC). If you have 0-25 weeks service you will qualify for leave but will not qualify for Maternity Pay, in these instances you may be entitled to claim Maternity Allowance.
- Your average weekly earnings in the 8 weeks up to and including the qualifying week are greater than the lower earnings limit for National Insurance contributions.
- You have provided proper notification as detailed above.

The period for which SMP may be paid is called the maternity pay period. The maternity pay period may start at any time from the start of the 11th week before the EWC and can continue for up to 39 weeks, even if you do not intend to return to work.

Payment will be made at the rate of 90 per cent of your average earnings for the first six weeks of leave and then up to 33 weeks' at the Standard Rate of SMP or 90 per cent of your average weekly earnings (whichever is lower).

Your normal weekly earnings are calculated based on an average of your gross earnings for national insurance during the 'relevant period'. This will include, for example, any payments relating to overtime, commission, and bonuses. The 'relevant period' is the period ending on the last normal pay day before the qualifying week and starting with the normal pay day which is at least eight weeks earlier. The exact calculation of weekly earnings will depend on whether you are paid monthly, weekly or at other intervals. Further advice on how your normal weekly earnings will be calculated can be obtained from our Operations team.

Where your gross earnings are increased by a pay rise, and this increase takes effect from the start of the relevant period and before the end of the AML period, this increase will result in a recalculation of your SMP. As a result of this recalculation, you may be entitled to a retrospective increase or may subsequently qualify to receive SMP.

Maternity Allowance

An employee with less than 26 weeks continuous service is not entitled to any Statutory Maternity pay. If you do not qualify SMP, you may, dependent upon your circumstances, be eligible to receive state maternity allowance. In these circumstances, we will provide you with the form [SMP1](#) within seven days of determining that you do not qualify. Details of the Maternity Allowance can be obtained from the local DSS office.

Shared Parental Leave

You may be entitled to take shared parental leave and you should refer to our [Shared Parental Leave policy](#) for further information on entitlements, eligibility and notice requirements.

Keeping in touch (KIT) days

You may, by mutual agreement, work for up to 10 days during your maternity leave period (but not during the compulsory maternity leave period) without bringing that period of leave to an end and without loss of SMP or EMP as a result of carrying out that work. Payment for KIT days will be discussed and agreed in advance of these being worked.

For this purpose, any work carried out on any day, even just an hour's work, is deemed to constitute "a day's work". Any days' work done under this provision will not have the effect of extending the total duration of the maternity leave period.

You will be paid at your normal rate of pay for a keeping in touch day.

Stillbirth and Miscarriage

If you experience a stillbirth or miscarriage before the 24th week of pregnancy, you will not qualify for any Maternity Leave or Pay. The Promise Scotland understand that employees may need to take time off work under these circumstances and this will usually be taken as sick leave, during which the sickness absence policy will apply.

If you experience a stillbirth from the 24th week of pregnancy onwards, your maternity leave will commence and you are paid in accordance to your entitlement.

If a baby is born alive, and then dies, you will still be entitled to take maternity leave and pay in accordance with your entitlement.

If you suffer a stillbirth after 24 weeks of pregnancy, your entitlement to maternity leave and pay will not be affected and you will still be able to take the time off, and receive pay, as planned. Parental bereavement leave is also available for employees who suffer a stillbirth. You can read more information on this entitlement in our separate policy on Parental Bereavement Leave.

Holidays

You will still accrue annual leave whilst you are on maternity leave. Employees are unable to take annual leave during maternity leave, as this would end your maternity leave and pay. You can arrange to take annual leave before or after your maternity leave, however this should be managed in consultation with the Head of Team and approval must be given as in the normal process for requesting periods of leave.

Returning to Work

If you return to work at the end of your OML period, you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence.

If you return to work after a period of AML, you are normally entitled to return to the same job in which you were employed before your absence. Where this is not reasonably practicable, you will be entitled to return to a suitable and appropriate job on terms that are no less favourable.

If your post has been made redundant during maternity leave, you will be offered a suitable alternative role.

Unless you state otherwise, it will be automatically assumed that you will return to work at the end of your full 52 week leave period. So that we may make effective plans for your return, you should contact your Head of Team or the Line Manager, shortly before your return. However, there is no obligation on you to do so unless you wish to change the date of your return, in which case you must give us eight weeks' notice.

If you qualify for shared parental leave and wish to return early from maternity leave for this purpose, you must also give us eight weeks' notice. You can find more information on this in our shared parental leave policy.

You may be invited to attend an informal meeting with your Head of Team in order to discuss any arrangements regarding your return to work. This is likely to take place approximately two weeks before your return. The following points will be discussed at this meeting:

- any developments that have taken place at work
- any appropriate training to take place
- any flexible working arrangements which have been agreed.

If you decide that you do not wish to return to work after your maternity leave, you are required to give notice of your resignation to your Head of Team or the Line Manager. Your notice period to resign is set out in your contract of employment.

If an employee does not return to work for a period of at least 3 months, The Promise Scotland will require repayment of any contractual maternity pay in excess of their statutory entitlement that they have received during maternity leave.

If you are unable to return on the agreed date due to sickness, please inform your Head of Team or the Line Manager immediately.

Breastfeeding in the Workplace

We recognise the benefits of breastfeeding to employees and infants, and therefore encourage and support our employees to breastfeed their babies, including upon their return to work. 'Breastfeeding' includes expressing milk and the same rights under this policy will apply to employees who wish to express milk to give to their baby. For employees who are breastfeeding, we will carry out a risk assessment of their working environment. Where appropriate, The Promise Scotland will permit employees who are breastfeeding to take additional breaks to feed their baby or express their milk, and space where expressing equipment can be stored.

Flexible Working

We recognise that returning from maternity leave, you may wish to reduce your working hours or undertake homeworking.

We will make every effort to accommodate requests for part-time working, provided that your duties can still be effectively carried out on such a basis. However, we must also take into account the needs of the organisation when assessing and granting any requests.

Any flexible working request should be made in line with the process set out in the [Flexible Working policy](#).

Grievances Related to Maternity Rights

The Promise Scotland's grievance procedure may be used in the event that you are dissatisfied with any decision made in respect of your maternity rights.

Paternity Leave Policy

The Promise Scotland will provide help and assistance to employees who wish to use their right to take paternity leave. This policy outlines paternity leave entitlements and how employees should arrange this period of leave.

Eligibility

Paternity leave following the birth of a child

You will meet the eligibility criteria for paternity leave if you:

- are the child's father, the pregnant person's husband or partner (whether of the same or different sex) or one partner in a couple who are both entitled to apply for, and propose to apply for, a parental order for the child
- have been employed and performed work for your employer for a minimum period of 26 weeks by the end of the 15th week before the expected week of childbirth (EWC) (statutory paternity leave and pay only)
- will be or expect to be responsible for the child's upbringing, where you are the father, or expect to be mainly responsible for the child's upbringing where you are the pregnant person's husband or partner but not the father of the child
- have given the required notice of your intention to take leave
- have not previously taken shared parental leave for the same child.

Paternity Leave Following Adoption

You will be eligible for paternity leave and pay on the adoption of a child if you:

- will be or expect to be mainly responsible for the child's upbringing
- are married to the child's adopter or the partner of the child's adopter (whether of the same or different sex)
- have been employed and performed work for your employer for a minimum period of 26 weeks by the end of the week the matching notification is given to the child's adopter (statutory paternity leave and pay only)
- have given the required notice of your intention to take leave and, where requested, have provided evidence
- have not previously taken shared parental leave for the same child.

When does paternity leave start?

Paternity leave can be chosen to start:

- from the birth date or date of adoption (whether this date is sooner or later than anticipated) or
- on a specific day after the birth date or date of adoption (whether this day is sooner or later than anticipated) or

- from a specific date that is after the first day of the EWC (in birth cases and not adoption) or
- on a specific date, arranged in advance, that is after the expected placement date (in adoption cases).

If the child is born earlier than expected before the EWC, paternity leave must be taken:

- within a period of 56 days from that date or
- within a period of 56 days from the child's actual birth date.

If the same pregnancy results in more than one child being born, or more than one child is adopted in the same arrangement, the entitlement to paternity leave does not increase and only one period of leave can be taken.

Notification Requirements

Paternity Leave Following the Birth of a Child

Unless not reasonably practicable, you must notify in writing your Head of Team and cc the Line Manager of your intention to utilise a period of paternity leave during or before the 15th week before the EWC providing:

- the anticipated week of birth
- whether you intend to use one or two weeks' leave
- the date you wish the leave to begin.

As soon as reasonably practicable after birth, you must notify your Head of Team or in their absence, the Line Manager, of the actual date of birth in writing and that you intend to utilise a period of paternity leave to care for a child or provide support to the pregnant person and that you meet the eligibility criteria for the leave.

If wish to change the date of your paternity leave after giving notice, you must provide your Head of Team with an additional written notice requesting a variation to the leave. This notice must be provided at least 28 days in advance of the new start date of the leave period.

Paternity Leave following the Adoption of a Child

Unless not reasonably practicable, you should notify your Head of Team or the Line Manager of your intention to use a period of paternity leave, within seven days, of the date the matching notification is given to the child's adopter. Where this is not reasonably practicable, the notification must be provided to The Promise Scotland as soon as possible and must include:

- the date the matching notification was given to the child's adopter
- the expected date of placement

- whether you intend to use one or two weeks' leave
- the date you wish the leave to begin.

Paternity Pay

Enhanced Paternity Leave and Pay

We operate a paternity pay scheme which provides for payment in addition to Statutory Paternity Pay (SPP). All employees at The Promise Scotland will be entitled to Enhance Paternity Pay (EPP) from their first day of employment with the organisation, providing their average weekly earnings in the eight weeks up to and including the qualifying week have been at least equal to the lower earnings limit for National Insurance contributions. When payment of EPP is made this is inclusive of SPP entitlement, i.e., it is an additional payment in the sense of 'topping up' your statutory allowance of SPP. Employees will be entitled to 2 weeks paternity pay, at full pay (or 2 weeks SPP whichever is higher). We also offer an additional 4 weeks of paternity leave on top of the statutory requirement, at full pay.

Weeks	Amount of contractual pay	Notes
2 weeks	Full pay	Consisting of SPP topped up by EPP
4 weeks	Full pay	

The further 4 weeks paternity leave does not have to be taken at the same time as the initial paternity leave but should be taken within 12 weeks of the birth (or due date if the baby is early). The leave should also be taken in week blocks and the same notice should be given of when you wish to take this leave.

EPP is paid at the same rate as enhanced maternity pay and the same terms and conditions (including pension contributions) apply as enhanced maternity pay.

If you want to change your hours or other working arrangements on return from paternity leave, you should make a request under our flexible working section. It is helpful if such requests are made as early as possible.

Statutory Paternity Leave and Pay

Paternity leave lasts for a fixed period of one week or two consecutive weeks. You may not take individual days or separate weeks as paternity leave.

Employees who do not qualify for enhanced paternity pay may be entitled to receive SPP from The Promise Scotland for the period of paternity leave. SPP is paid at a specific rate set by the government each tax year, or at 90 per cent of your average weekly during the relevant period, whichever is lower. Details of the current SPP rate, can be found [here](#).

In order to meet the eligibility criteria for SPP, average weekly earnings for the relevant period must be equal to or higher than the specific lower earnings limit set by the government each tax year.

The relevant period is:

- the period of eight weeks which ends immediately before the 14th week before the EWC (in birth cases) or
- the period of eight weeks which ends immediately before the week where the matching notification was given to the child's adopter (in adoption cases).

Dependent on your individual circumstances, you may be entitled to receive additional financial support. You should attend your local social security office (Department for Work and Pensions) to receive further information on this.

Contractual Benefits

Whilst on paternity leave, you continue to be entitled to receive your normal terms and conditions of employment, other than wages or salary (unless expressly stated otherwise in your employment contract). You may be entitled to receive payment of statutory paternity pay for this period, as set out above.

Your contract of employment continues during paternity leave. As such, any contractual obligations continue to apply during your leave and you remain bound by these.

Returning to Work

Following two weeks' paternity leave, you have the right to come back to the same job role. Requesting or taking paternity leave will not cause you any detriment or disadvantage in the workplace.

If you wish to change your working hours or working arrangements, following paternity leave, The Promise Scotland will consider each request in line with [The Promise Scotland's Flexible Working policy](#). Your Head of Team will fully consider your request and aim, wherever possible, to accommodate the change. The business needs will be assessed as part of this consideration and requests may be turned down where there is a strong business reason to do so. Requests should be submitted as far in advance as possible to allow the full consideration process to take place as early as possible.

You should discuss with your Head of Team, as early as possible, where you are planning on not returning to work. Resignation should be notified to your Head of Team, in writing, as set out in your employment contract.

Following notification of your resignation, if you were to withdraw this, agreement by the Chief Executive will be needed. Any payments of statutory paternity pay will not be altered by your resignation.

If an employee decides not to return to work after taking paternity leave, or returns to work but subsequently decides not to continue in employment with the organisation for a period of at least 3 months, the organisation has the right to reclaim any EPP that they received that is in excess of any SPP that they have received.

Shared Parental Leave

Following paternity leave, you may be entitled to take further periods of leave under the shared parental leave policy.

Once a period of shared parental leave has been taken in respect of a child, paternity leave cannot be taken for the same child.

Stillbirth and Miscarriage

If your partner experiences a miscarriage before 24 weeks of pregnancy, you will no longer be entitled to take paternity leave. It is anticipated that an employee may need some time off work in these circumstances and this will usually be taken as sick leave, during which The Promise Scotland's sickness absence policy will apply.

If your partner suffers a stillbirth after 24 weeks of pregnancy, your entitlement to paternity leave and pay will not be affected if you were otherwise eligible to take it and you will still be able to take the time off, and receive pay, as planned. Parental bereavement leave is also available for employees who suffer a stillbirth after 24 weeks of pregnancy. You can read more information on this entitlement in our separate policy on Parental Bereavement Leave.

Adoption Leave Policy

The Promise Scotland recognises the importance of adoption and is committed to supporting employees through the process.

This policy sets out The Promise Scotland's entitlements for employees who are adopting a child, including notification requirements and rights to time off work.

If you are matched for adoption with a child, you may be entitled to either adoption leave or paternity leave. One parent cannot take both periods of leave, and it is up to you and your partner to decide who is the main adopter and so will take adoption leave.

Main adopters are entitled to a total of 52 weeks' leave. We have set out below all of your rights and obligations should you be matched for adoption. In order to support you, we would ask that you notify us as soon as possible of your situation so that we can ensure you are fully aware of all your entitlements and obligations.

Time off for Adoption Appointments

You are entitled to time off to attend adoption appointments in the period between notification of a match and the date of placement. For single adopters or the main adopter in a joint adoption, you are entitled to paid time off to attend up to five appointments, with a maximum of six and a half hours per appointment. If you are the adopter's partner in a joint adoption, you will be entitled to unpaid time off to attend up to two appointments.

Where the time is paid, you will be paid at your normal hourly rate for this time.

If you are the main adopter's partner and you wish to attend more than two adoption appointments, you should speak to your Line Manager who will consider the request at their discretion.

Eligibility

You are entitled to adoption leave from the commencement of employment. Adoption leave is not available in circumstances where a child is not newly matched for adoption, for example when a step-parent is adopting a partner's child/children. You must have notified the adoption agency of agreement to the placement and of agreement to the date of the placement.

Only one period of leave is available irrespective of whether more than one child is placed for adoption as part of the same arrangement. However, if an additional child is adopted at a later date as a separate agreement, then you could qualify again for a separate period of adoption leave.

Length of Adoption Leave

Adoption leave is divided into two categories, 'ordinary' and 'additional'. Each is for 26 weeks, with additional leave following on from ordinary adoption leave, giving 52 weeks leave in total. If you are eligible for ordinary adoption leave you will also qualify automatically for additional adoption leave.

During additional adoption leave the employment contract continues and you are entitled to the benefit of your normal terms and conditions of employment, except wages or salary (unless your contract of employment provides otherwise). However, in the majority of cases, you will be entitled to Statutory Adoption Pay during some of this period.

Commencement of Adoption Leave

You can choose to start your adoption leave on the date of the child's placement (whether this is earlier or later than was expected), or on a predetermined fixed date no earlier than 14 days before the expected date of placement and no later than the date of placement. Adoption leave can start on any day of the week.

Notification Requirements

You are required to give notice, in writing, of your intention to take adoption leave within seven days of being notified by the adoption agency that you have been matched with a child, unless this is not reasonably practicable. You should email this to your Line Manager and cc the Line Manager. The notice must specify:

- the date the child is expected to be placed with you; and
- the date you want the adoption leave to start.

You should provide the "matching certificate" from the adoption agency. The certificate will include basic information on matching and expected placement dates.

You are able to change your mind about the date on which you want your adoption leave to start providing you inform your Line Manager, at least 28 days in advance, unless this is not reasonably practicable.

The Line Manager will write to you to notify you of the date on which you are expected to return to work if the full entitlement to adoption leave is taken, within 28 days of the date on which you notified us of your intention to take leave, or, if you have varied the date originally chosen to start adoption leave, within 28 days of the date on which adoption leave began.

Enhanced Adoption Pay

All employees at The Promise Scotland will be entitled to Enhanced Adoption Pay (EAP) from their first day of employment with the organisation, providing their average weekly

earnings in the eight weeks up to and including the qualifying week have been at least equal to the lower earnings limit for National Insurance contributions. To take advantage of the right to EAP, employees must also give the organisation proper notification. The enhanced pay provisions can be found in the table below:

Weeks	Amount of contractual pay	Notes
Weeks 0-26	Full pay	Consisting of SAP topped up by EAP
Weeks 27-39	50% pay	Consisting of SAP topped up by EAP
Weeks 40-52	Unpaid	

EAP and SAP are payable during your agreed adoption leave. If the employee decides to return to work before the end of their EAP or SAP entitlement, the employee will not be paid EAP or SAP for the weeks worked. Instead, the employee will receive their normal salary.

After returning from a period of adoption leave and enhanced pay, there must be a period of at least 12 months between the end of one period of adoption leave and the start of another period of adoption leave to be able to qualify for EAP for the next period of adoption leave. If 12 months have not been completed, employees will be entitled to SAP only.

Statutory Adoption Pay

Weeks	Pay	Notes
Weeks 0-6	Higher rate SAP	90% of normal weekly earnings
Weeks 7-39	Lower rate SAP	£156.66 at April 2022 or 90% of average gross weekly earnings - whichever is lower
Weeks 40-52	Unpaid	

The current adoption pay rates can be found [here](#).

You will qualify for SAP if you meet the following criteria:

- You have been employed by the organisation for at least 26 weeks up to any day in the week you were matched with a child.
- Your average weekly earnings in the 8 weeks up to and including the qualifying week are greater than the lower earnings limit for National Insurance contributions.

- You have provided proper notification as detailed above.
- You have provided proof of adoption.

Payment will be made at the rate of 90 per cent of your average earnings for the first six weeks of leave and then up to 33 weeks' at the Standard Rate of SAP or 90 per cent of your average weekly earnings (whichever is lower).

Your normal weekly earnings are calculated based on an average of your gross earnings for national insurance during the 'relevant period'. This will include, for example, any payments relating to overtime, commission, and bonuses. The 'relevant period' is the period ending on the last normal pay day before the qualifying week and starting with the normal pay day which is at least eight weeks earlier. The exact calculation of weekly earnings will depend on whether you are paid monthly, weekly or at other intervals. Further advice on how your normal weekly earnings will be calculated can be obtained from our Operations team.

Where your gross earnings are increased by a pay rise, and this increase takes effect from the start of the relevant period and before the end of the additional adoption leave period, this increase will result in a recalculation of your SAP. As a result of this recalculation, you may be entitled to a retrospective increase or may subsequently qualify to receive SAP.

For employees who do not qualify for statutory adoption pay this period of leave will be unpaid.

Keeping In Touch days

You may, by mutual agreement, work for up to 10 days during your adoption leave period without bringing that period of leave to an end and without loss of SAP or EAP as a result of carrying out that work. Payment for KIT days will be discussed and agreed in advance of these being worked.

For this purpose, any work carried out on any day, even just an hour's work, is deemed to constitute "a day's work". Any days' work done under this provision will not have the effect of extending the total duration of the adoption leave period.

You will be paid at your normal rate of pay for a keeping in touch day.

Shared Parental Leave and Pay

You may be entitled to opt in to shared parental leave, sharing up to 50 weeks of leave and up to 37 weeks of pay (subject to availability). If you think you would like to take shared parental leave instead of adoption leave, please ask us for more information.

Holidays

You will still accrue annual leave whilst you are on adoption leave. Employees are unable to take annual leave during adoption leave, as this would end your adoption leave and pay. You can arrange to take annual leave before or after your adoption leave, however this should be managed in consultation with the Head of Team and approval must be given as in the normal process for requesting periods of leave.

Returning to Work

If you are returning to work at the end of additional adoption leave, you should confirm to your Line Manager, your return to work on the agreed date at the end of your leave.

If you intend to return to work before the end of your additional adoption leave, you must give your Line Manager or in their absence, another member of the Senior Leadership Team, at least eight weeks' notice of the date on which you intend to return. If you do not provide eight weeks' notice, The Promise Scotland retains discretion to postpone your return to a date ensuring that there has been eight weeks' notice.

If you decide that you do not wish to return to work after your adoption leave, you are required to give notice of your resignation to your Head of Team or the Line Manager. Your notice period to resign is set out in your contract of employment.

If an employee does not return to work for a period of at least 3 months, The Promise Scotland will require repayment of any contractual adoption pay in excess of their statutory entitlement that they have received during adoption leave.

Shortly before your return to work, your Line Manager will contact you to arrange an informal meeting with them. The aim of this meeting is to discuss your return, understand what The Promise Scotland can do to ensure you have as smooth a transition back to work as possible and offer any necessary support as required. You have the right to return:

- with retention of your role, pension rights and similar rights
- on terms and conditions no less favourable than those which would have applied if you had not been absent.

You will not be subject to any detriment because you took or sought to take adoption leave.

Surrogacy and Adoption Rights

If you are an intended parent in a surrogacy arrangement who intends to apply for, or has already applied for, a Parental Order you may be entitled to either adoption leave and pay or paternity leave and pay. One parent cannot claim entitlement to both periods of leave and pay, and it is up to you to decide which you wish to claim (subject to eligibility).

You will be entitled to take unpaid time off to accompany the surrogate mother to up to two antenatal appointments of up to six and a half hours per appointment.

You are entitled to adoption leave from the start date of your employment. This will be for a total of 52 weeks, split in to two periods of “ordinary” and “additional” adoption leave of 26 weeks each.

You are required to give us notice, in writing, of your entitlement to take adoption leave by the 15th week before the expected week of birth. You must also notify us of the actual date of birth as soon as is reasonably practicable after birth.

You should provide documentary evidence - a statutory declaration. This document will state that you have obtained, applied for or intend to apply for a Parental Order in respect of the surrogate child and, where not received, this is expected to be made.

If you have begun a period of adoption leave in respect of a child before approval of a Parental Order, and you are subsequently notified that the application is refused, your adoption leave period will end eight weeks after the week of that notification or the end of the adoption leave period if that is earlier.

Dependent upon your length of service, you may be entitled to Statutory Adoption Pay (SAP). If you qualify for SAP this will be paid for the first six weeks at 90% of your normal weekly earnings in the eight week period leading up to the end of the 15th week before the baby is due to be born, with the remainder paid at the earnings related limit or the statutory rate, whichever is lower.

Flexible Working

We recognise that returning from adoption leave, you may wish to reduce your working hours or undertake homeworking.

We will make every effort to accommodate requests for part-time working, provided that your duties can still be effectively carried out on such a basis. However, we must also take into account the needs of the organisation when assessing and granting any requests.

Any flexible working request should be made in line with the process set out in the [Flexible Working policy](#).

Shared Parental Leave Policy

This sets out The Promise Scotland's policy on employee entitlement to take shared parental leave. Shared parental leave may be taken in the case of both births and adoptions. This policy uses the word 'parent' to describe employees in both birth and adoption circumstances. This policy should be read in conjunction with the parental leave policy. Carer's leave will also be relevant in some circumstances.

Any employee wishing to take shared parental leave should inform in writing their Head of Team and cc their Line Manager, at the earliest possible opportunity so that their entitlement can be explained to them. Due to the flexibility of the shared parental leave system, it is essential that employees understand the procedural requirements involved in taking such leave.

The essential features of shared parental leave (SPL) are:

- eligible employees will be able to bring maternity/adoption leave to an early end and share the remaining leave entitlement
- eligible employees will have a certain amount of flexibility to decide which parent takes leave and when, including being on leave at the same time
- the maximum amount of leave to be shared is 50 weeks
- leave may be taken in minimum blocks of one week
- eligible employees may make up to three requests for leave, including any changes to previously booked leave
- a request for a continuous period of leave becomes fixed
- a request for discontinuous leave is subject to agreement with The Promise Scotland.

Eligibility Requirements

In order to take SPL, both the employee and their partner must meet certain eligibility criteria. You must:

- be the pregnant person, father, or main adopter of the child, or the partner of the pregnant person or main adopter
- have 26 weeks' service at the end of the 15th week before the expected week of childbirth (EWC) or at the week in which the main adopter was notified of having been matched for adoption with the child (known as the 'relevant week') (statutory only)
- have a partner who meets the employment and earnings test (see below)
- share the primary responsibility for the child with the other parent at the time of the birth/adoption
- have made the required notifications in respect of their entitlement and have provided the necessary declarations and evidence

Amount and timing of SPL

Parents cannot take more than 52 weeks of leave in total made up of maternity or adoption leave and shared parental leave but excluding paternity leave which is a standalone entitlement.

If the pregnant person is entitled to statutory maternity/adoption pay/maternity allowance but not maternity/adoption leave, the maximum number of weeks of shared parental leave to be taken is the remainder of 52 weeks minus the number of weeks' pay received.

The pregnant person is not able to share compulsory maternity leave entitlement of two weeks (or four weeks if the pregnant person works in a factory environment). This is a statutory requirement enabling the employee to recover from the birth and is to be taken exclusively by the pregnant person. Correspondingly, adopters may share a maximum of 50 weeks' leave.

Shared parental leave can only be taken in minimum blocks of one week; it is not possible to take a day's shared parental leave. The minimum amount that can be taken is one week.

Statutory Shared Parental Pay

Shared Parental Pay (ShPP) can be paid to both parents for a maximum of 37 weeks in total. This includes any weeks in which statutory maternity or adoption pay was received, and the timing of pay will be decided between the parents.

To be eligible to receive ShPP, you must:

- have been continuously employed for at least 26 weeks up to and including the "qualifying week" (the 15th week prior to the expected week of childbirth or placement for adoption)
- have average earnings not less than the lower earnings limit calculated over the eight weeks prior to the qualifying week
- comply with the notification requirements.

All ShPP is paid at the lower of the standard rate or 90 per cent of the employee's normal weekly earnings.

More details on eligibility can be found [here](#).

Enhanced Shared Parental Pay

The Promise Scotland operates an enhanced shared parental pay policy, which all employees are entitled to use from their first day of employment. Please see the relevant corresponding family friendly leave policies e.g., maternity/adoption for more details surrounding pay.

Notification Requirements

Notice of Entitlement and Intention to take Leave and Pay

At least eight weeks before any leave is to be taken, the employee must provide the following information on a form which is available from the Line Manager:

- name of employee
- name of partner
- the start and end dates of maternity/adoption leave (or pay if employee was not entitled to leave)
- the total amount of shared parental leave available
- the expected week of childbirth/placement (or the actual date of birth/placement if this has taken place)
- a non-binding indication of how the employee and their partner think they will split and take shared parental leave.

If you are the pregnant person, you must also provide a signed declaration confirming that you meet the eligibility requirements for taking leave and produce a signed declaration from the other parent confirming:

- their name and address
- that they meet the eligibility requirements
- that they consent to the employee taking the amount of leave it has been notified they intend to take
- that they permit The Promise Scotland to process their information and
- that immediate notification will be made if any of the eligibility requirements cease to be met.

Curtailment Notice

Maternity/adoption leave must be curtailed (ended early) if shared parental leave is to be taken. The pregnant person/main adopter must inform The Promise Scotland that maternity/adoption leave will be brought to an end by providing a curtailment notice at the same time as the notice of entitlement is provided. The curtailment notice will give eight weeks' notice of leave (or pay in the event that the employee is not entitled to leave) being brought to an early end.

A notice of curtailment can only be revoked in the following specific circumstances:

- where it is discovered in the eight weeks following the notice that neither the pregnant person/adopter nor their partner has any entitlement to shared parental leave or pay
- in the event of the death of the partner
- if the notice was given before the birth, and the pregnant person revokes their maternity leave curtailment notice in the six weeks following the birth.

Notice of curtailment must be provided to Jobcentre Plus if the pregnant person is not entitled to maternity pay but instead received maternity allowance.

Notice to take a specific period of SPL and ShPP

Although an indication of leave dates will have been given in previous notices, a period of leave is not fixed (unless stated to the contrary) until you submit a period of leave notice to your Head of Team and cc the Line Manager. A maximum of three period of leave notices are permitted, which will include any notices to amend a period of leave already booked. A period of leave notice gives eight weeks' notice that you intend to take leave on the specified dates. The date that leave will start should be given unless the period of leave notice is given before the birth of a child, in which case the start date may be expressed as, for example, 'two weeks' after the birth, to last for 'four weeks'.

You should also indicate in this notice whether you intend to allocate ShPP to the period of leave.

It is important that all of the relevant information is provided according to the set timelines. If it is not, The Promise Scotland cannot guarantee that the leave will be granted.

Confirmation of SPL and ShPP

If you request one continuous block of leave in a period of leave notice, you are entitled to take this period of leave and we will confirm the dates to you in writing.

If you request more than one period of leave i.e., discontinuous blocks of leave in one period of leave notice, you must book SPL by giving the correct notification at least eight weeks before the date on which you wish to start the leave.

Varying a Period of Leave

Once a period of leave notice has been submitted, you may change the dates on which leave is to be taken by submitting a request to vary a period of leave giving eight weeks' notice. These notice provisions are waived in the event of an early birth and your leave will start the same length of time after the birth as it would have started had the baby not come early. In this case, you should give notice as soon as reasonably practicable. In all other cases, the following applies:

- in this case notice to vary the start date should be given as soon as reasonably practicable after the birth of the child
- in order to change the start date of leave, you must give eight weeks' notice counted back from the earlier of either the original date or the new date
- to change the duration of a period of leave, you must give eight weeks' notice of the original start date.

You may also request that a continuous period of leave is separated into a discontinuous period, or that a discontinuous period is consolidated into a continuous period.

Submitting a variation notice will count towards your maximum three notices unless it is made as a result of the child being born earlier or later than the expected week of childbirth.

If you are submitting a variation notice subsequent to a request to do so by The Promise Scotland, it will not count as one of the maximum three notices.

Evidence Requirements

In order for The Promise Scotland to verify the information you have provided, you may be required to produce:

- a copy of the child's birth certificate
- and the name and address of the other parent's employer.

If the other parent is not employed, a declaration must be signed to this effect.

Within 14 days of receipt of your notice of entitlement in relation to an adoption, you may be required to produce documents from the adoption agency which show the following:

- the adoption agency's name and address
- the date you were notified of being matched with the child
- the expected date of placement.

Where requested, the information above must be provided within 14 days. Where you are unable to provide a birth certificate because it has not yet been issued, you will be required to sign a declaration to that effect which also includes the date and location of the child's birth.

'SPLIT' Days

During shared parental leave, you may work for up to 20 shared parental leave 'in touch' days (SPLIT days) without statutory payments being affected. We recognise the benefit of SPLIT days and encourage you to use them, however, they are optional: you are not obliged to use them and we are not obliged to permit them.

You will be paid at normal rate for work on a SPLIT day. Any work done on one day will count as one SPLIT day.

Your entitlement to 20 SPLIT days is not affected by your entitlement to 10 KIT days during maternity or adoption leave.

Returning from SPL

Employees who wish to amend the date on which they are to return to work after shared parental leave must give eight weeks' notice of the original end date and the new end date, whichever is earlier.

After SPL, provided the total amount of leave taken by you (including maternity leave) does not exceed 26 weeks, you are entitled to return to the same job on the same terms and conditions of employment as if they had not been absent.

When you are considering your return to work, for reasons related to childcare, you may request a change to your previous working arrangements. Any such request will be considered by your Head of Team or Head of Team, in line with the operational requirements of The Promise Scotland and there is no automatic right to return to work on altered conditions.

Parental Leave Policy

This policy sets out The Promise Scotland's policy on providing parental leave to its employees who are both birth parents and adoptive parents. Parental leave is available to eligible employees who wish to take time off work to spend with their child, for example, to accompany the child during a planned stay in hospital, or to go on holiday with the child. Statutory parental leave is unpaid leave. However, the aim of this leave is to support employees and their families as far as possible with the appropriate time off when required.

Eligibility

The statutory requirement to qualify for Parental Leave is that you must have one year's continuous employment with a Company. However, the Promise Scotland's implementation of this policy promotes Parental Leave as a day one right.

Entitlement

You must meet certain eligibility criteria in order to take statutory parental leave, as follows:

- you have or expect to have parental responsibility for the child
- your child is under 18 years of age
- you take the leave before your child's 18th birthday
- you provide The Promise Scotland with evidence of eligibility when requested.

The following evidence may be requested from you in order to assess your eligibility for parental leave:

- that you have or expect to have parental responsibility for the child in relation to whom leave will be taken
- the child's date of birth (in respect of natural parents)
- the date of adoption placement (in respect of adoptive parents)
- the child's entitlement to Disability Living Allowance (if appropriate) to permit you to take leave in blocks of one day rather than one week.

Length of Leave

Eligible employees will be entitled to take a total of 18 weeks' leave in relation to each child until the child is 18 years of age. No more than four weeks can be taken in relation to each child in one year.

A year is defined as a period of 12 months beginning on the date on which the employee first, or more recently, became entitled to take parental leave in respect of the child in question and each successive period of 12 months beginning on the anniversary of that date.

With the exception of disabled children, where leave may be taken in blocks of one day, part of a week counts as a week so that if a full time employee takes three days' parental leave and then returns to work, one week is taken away from the 18 weeks.

Procedure

You must give a minimum notice period of 21 days before the leave is due to start and you must give notice of the exact day on which you wish leave to start and end. This should be provided to your Head of Team cc'd to your Line Manager. In the case of fathers who want to take parental leave straight after a baby is born, or prospective adoptive parents who want to take parental leave straight after a child is placed with them for adoption, 21 days' notice of the expected week of childbirth or the expected week of adoption must be given.

When The Promise Scotland receives notice of intention to take parental leave, we may ask for evidence of eligibility as set out above.

The Promise Scotland reserves the right to postpone a period of parental leave if we believe the operation of the organisation will be unduly disrupted by the employee's absence. Leave will not be postponed where it is to be taken on the birth of a child or on the placement of a child for adoption. Where leave is to be postponed, your Head of Team will discuss the reasons for the postponement with you and confirm in writing the newly agreed dates of leave. Leave will not be postponed for a period longer than six months from the start date of the leave originally requested.

Before Taking Parental Leave

Shortly after your Head of Team receives a notification from you that you wish to take parental leave, a meeting will be arranged between you both. The purpose of this meeting is to discuss:

- your entitlement to parental leave
- the requirements to give appropriate notice
- arrangements to cover your duties in your absence
- your right to return to work
- opportunities for flexible working
- the nature of any appropriate contact during parental leave
- the fact that parental leave is unpaid.

During Parental Leave

Your normal terms and conditions will apply during parental leave except in relation to pay.

Your Head of Team will make arrangements for your duties to be covered for the duration of your leave and will keep you up to date with any developments at work that may affect you; or any social events that occur.

Returning to Work

Employees returning after a period of parental leave lasting four weeks or less, or after a period of parental leave lasting four weeks or less which consecutively followed another period of statutory leave, which did not include any period of additional maternity leave, or additional adoption leave; are entitled to return to the job in which they were employed before the absence.

Employees returning to work after a period of parental leave lasting more than four weeks, or after a period of parental leave lasting four weeks or less, which did consecutively follow a period of additional maternity leave or additional adoption leave, are entitled to return from leave to the job in which they were employed before the absence or, if that is not reasonably practicable, to another job which is both suitable and appropriate for them in the circumstances.

The Promise Scotland are committed to ensuring that employees are able to take the necessary time out to care for and support their families, when required. As such any employee returning from parental leave will return to the same job. This means that the role seniority and rights will not be affected by this, and no terms and conditions will be less favourable than those that applied prior to the leave or when an employee was on parental leave.

Parental Bereavement Leave Policy

The purpose of this policy is to set out The Promise Scotland's policy on entitlement to parental bereavement leave. The Promise Scotland is committed to providing support to employees who experience loss in their lives. We understand that the death of a child, or a stillbirth, can be one of the most harrowing experiences of someone's life and that employees may need to take the appropriate time off to grieve and to focus on their recovery. This policy explains rights to time off, pay during time off and other support that will be offered.

Please note that Parental Bereavement Leave is a statutory requirement and is separate to Compassionate Leave. Please refer to the Compassionate Leave Policy for more details.

Eligibility

Parental bereavement leave is available from day one of employment. It is available to employees on the death of a child under the age of 18.

You may take parental bereavement leave if you fall into any one of the following categories:

- A 'natural' parent
- An adoptive parent, and those with whom a child has been placed under the 'foster to adopt' scheme, provided the placement is ongoing
- A 'natural' parent where the child has been adopted but a Court Order exists to allow the 'natural' parent to have contact with the child
- An employee who is living with a child who has entered Great Britain from overseas in relation to whom has received official notification that they are eligible to adopt
- An intended parent under a surrogacy arrangement where it was expected that a parental order would be made
- A 'parent in fact' which is someone in whose home the child has been living for a period of at least four weeks before the death and has had day to day responsibility for the child, subject to exceptions. This category includes guardians and foster parents but does not include paid carers
- The partner of anyone who falls into the above categories, where they live in an enduring family relationship with the child and their parent.
- The parents of a stillborn baby after 24 weeks of pregnancy

Length of Leave and how it may be taken

A total of two weeks may be taken as parental bereavement leave and leave can be taken as:

- A single block of one week

- A single block of two weeks
- Two separate blocks of one week

Leave may start on any day of the week and must be taken in whole weeks. It may be taken at any time in the 56-week period following the death.

In addition, parents who have suffered a stillbirth after 24 weeks of pregnancy, are still entitled to take their full entitlement to maternity and paternity leave, provided you were eligible to take maternity or paternity leave in the first place, in addition to parental bereavement leave. Parental bereavement leave cannot be taken at the same time as maternity or paternity leave.

Where more than one child dies or is stillborn, you are entitled to two weeks of parental bereavement leave in relation to each child.

Notification Requirements

Leave to be taken within the first 56 days of the death

You do not need to give any advance notice of taking parental bereavement leave. The Promise Scotland asks that you contact your Head of Team, or in their absence, the Line Manager by email by the time you were due to start work on the day you wish leave to begin, or if this is not possible, as soon as is reasonably practicable. , The date of the death, the date on which leave will start and whether one or two weeks is to be taken will be noted in your personnel file.

Leave to be taken after the first 56 days since the death

You need to give one week's advance notice of taking parental bereavement leave to your Head of Team or in their absence, the Line Manager, by email giving the date of the death, the date on which leave will start and whether one or two weeks is to be taken. These will be noted in your personnel file.

Cancelling or Changing Leave Dates

You can cancel a period of leave that you have already told us about, as long as the period of leave has not already started. If you wish to cancel a period of leave which was to begin within the first 56 days of the death, you can cancel it by letting your Head of Team or in their absence, the Line Manager, know by your normal start time on the day that leave was originally due to start.

To cancel leave which was to begin later than 56 days after the death, you should let your Head of Team or in their absence, the Line Manager, know no later than one week prior to the intended start date.

You can also change the start date of leave by following the notice requirements above.

Payment During Leave

You will qualify for statutory parental bereavement pay during leave if you meet the following criteria:

- You have been continuously employed with us for at least 26 weeks by the week prior to the week in which the child dies
- Your normal average weekly earnings are not less than the lower earnings limit relevant for national insurance purposes
- You are still employed by us on the date the child dies.

Payment will be made at the rate set by the Government each year or 90 per cent of your average weekly earnings (whichever is lower).

In order to receive statutory parental bereavement pay, you must provide us with notice of this and the following information within 28 days, or as soon as is reasonably practicable, of the first day of parental bereavement leave:

- The child's name
- The date of the death or stillbirth
- A declaration that you fall into one of the categories listed under 'Eligibility' above.

Terms and Conditions During Leave

During parental bereavement leave, you remain entitled to receive your normal contractual terms and conditions of employment that you would have received had you not taken this leave.

IVF/Fertility Treatment Policy

This policy aims to support colleagues who are undergoing fertility treatment and clarifies the support and leave that is available. The Promise Scotland recognises the emotional and physical challenges which may arise from undergoing fertility treatments and our aim is to support our employees wherever possible.

Employees do not have to disclose that they are undergoing or planning to undergo IVF but we encourage them and their partners to share their situation with their line manager, and to have a discussion with them about the level of support that they will need as well as the options available to them.

Time off for IVF and Other Adjustments

There is no statutory right for time off work for IVF treatment appointments or related sickness. However, any absence for IVF appointments and any sickness resulting from them by employees of any gender will be treated as any other medical appointment or sickness, meaning that our sick leave and pay policies will apply in these situations.

The absence of employees who are off sick as a result of IVF treatments will be discounted from the normal absence measuring procedures.

Additionally, employees may want to discuss with their line managers the possibility of requesting flexible working, as well as annual leave and unpaid time. Paid time off may be considered in certain circumstances and the requests will be considered on a case-by-case basis. These requests for time off can apply to both the employee undergoing the treatment and their partner, who may need to provide support.

Particularly, a period of flexible working hours can be structured to take into account appointment times while avoiding prolonged periods off from work.

Adjustments to the employee's working day could also be considered where possible, such as working from home or redistributing workloads.

Attending Appointments

The Promise Scotland supports you to take reasonable time off work with pay to attend appointments, including scans.

If your appointments, including waiting time and travelling time to and from appointments, fall within your normal working hours, you will be paid for the time you take off. You are not required to make up any working time lost through attendance at appointments.

We may ask to see an appointment card to confirm any dates so that we can schedule your time off and arrange cover, if necessary. We will also ensure you are paid correctly for these appointments. It is important to let your Head of Team know as soon as you are aware of any appointments in which you will need to attend, You should make every effort to attend your shifts before or after your appointments wherever possible.

Responsibilities for Line Managers

In order to ensure that employees undergoing IVF treatment will receive the right support, line managers will ensure that they:

- Treat all the conversations happening with the employees undergoing IVF treatments will be treated with, sensitivity, respect and confidentiality.
- Take into account the profound impact that the successful and unsuccessful treatments can have in employees' mental and physical health when considering performance.
- Offer enough support and information.
- Frequently check in on employees to make sure that their support requirements haven't changed.
- Signpost employees to helpful services and resources.
- Consider the impact of the employees time off for appointments or sickness on the team.
- Are flexible in their responses and are sensitive to their requests for time off.

Responsibilities for Employees

- Employees undergoing or thinking of undergoing fertility treatment(s) are encouraged to inform their line manager to discuss treatment plans so that the right support can be put in place. However, this is not mandatory.
- If conversations are taking place to help support an employee through any fertility treatment(s), employees should notify their line manager of any upcoming treatments or appointments so that this can be logged accordingly.
- If employees are struggling physically or mentally with the effects of any fertility treatment(s), we encourage employees to speak to their line manager who will be able to discuss support options with the employee.

Legal Protection and Anti-discrimination/Anti-harassment Guidance

Employees who become pregnant through IVF treatments have the same pregnancy and maternity rights as people with non-IVF pregnancies. Employees should refer to our family friendly policies for more information about maternity and paternity leave and pay and shared parental leave and pay.

Legally, a person undergoing IVF treatments is deemed to be pregnant from the point of implantation of a fertilised embryo. This means that the individual is technically considered pregnant until it is established that the individual is not, and they receive the same protections and entitlements as other pregnant employees from the 'embryo transfer' stage of the process if we are aware that the employee may be pregnant.

These protections are in place up until 2 weeks following the confirmation of an unsuccessful treatment.

We recognise that the process can be complex for employees and that conflict can arise in the workplace due to it. We will not tolerate any inappropriate, discriminatory or bullying behaviour directed to any employee who may be pregnant after IVF treatment or any employee undergoing these treatments regardless of their gender. We will ensure any incidents of bullying and harassment are handled accordingly and that any perpetrators are disciplined in line with company policy.

Additional IVF Support

The Promise Scotland recognises that IVF treatments can be stressful and have a negative impact on employees' mental health, performance and general wellbeing. Additionally, to the support provided by the Company, employees undergoing or planning to undergo IVF treatments may seek support from the following:

- Fertility Network UK - [Fertility Network \(fertilitynetworkuk.org\)](https://www.fertilitynetworkuk.org)
- NHS IVF Support - [IVF - Support - NHS \(www.nhs.uk\)](https://www.nhs.uk)
- Mind - [Home - Mind](https://www.mind.org.uk)

The National Institute for Health and Care Excellence (NICE) recommends that counselling should be considered before, during and after IVF treatment, regardless of the outcome. TPS has partnered up with AIG to provide all team members as well as their immediate family with 24-hour counselling support. To access this service, call the 24-hour helpline number on **020 3499 0167** and quote the scheme code number **LG013677**.

The Human Fertilisation and Embryology Authority has more information about the benefits of counselling and how to access such services and can be found via the follow link: [Getting emotional support | HFEA](#).

Planned Termination Policy

Termination of Pregnancy in the Workplace

The Promise Scotland understand that the free choice to terminate a pregnancy empowers and improves the wellbeing of employees and we also know that employees who decide to undergo a procedure to end a pregnancy, whether this is a medical abortion (“abortion pill”) or a surgical abortion, may experience painful and lasting emotional effects. Every case is different, and on some occasions, a termination of pregnancy (TOP) may be performed because of a risk to the employee’s mental or physical health or due to foetal abnormalities.

Additionally, even though abortions are very safe procedures where most employees will not experience any problems, there are also associated physical health risks for some employees.

Through this policy, we aim to provide the right level of support to employees going through a TOP and their partners, and each case will be considered individually according to each person’s circumstances and treated with confidentiality, respect and sensitivity.

We also recognise that TOPs can be a sensitive topic for some people and that conflict can arise due to religious beliefs, cultural sentiments and diverse political views. We aim to respect all the different ideologies around it, while supporting and protecting women who rightfully choose to have an abortion.

Employees do not need to let us know that they are planning to undergo a TOP or that they have undergone a TOP. This remains a personal decision for each employee. However, we strongly encourage employees to do so in order to receive the correct support from us and to discuss the best arrangements to make the TOP more manageable. Line managers will treat these conversations confidentially.

Time off for Consultations and Appointments

There is no defined statutory right for time off work for TOPs. However, employees and their partners will be allowed reasonable time off work in order to carry out a TOP.

This time off may be used for TOP specialist counselling, appointments and information consultations even when the purpose of these consultations is to make a decision on whether or not to move forward with a TOP. Time off will be granted for attending appointments at GP practices, abortion organisations, abortion clinics and any other relevant service.

Employees should discuss with their line managers how much time they may need and should provide reasonable notice for their appointments where possible.

A discussion with the line manager should determine the level of absence which is deemed reasonable for an employee to carry out a TOP or for an employee to support their partner going through a TOP process.

Any absence for appointments and consultations can be treated as any other medical appointment, meaning that our sick leave and pay policies will apply in these situations.

Additionally, employees may request flexible working, annual leave and paid or unpaid time off and the requests will be considered on a case-by-case basis. These requests for time off can apply to both the employee undergoing the treatment and their partner, who may need to provide support. Other adjustments to the employee's working day could also be considered where possible, such as working from home or redistributing workloads to facilitate availability for appointments and consultations.

In the event that the employee suffers a health problem as a consequence of the TOP, which may refer to both their physical or mental health, they may use sick leave and pay as per our sickness leave and pay policies.

TOPs and Mental Health

Emotional side effects during and after a TOP are natural and not uncommon. Some people may experience relief, calm and happiness whilst others may experience feelings of grief, loss, regret, shame, guilt, indecisiveness and sadness and, in some cases, depression can occur. This may be true for both the employee

going through the TOP and their partner and these effects may last for a significant period of time after the TOP.

The Promise Scotland aims to support employees whose mental health may be affected in a negative way following a TOP by taking a compassionate and empathetic approach to their feelings.

We encourage employees to have frequent and honest conversations with their line manager to communicate how they are feeling and what support they may need. Decisions can be made about flexible working, working from home, workloads, performance management, sick leave and paid or unpaid time off according to each individual's personal circumstances. Other adjustments may be requested and considered on a case-to-case basis.

Responsibilities for Line Managers

In order to ensure that employees undergoing a TOP will receive the right support and will be protected against discrimination and harassment, line managers will ensure that they:

- All conversations will be treated with sensitivity, respect and particularly with confidentiality.
- They are available to talk and show that they validate the employees' feelings.
- They take into account the profound impact that a TOP can have in employees' mental and physical health, particularly when considering performance.
- Offer enough support and information.
- Frequently check in on employees to make sure that their support requirements haven't changed.
- Signpost employees to helpful services and resources.
- Consider the impact of the employees' time off for appointments or sickness on the rest of the team.
- Are flexible in their responses and are sensitive to their requests for time off.
- Look out for signs of discrimination and/or harassment from other employees as this behaviour will not be tolerated.

Responsibilities for Employees

- Employees undergoing a TOP are encouraged to inform their line manager to discuss appointments and/or treatment plans so that the right support can be put in place. However, The Promise Scotland recognises that this is a personal choice and will not be mandatory in TOP cases.
- If conversations are taking place to help support an employee who is undergoing a TOP, employees should notify their line manager of any upcoming treatments or appointments so that this can be logged accordingly.
- If employees are struggling physically or mentally with the effects of a TOP, we encourage employees to speak to their line manager who will be able to discuss support options with the employee.

Anti-discrimination/Anti-harassment Guidance

People who undergo or plan to undergo a TOP may experience harassment, criticism and general opposition outside of the workplace. The Promise Scotland's aim is to eliminate such behaviour in the workplace. Line managers and colleagues in general who are aware of a person going through a TOP should look out for any signs of harassment, bullying or discriminatory behaviour stemming from the person's individual choices about their pregnancy. Behaviours amounting to bullying, harassment or discrimination will not be tolerated and may trigger disciplinary action.

We recognise that the subject of abortion can be controversial and that it might bring up conflict at work due to differences of opinions. When possible, discussions around this topic should be avoided at work, particularly around someone who is deciding whether or not to undergo TOP, and those who have experienced a TOP or are planning to do so.

Additional External Support

Additionally, to the support provided by The Promise Scotland, employees may wish to seek external support from their GP practice, sexual health clinic, family planning service or abortion provider. Employees undergoing or planning to undergo a TOP may seek support from the following:

- NUPAS - [Abortion Clinics | Termination of Pregnancy Advice, Counselling & Treatment | NUPAS](#)
- The Cedar Tree - [Cedar Tree](#)
- BPAS - [Abortion Support & Advice | BPAS](#)
- SOFT UK - [Ending Your Pregnancy \(soft.org.uk\)](#)

Fostering Policy

The Promise Scotland recognises the importance of fostering, is committed to supporting all employees throughout the process and will, wherever possible, adopt a flexible approach to employees who decide to foster.

This policy sets out The Promise Scotland's entitlements for employees who are fostering a child, including eligibility, notification requirements, pay and time off work.

Eligibility

Being a foster parent means caring for a child as part of your own family. To become a foster parent, you will need to be:

- a UK resident or have indefinite leave to remain
- able to take care of a child or young person, often on a full-time basis
- at least 18 years old (though most foster service providers will require you to be at least 21)

Notification of Request

Employees should let their line manager know as soon as reasonably possible if they have decided to foster or if a child has been placed with them on either a temporary or permanent basis. Supporting documentary evidence must be submitted in conjunction with any request for fostering leave which should specify whether the employee is the primary or secondary carer. The Promise Scotland will not hold any personal data relating to the child/children.

Any delay in providing supporting documentation may result in delays of any applicable payments.

In cases where unpaid leave has been granted, the employee's signature will be required prior to granting any such leave.

To support you throughout the fostering process, The Promise Scotland may pay you up to X days paid leave to attend relevant appointments such as court sessions, interviews, and other necessary meetings. In order to be eligible for this, you should let your line manager know as far in advance as reasonably practicable of any appointment and provide confirmation/evidence, if requested.

Foster Leave & Pay

Foster Pay

At the moment, there is no statutory right to paid time off for employees who foster a child, except in a "foster to adopt" situation (in this instance you will be paid in line with our Adoption Policy). However, all foster parents receive a foster care allowance to cover the cost of caring for a child and the fostering service you apply to will tell you how much you can get. The minimum is usually between £137 and £240 a week, however, the total amount you get will depend on:

- where you live
- which fostering service you use
- the child's age
- if the child has specific needs
- your skills and experience

Tax Arrangements When You Foster

When you start fostering, you will need to [register as self-employed](#) and file tax returns. You'll also be entitled to qualifying care relief which means you'll:

- earn £10,000 from fostering before you have to pay tax
- get tax relief for every week you foster a child

For further information please see the Gov website.

Foster Leave

The Promise Scotland recognises the needs of foster carer(s) are as great as those of natural parent(s) in establishing a relationship with the child and in developing new routines. The Promise Scotland will allow employees to take a period of leave to help the child settle into the family and adjust to the new circumstances.

Fostering can be for varying lengths of time ranging from temporary to permanent arrangements. For temporary fostering placements, leave will be considered under The Promise Scotland's Dependents, Family and Carer's Policy which provides up to 10 days paid leave (pro-rata for part-time employees) in a twelve-month period from April to March. The Promise Scotland recognises that family matters can sometimes take longer or become more frequent than initially anticipated so where entitlement to paid time off

is used and employees still require time off, unpaid time off will be granted where reasonable.

For permanent fostering or 'fostering to adopt' your line manager may consider providing time off in line with the arrangements for Adoption Leave/Pay as detailed throughout the Adoption Policy. In such circumstances, employees should submit the request in writing giving as much notice as possible (this should be a minimum of 28 days' notice, where possible) and providing as much detail as possible in support of the request. Your line manager will then forward the request to the Chief Executive who will provide final authorisation for any such leave and payment. The Promise Scotland will consider each request on a case-by-case basis.

All employees with at least 26 weeks' continuous service (and who have not made a request in the previous 12 months) have the right to request flexible working and you are therefore encouraged to exercise this right to request a working pattern that fits with your caring responsibilities.

The Promise Scotland is not automatically obliged to agree to a request for flexible working, but we will strive to accommodate each request in order to support employees, bearing in mind the needs of the business. For further information please see the Flexible Working Policy.

Dependants Family Carers Leave

At The Promise Scotland, providing a supportive environment which enables all employees the opportunity to balance their family and work life is at the heart of our culture. Dependents, Family and Carers Leave is time off to enable employees to deal with an unexpected or sudden family matter which has arisen in connection with their child or dependent and to make any necessary longer-term arrangements.

Compassionate leave and/or Additional/Extended Leave is also available for employees requiring time off due to the serious illness or death of a close family member. Please see the accompanying Policies for further details.

Definition of Parent: includes adoptive and foster parents, a legal guardian or cohabitee of the parent.

Definition of Dependant: A dependant is the partner, child or parent of the employee, close family member, or someone who lives with the employee as part of their family or any other person who reasonably relies on the employee for assistance. It does not include tenants or boarders living in the family home, nor someone who lives in the household as an employee.

While there is a statutory right to unpaid time off in these situations, The Promise Scotland recognises the needs of employees in these situations and provides up to **10 days** paid leave (pro-rata for part-time employees) in a twelve-month period April to March. Where appropriate, medical certificates will be required to be produced.

An additional period of paid leave of up to **3 days** may be (pro-rata for part-time employees) may be granted by the employee's Line Manager, to parents of children up to the age of 14 years, within a twelve month period, for other childcare requirements - for example the need to take a child to a health appointment or the breakdown in childcare arrangements, visits to a child's nursery or school.

The Promise Scotland recognises that family matters can sometimes take longer or become more frequent than initially anticipated so where entitlement to paid time off is used and employees still require time off, unpaid time off will be granted where reasonable.

Examples of unexpected or sudden problems involving someone that is dependant on the employee for their help or care could include:

- When a dependant falls ill, or is injured
- When a dependant goes into labour
- When the employee needs to make longer-term care arrangements for a dependant who is ill or injured or coping with a long-term condition.
- A serious illness of a close family member
- A death of a close family member

- When the employee needs to deal with an unexpected disruption or breakdown of care arrangements, e.g., if a childminder is unexpectedly unavailable
- When the employee needs to deal with an unexpected incident involving their child during school hours, e.g., suspension from school

Where the required leave is known in advance e.g., an appointment, the leave form should be completed as soon as reasonably possible. In an emergency or other unplanned instance, employees should inform their Line Manager by 9.30am on the first day of absence, about their absence, the reason for it and how long they expect to be away from work.

Compassionate Leave Policy

Should you sadly lose a family member or close friend, or in the instance of serious illness, The Promise Scotland will do everything it can to support you. The Promise Scotland will offer one day of paid leave to attend a funeral and an additional 4 days paid leave (pro-rata for part time employees) may be offered at the discretion of your line manager. In the case of a close family member, a further period of up to 2 weeks of paid leave may be granted at the discretion of your line manager and either the Leadership Team or CEO.

If employees require additional time off over the above, annual leave or a period of unpaid leave may be granted but this will be at the discretion of the line manager.

At the Promise Scotland we will endeavour to be as sympathetic as possible when an employee suffers a bereavement. We also understand that employees will have close relationships outside of direct family members and that grief will vary and impact employees differently. As a result, we will factor this in when discussing pay and leave options with employees and manage bereavements on a case-by-case basis.

The Promise Scotland understands that employees may be going through a difficult time when dealing with a bereavement and as such allowances will be made when notifying line managers of the need for compassionate leave. We are sympathetic to the situation and understand that notifying the organisation may not be your top priority at the time. However, as we have both operational obligations and a duty of care towards you, we encourage you to make contact as soon as reasonably possible so that we can arrange cover provide the relevant support to you.

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Authorised by	
Date of sign off	
Policy type	Compulsory read

Flexible Working Policy

The Promise Scotland supports our employees in being able to balance their work and home lives and other commitments by offering flexible working arrangements as this is at the core of The Promise Scotland's values.

This policy aims to set out the ways in which flexible working can increase employee motivation, build better relationships between The Promise Scotland and its employees, increase the rate of retention of employees, reduce absence, attract new talent, promote work-life balance and reduce employee stress. In doing so, this will improve The Promise Scotland's efficiency and productivity.

The Business Need

When a request of flexible working is received, The Promise Scotland will need to take in to account a number of criteria including (but not limited to) the following:

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

Eligibility to Make a Request

Employees in all areas and levels of The Promise Scotland will be considered for flexible working regardless of their age, sex, sexual orientation, race, religion or belief, disability, marital status, pregnancy or maternity, or gender reassignment. Employees must also have 26 weeks of continuous service before making a request and have not made a flexible working request in the previous 12 months.

Scope of a Request

The Promise Scotland recognises that eligible employees can make a request for one of, or a combination of, the following:

- job sharing
- part time working
- annualised hours
- compressed hours
- flexitime
- term time working
- working from home

Any agreement to a request for flexible working will take effect as a permanent variation to the employee's terms and conditions, unless it is mutually agreed that this will be a temporary variation.

Applying for Flexible Working

The application must:

- be made in writing and state that it is an application for flexible working under the statutory right to make a request
- state whether a previous application for flexible working has been made under this procedure and, if so, when
- specify the change applied for and the proposed date for the change to become effective
- explain the effect the employee thinks the change will have on The Promise Scotland and their colleagues and explain how any effect should be handled
- be signed and dated.

The application must also state whether the variation requested is made in pursuance of a reasonable adjustment under the disability discrimination provisions of the Equality Act 2010.

Procedure for Handling an Application

A discussion regarding the application will be held between the employee and the Head of Team within 28 days of the application unless the Head of Team notifies the employee in writing of their agreement to the variation. The time and place of the discussion will be convenient to both the Head of Team and the employee.

Once a decision has been reached, the employee will be informed within 14 days of the date of the meeting. Where the decision is to agree to the application, the notice will specify the contract variation agreed to and state the date the variation will take effect.

Where the decision is to refuse the application, the notice will state which of the specified grounds for refusal are considered to apply and contain an explanation of why this ground applies.

Procedure for Handling an Appeal

An employee may appeal against the decision to refuse the application. The notice of appeal must be in writing, setting out the grounds for appeal and sent to the Chief Executive.

The Chief Executive will discuss the appeal with the employee within 14 days of receipt of the appeal, unless the Chief Executive notifies the employee in writing of the decision to overturn the original decision and specifies the variation which is now agreed and the date on which it will take effect. If an appeal meeting is held, the time and place must be convenient to both the Chief Executive and the employee.

Within 14 days of the appeal discussion, the Chief Executive will give the employee written notice of the appeal decision. Where the Chief Executive upholds the appeal, the notice will specify the contract variation agreed to and state the date on which it is to take effect.

Where the decision is to dismiss the appeal, the notice will state the grounds for the decision and contain an explanation as to why those grounds apply. The notice will also state that there is no further right of appeal.

Refusal of an Application

Whilst The Promise Scotland will strive to accommodate any request made in support of our employees, should their request be refused, they will be informed in writing. The application may be refused on one or more of the following statutory grounds:

- a burden of additional cost on The Promise Scotland
- a detrimental effect on The Promise Scotland's ability to meet customer demand
- an inability to re-organise work among existing employees
- an inability to recruit additional employees
- a detrimental effect on quality
- a detrimental effect on performance
- insufficient levels of work during the periods of proposed work
- a planned structural change.

Reviewing the Request

If the flexible working request has been granted, the Line Manager should hold a review meeting with the employee to ensure the pattern in place is working out as anticipated and, if not, how that can be resolved. This review will be held after the employee has been working in the new pattern for a period of up to six-months. However, if the effectiveness of the new working pattern is cause for concern, then this should be discussed immediately and proposals to resolve identified.

Withdrawal of Application by Employee

The employee can withdraw their application at any stage before agreement. The employee should write to their Line Manager stating they wish to withdraw their application.

Where the employee fails to attend a meeting or appeal meeting on more than one occasion or they refuse to provide reasonable information to allow their application to progress, without reasonable excuse, The Promise Scotland will treat the application as withdrawn.

The Promise Scotland will confirm the withdrawal of the application to the employee in writing.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

Author	GravitateHR
Version number	v1June 2022
Authorised by	
Date of sign off	
Policy type	Non-compulsory read

Fostering Policy

The Promise Scotland recognises the importance of fostering, is committed to supporting all employees throughout the process and will, wherever possible, adopt a flexible approach to employees who decide to foster.

This policy sets out The Promise Scotland’s entitlements for employees who are fostering a child, including eligibility, notification requirements, pay and time off work.

Eligibility

Being a foster parent means caring for a child as part of your own family. To become a foster parent, you will need to be:

- a UK resident or have indefinite leave to remain
- able to take care of a child or young person, often on a full-time basis
- at least 18 years old (though most foster service providers will require you to be at least 21)

Notification of Request

Employees should let their line manager know as soon as reasonably possible if they have decided to foster or if a child has been placed with them on either a temporary or permanent basis. Supporting documentary evidence must be submitted in conjunction with any request for fostering leave which should specify whether the employee is the primary or secondary carer. The Promise Scotland will not hold any personal data relating to the child/children.

Any delay in providing supporting documentation may result in delays of any applicable payments.

In cases where unpaid leave has been granted, the employee’s signature will be required prior to granting any such leave.

To support you throughout the fostering process, The Promise Scotland may pay you up to X days paid leave to attend relevant appointments such as court sessions, interviews, and other necessary meetings. In order to be eligible for this, you should let your line manager know as far in advance as reasonably practicable of any appointment and provide confirmation/evidence, if requested.

Foster Leave & Pay

Foster Pay

At the moment, there is no statutory right to paid time off for employees who foster a child, except in a "foster to adopt" situation (in this instance you will be paid in line with our Adoption Policy). However, all foster parents receive a foster care allowance to cover the cost of caring for a child and the fostering service you apply to will tell you how much you can get. The minimum is usually between £137 and £240 a week, however, the total amount you get will depend on:

- where you live
- which fostering service you use
- the child's age
- if the child has specific needs
- your skills and experience

Tax Arrangements When You Foster

When you start fostering, you will need to [register as self-employed](#) and file tax returns.

You'll also be entitled to qualifying care relief which means you'll:

- earn £10,000 from fostering before you have to pay tax
- get tax relief for every week you foster a child

For further information please see the Gov website.

Foster Leave

The Promise Scotland recognises the needs of foster carer(s) are as great as those of natural parent(s) in establishing a relationship with the child and in developing new routines. The Promise Scotland will allow employees to take a period of leave to help the child settle into the family and adjust to the new circumstances.

Fostering can be for varying lengths of time ranging from temporary to permanent arrangements. For temporary fostering placements, leave will be considered under The Promise Scotland's Dependents, Family and Carer's Policy which provides up to 10 days paid leave (pro-rata for part-time employees) in a twelve-month period from April to March. The Promise Scotland recognises that family matters can sometimes take longer or become more frequent than initially anticipated so where entitlement to paid time off is used and employees still require time off, unpaid time off will be granted where reasonable.

For permanent fostering or 'fostering to adopt' your line manager may consider providing time off in line with the arrangements for Adoption Leave/Pay as detailed throughout the Adoption Policy. In such circumstances, employees should submit the request in writing giving as much notice as possible (this should be a minimum of 28 days' notice, where possible) and providing as much detail as possible in support of the request. Your line manager will then forward the request to the Chief Executive who will provide final authorisation for any such leave and payment. The Promise Scotland and will consider each request on a case-by-case basis.

All employees with at least 26 weeks' continuous service (and who have not made a request in the previous 12 months) have the right to request flexible working and you are therefore encouraged to exercise this right to request a working pattern that fits with your caring responsibilities.

The Promise Scotland is not automatically obliged to agree to a request for flexible working, but we will strive to accommodate each request in order to support employees, bearing in mind the needs of the business. For further information please see the Flexible Working Policy.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in June 2022

Next review: June 2023

Author	Zico Iqbal
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Authorised by	
Date of sign off	
Policy type	Compulsory read

Grievance Policy

The Promise Scotland understands that from time-to-time conflicts may arise in the workplace and employees should be able to raise any complaints or concerns and have these dealt with in a fair, consistent and timely manner.

The Grievance procedure applies to all employees of The Promise Scotland, and the policy provides a procedural process which sets out details of the stages that should be addressed when the grievance process is invoked. It is preferable for the grievance to be satisfactorily resolved informally between the individual and their Line Manager where possible. However, it is understood that this is not always possible. All grievances will be heard on an individual basis.

This policy does not form part of any employee's contract of employment, and it may be amended at any time.

The grievance procedure should not be used to lodge appeals against disciplinary sanctions. The Promise Scotland's disciplinary procedure must be followed in such cases.

The Promise Scotland reserves the right to engage external third-party assistance at any stage of the grievance process. In addition, a representative from The Promise Scotland's Senior Leadership Team will be present at all formal grievance hearings.

ACAS Code of Practice: Disciplinary and Grievance Procedures

This policy fully incorporates the provisions of the ACAS code.

Procedure

In order to provide an effective and timely resolution of employee concerns, the following procedure will be followed to ensure that employee complaints or problems receive full and careful attention.

Reasonable adjustments will be made to the procedure for disabled employees. Any employee who experiences difficulty with the procedure for any reason should seek assistance from the Senior Operations Manager.

Informal Discussion

Employees are always encouraged to deal with issues that arise informally in the first instance as most issues can be dealt with through informal resolutions which can help to build and maintain positive working relationships between colleagues, stakeholders and the organisation. Their line manager will be expected to facilitate these informal discussions and support ways to resolve the problem without the need for a written record.

If the issues of concern have arisen between an employee and their line manager, the employee should share their concerns with the Senior Operations Manager, who will organise an informal discussion between the two, that can be facilitated by the Senior Operations Manager or another senior member of The Promise Scotland team, as agreed by both parties.

This discussion should take place within 5 working days of the issues being raised and actions to resolve the issues agreed at the meeting or within two working days of the discussion, at the latest.

If an employee is dissatisfied with the outcome of the informal route, then they may invoke the formal grievance procedure.

Formal Procedure

Although we encourage employees to deal with complaints/concerns informally we acknowledge that this is not always possible and therefore outline the below formal process that employees should follow, if necessary.

Raising a Grievance

The employee should raise the grievance in writing with their Line Manager. The letter should set out the nature of the grievance, what impact this has had on you and any such evidence of the nature and impact of the grievance; this must be substantiated through appropriate evidence. In addition, the letter should also indicate the outcome or resolution that the employee is looking for.

If the employee's grievance relates to concerns, including bullying or discrimination, regarding their line manager, or they feel uncomfortable raising with their line manager,

for valid reasons, the employee can raise it with someone with the same responsibility and authority in the informal stage.

Concerns regarding any matter which would fall within the scope of legislation on public interest disclosures (otherwise known whistleblowing) must be raised directly using the Whistleblowing policy.

Investigation

Under the investigation stage, a meeting will be arranged between the line manager and the employee. A minute taker from the Operations team will also be present. The employee may be accompanied by a fellow colleague or trade union official. The meeting will be held to discuss the grievance in detail and how best you think it should be involved. The employee should take any documents or evidence they have regarding the grievance to the meeting.

The line manager will complete a full investigation into the matter. This may involve holding investigation meetings with witnesses, requiring witness statements to be produced and reviewing written evidence. The amount of any investigation will depend on the nature of the allegations made and will vary from case to case.

Minutes of the meeting will be taken, and copies will be made available to the employee. In addition, a copy of the minutes will be stored by the Operations team.

The Hearing

The Promise Scotland will aim to set up a grievance meeting within 10 working days of a receipt of the grievance, where appropriate. The Line Manager will then weigh up the evidence gathered and presented, and will respond to you in writing within 5 working days of the meeting being held. This will include whether the grievance is upheld in full, in part or not upheld and details for employees should they wish to appeal the outcome.

Appeal

If an employee feels that their grievance has not been dealt with to their satisfaction, they may appeal, in writing, with **5 working days** to The Promise Scotland. The letter should state the nature of the grievance, the actions proposed by your initial grievance hearing and an explanation of why these actions are not satisfactory. The appeal hearing will be chaired by a further designated impartial individual who has not been involved in the original grievance.

After hearing the appeal grievance and investigating as necessary, a response will be given to you, in writing, usually within **5 working days** of receiving the appeal. If, as a result

of the appeal decision, there has been a change to The Promise Scotland's policy or practice, this will be communicated in writing to all employees. The appeal decision is final.

Right to be Accompanied

An employee may be represented and/or accompanied during the formal stages of this policy either by a colleague, a trade union official or at the sole discretion of The Promise Scotland, by another person of their choosing who is not acting in a legal capacity.

If you wish to exercise this right, you should tell us soon as possible who you want to accompany you. The responsibility remains with the employee to arrange for them to attend. If you choose a work colleague, we will not prevent them from attending, but we may rearrange the meeting should their absence from work cause operational problems.

Your representative can, if this is your preference, explain the key points of your grievance at the meeting and can respond on your behalf. You are also able to confer with them during any meetings. However, representatives must not answer questions put directly to you or try to prevent the Promise Scotland asking questions or outlining its views.

Simultaneous grievance and disciplinary matters

The Promise Scotland will make a decision on how to progress matters when an employee raises a grievance about a disciplinary procedure involving them. ACAS guidance suggests that disciplinary hearings may be suspended for a short duration while the grievance is investigated. The Promise Scotland will assess the exact nature of the grievance and a member of the Senior Leadership team will make the final determination over suspension of a disciplinary procedure.

Extending timescales under the procedure

The timescales outlined in this procedure will be adhered to whenever this is reasonably practicable. There may be extenuating circumstances that are outside of either parties' control, for example, where a key witness is unavailable or the grievance requires extensive investigation.

Where it is not reasonably practicable to adhere to the deadlines, both parties will discuss and agree any extension to the timelines.

Mediation

The Promise Scotland reserves the right to seek assistance from external mediators at any stage in the grievance procedure. Where both parties agree to undertake mediation, the grievance process will be suspended whilst this is ongoing.

Protection Against Detriment

Nothing in this procedure is intended to prevent the employee from raising any concerns they have. Employees who raise concerns under this procedure will not be subject to any detrimental or less favourable treatment as a result of doing so.

Where it is found the grievance is made with malicious intent, the employee will be subject to The Promise Scotland's disciplinary procedure.

Ex-employees

Should a grievance be raised by an employee leaving The Promise Scotland, where possible the grievance procedure will be concluded whilst they remain in employment. If it is not possible to conclude the process prior to their exit from the business, then it may be necessary to modify the procedure to complete it.

Should an ex-employee raise a grievance under this procedure, The Promise Scotland reserves the right to modify the procedure outlined above. This includes, but is not limited to, providing a written response.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

Author	Zico Iqbal
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Authorised by	
Date of sign off	
Policy type	Compulsory read

Recruitment and Selection Policy

The purpose of this policy is to ensure that The Promise Scotland employs and promotes the most appropriate employees in a fair and consistent manner free from discrimination.

This policy covers all current employees and applicants for employment with The Promise Scotland.

In relation to the Equality Act 2010, The Promise Scotland is committed to ensuring that there is no discrimination on the grounds of age, disability, gender reassignment, marriage/civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation at any stage of the recruitment process or in the terms and conditions offered to new employees or promoted employees.

The Promise Scotland understands the benefits of employing a diverse workforce and will consistently monitor the composition of its employees to identify areas that may need positive action measures to promote equal opportunity and diversity.

Internal Recruitment

As we secure the change we are striving for, we will need to change shape to focus on the task at hand. So as an organisation, we will always need to adapt and grow by recruiting to ensure we have the right people in the right place.

At the same time, as part of how we build our culture and practice, it is important that everybody who chooses to work at The Promise Scotland has opportunities to grow and develop. We recognise the importance of investing in our employees and helping them grow their skills and gain experience whilst working with us.

This policy sets out The Promise Scotland's process of hiring within our Company to fill open roles. There will be three internal routes to fill any new or additional posts, followed by one external route once these routes have been exhausted.

Role-evaluation

There may be instances where we reevaluate roles to within the Promise Scotland. A "re-evaluation" is defined here as a role that carries increased responsibility and salary. This can but need not include new project and line management responsibilities, or can be a role which has no managerial element, but offers the opportunity to make better use of skill sets developed in a current role, expand responsibilities or areas of work, to learn new skill sets and/or provide opportunities for growth and development.

Once a role has been re-evaluated, the process will follow organisational precedent around internal profiling and protected interviews.

Internal Profiling/ Preferential Interview

From time-to-time new roles will be introduced where there is significant overlap but also minor adaptations or variations to an existing role. Where such new roles are introduced, and the role is more senior, suitable internal candidates will be identified.

The Head of the respective team will approach the relevant employees if they are deemed eligible for internal profiling and will be entitled to a preferential interview, in recognition of their relevant skills and experience for the role. However, if an employee is not contacted and believes they are suitable for the role, they should speak to their line manager as we wish to encourage employees to put themselves forward for opportunities, particularly where this contributes to an employee's development within The Promise Scotland.

Whilst we offer preferential interviews this does not guarantee that an internal candidate will be successful, and all candidates will be subject to the same process and given the same opportunity.

In the event where an internal candidate is successful, the respective Team Head will work alongside them on any skills and/or experience gaps to make sure they are provided with the necessary support such as training, coaching and mentoring, to ensure they feel confident and skilled with the new post.

Internal Application

All new posts introduced will be circulated to the whole team along with their respective job descriptions. To apply, employees will be required to submit their interest in writing, including why they would like to apply for the role and what skills and experiences they can bring to the new post. In the event where an employee feels that their original application to work at The Promise Scotland provides all the necessary information, they can make reference in their letter for this information to be considered instead of repeating themselves.

The closing date for advertisement, shortlisting and proposed interview dates will be confirmed at the beginning of the recruitment process which will assist both the candidates and the selection panel to make appropriate arrangements to be available. In the event where an employee is unable to attend the suggested interview slot, due to holiday or operational commitments, appropriate arrangements will be made to accommodate a different date.

Shortlisting

The Promise Scotland is an equal opportunities employer, and as such aims to treat all employees and applicants fairly and we welcome and encourage applicants from all backgrounds to apply for roles within the organisation. Screening will be carried out by matching the skills and experience of applicants to the requirements of the job and no applicant will be disadvantaged due to a protected characteristic or their upbringing/background. The screening criteria will be applied consistently to all applicants. Records of the screening process will be retained for a period of up to one year by the Operations team.

Internal applicants should not expect to be automatically interviewed as a result of making an application, unless the employee has been internally profiled and offered a preferential interview. In the event where multiple applications are received for the one post, applicants will be kept informed throughout the recruitment process with specific reference to any delays that may occur.

Feedback

Whilst we do hope there will be ample opportunities, we do not have the luxury of being able to create new roles for everyone which may result in team members putting themselves forward for an opportunity and being unsuccessful. We understand this will be naturally disappointing for colleagues, but we will continue to develop and grow

experience and knowledge as we always have and endeavour to promote internally where possible.

Where an employee is unsuccessful, we will ensure that the outcome is communicated in a timely manner. We will provide the rationale behind why an employee was unsuccessful and offer relevant feedback. We will also endeavour to arrange a one-to-one at a later date with the unsuccessful employee to discuss development opportunities and ways to enhance their existing skills. By carrying out these conversations with dignity and respect we hope to develop trust and foster better working relationships within the team.

External Recruitment

If there are no suitable internal candidates identified and/or there are no applications from internal candidates, the role will then be advertised externally. The full process for this can be found in the Internal recruitment section below.

External Recruitment

Advertising

The Promise Scotland understands the benefits of promoting and/or recruiting internal employees for new roles, therefore all new or vacant posts will be advertised internally in the first instance.

Advertisements will make clear, in both wording and illustration, that the positions are open to all suitably qualified candidates, regardless of age, disability, gender reassignment, marriage/civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation. Details of positions will be fully circulated so as to ensure access to all applicants. This includes forwarding internal advertisements to employees on long-term leave, such as maternity leave.

If internal recruitment is not successful, the new or vacant posts will be advertised externally.

Application Forms

Application forms will contain relevant questions needed for selection. If these questions are necessary for pension or health insurance, they will be asked after appointment.

Screening

The Promise Scotland is an equal opportunities employer, and as such aims to treat all employees and applicants fairly and we welcome and encourage applicants from all

backgrounds to apply for roles within the organisation. Screening will be carried out by matching the skills and experience of applicants to the requirements of the job and no applicant will be disadvantaged due to a protected characteristic or their upbringing/background. The screening criteria will be applied consistently to all applicants. Records of the screening process will be retained for a period of up to one year by the Operations team.

Screening will be carried out by matching details of applicants to the requirements of the job. The screening criteria will be applied consistently to all applicants. Records of the screening process will be retained for a period of one year by the Operations team.

In addition, all applicants with care experience will be positively welcomed and guaranteed an interview, if they meet the essential criteria.

Testing

If it is necessary, we may use selection tests as part of the interview process e.g., psychometric testing, presentations, or other skills-based tests. Any tests used will only relate to non-biased, genuine objective requirements of the role. Records of any testing undertaken will be retained for a period of one year.

Interviewing

The interviewing process will be carried out in the following way:

- no assumptions will be made on the grounds of age, disability, gender reassignment, marriage/civil partnership, pregnancy, maternity, race, religion or belief, sex or sexual orientation
- questions will relate to the requirements of the job as established in the job description and the person specification
- interviews will be carried out by more than one person and the interview panel will preferably comprise of individuals of both genders
- Successful applicants will receive a verbal and formal offer of the role
- applicants will be assessed at the end of interviewing against pre-defined criteria
- Unsuccessful applicants will be provided with feedback, and we will aim to do this as soon as reasonably possible so to not keep applicants waiting
- records of the interview process will be retained for a period of one year, including questions asked, answers given, any interview notes, and interview evaluation forms for all candidates.

Promotion

All employees will be aware of the promotional and career opportunities available to them from details circulated through internal bulletin boards within Sharepoint. Training

and job experience needed for promotional opportunities will be open to all employees. Promotion will be determined by merit and performance against objective criteria.

We understand that unsuccessful applications from internal employees can affect their confidence, performance and morale. Thus, The Promise Scotland will ensure that any internal employee who is unsuccessful in the recruitment process will be given constructive and timely feedback to facilitate improvement, if necessary.

No employee will be overlooked in relation to a promotion or an experience-broadening opportunity because of their reluctance to apply or accept on a previous occasion. The process surrounding promotion will be free from discrimination.

Training

All relevant employees, including those on short-term/part-time contracts, will have equal access to training opportunities, whether training is relevant to their current job, or to enhance promotional opportunities.

References

All external candidates will be required to provide two satisfactory references prior to appointment. Referees must not be contacted without the permission of the candidate to whom they relate.

We will usually ask the referee to provide standard and factual information such as start date, salary, and reason for leaving etc.

Should a candidate not be in a position to provide two references, the issue will be dealt with by The Promise Scotland on a case-by-case basis, with the final decision approved by the Chief Executive.

Medical Check

Upon commencement of employment an employee may be required to complete a medical assessment form for HR and may be required to attend a medical check with a company-nominated occupational health specialist. This medical check will focus on the health and wellbeing of the employee in carrying out their job role and duties, as well as ensuring that any duty to make reasonable adjustments is complied with.

Employment of Foreign Nationals

All employees will be required to undertake an appropriate right to work check, regardless of their nationality, by reviewing appropriate immigration documents or by accessing an online right to work check.



The Promise Scotland will support employees who need us to support their visa application.

Information on carrying out right to work checks can be found [here](#).

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

Author	Zico Iqbal
Version number	v3 December 2022
Authorised by	
Date of sign off	
Policy type	Compulsory read

Recruitment of People with Convictions Policy

Having a criminal record will not necessarily debar applicants from working with The Promise Scotland. This will depend on the nature of the position, together with the circumstances and background of the offences.

The Promise Scotland complies to the following legislation with regards to the recruitment of ex-offenders (Rehabilitation of Offenders Act 1974). However, for the purposes of this policy, we will refer to 'ex-offenders' as 'people with convictions'.

The purpose of this policy is to ensure consistent and fair practices are implemented for the recruitment of employees and consultants who have a criminal record.

Part V of the Police Act 1997 and the Protection of Vulnerable Groups (PVG) (Scotland) Act 2007 are aimed at helping employers and consultant involving organisations assess the suitability of applicants for particular posts and to make safer recruitment decisions in relation to positions of trust by widening access to criminal record information. To this end, the acts provide for the issue of criminal record information through records issued by Disclosure Scotland. The records appropriate to The Promise Scotland are known as Basic Disclosure Certificates, PVG Scheme Membership Statements, PVG Scheme Record Disclosures and PVG Scheme Record Updates. The Promise Scotland refer to these collectively as *disclosure records*.

The Promise Scotland undertakes to treat all applicants for positions within the organisation fairly and not to discriminate unfairly against the subject of a disclosure on the basis of conviction or other information revealed. Having a criminal record will not necessarily debar an individual from working/consulting in positions within The Promise Scotland. Applicants who are applying to carry out a regulated work position who are barred from that type of regulated work will not be granted the position applied for.

The Promise Scotland implements a fair recruitment policy that ensures individuals have the opportunity to disclose any convictions or conviction information in a way that allows for a clear risk assessment to be carried out that will determine whether or not the conviction or conviction information is relevant to the position applied for, by taking account of:

- Whether the conviction / information is relevant to the position being offered
- The seriousness of the offence or information revealed.
- The length of time since the offence/ incident took place

- Whether the applicant has a pattern of offending behaviour
- Whether the applicant's circumstances have changed since offending took place.

To ensure the correct applicant is appointed and to enable The Promise Scotland to determine the relevance of any conviction to positions applied The Promise Scotland will use the following recruitment tools:

- Application Form
- References
- Interviews
- Appropriate disclosure record

The Promise Scotland request the appropriate disclosure record at the final part of the recruitment stage when a position has been provisionally offered.

It is an offence for an individual who is barred from regulated work with children, to undertake regulated work with children.

It is an offence for an organisation to offer regulated work with children to someone who is barred from regulated work with children – or to fail to remove a person from that regulated work if they have been notified that the person is barred.

It is an offence for an organisation not to refer an individual to Disclosure Scotland where the grounds of referral have been met.

The Promise Scotland will not appoint any individual who is barred from regulated work with children.

Should The Promise Scotland decide that information disclosed is relevant to the post applied for, the applicant will be deemed to be unsuccessful, and this information will be fed back to the applicant by letter.

The decision as to whether any conviction is relevant to the post will be taken by the Senior Leadership Team. Criteria used to determine relevance, and decisions reached, will be recorded in writing. Any decision may be subject to review by the Chief Executive.

Failure to disclose a conviction received could lead to withdrawal of a job offer and/or dismissal from The Promise Scotland. Disclosures should include unspent convictions if the post requires a Basic certification and convictions which are spent if the post is assessed as requiring PVG scheme membership.

The Promise Scotland will request PVG scheme membership (and related records) for posts involving regulated work with children.

PVG scheme membership statements show whether the applicant is barred from regulated work with children and if the Scottish Ministers are considering listing the applicant.

PVG scheme record disclosures show the scheme membership statement and any vetting information gathered by Disclosure Scotland about that applicant.

PVG scheme record updates show the scheme members' scheme membership statement, when the scheme record was last disclosed, if vetting information shows on the scheme record and whether or not vetting information has been added or removed from the scheme record since it was last disclosed.

Basic Disclosure certificates contain details of convictions held in central records which are unspent according to the Rehabilitation of Offenders Act 1974 or state that there are no such convictions.

Overseas Applicants: The Promise Scotland will request applicants with overseas residence to apply for the closest equivalent available of appropriate disclosure record.

Applicants who have resided overseas within the last 5 years for a period of more than 6 months will be required to apply for the closest equivalent available of appropriate disclosure record.

Consultants, agency employees, casual employees, placements, consultants:

All posts will be assessed by the Senior Leadership Team. The Promise Scotland will request an appropriate disclosure record where it is deemed necessary and relevant for the post.

The Promise Scotland will make clear what level of disclosure record, if any, is required on the job description, website and other information provided about the post.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

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Author	Zico Iqbal
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Authorised by	
Date of sign off	
Policy type	Compulsory read

Safeguarding Policy

The Promise Scotland's safeguarding policy applies to all employees at all levels of the business, as well as agency workers and volunteers.

The purpose of the policy is to protect children, young people and vulnerable adults and service users from harm and to provide all employees, workers and volunteers with information about the safeguarding policy adopted by The Promise Scotland.

The policy is particularly important in the regulated work that The Promise Scotland does with children, young people and vulnerable adults and service users.

The Promise Scotland has a responsibility to promote the welfare of children, young people and vulnerable adults and service users and to keep them safe.

The policy covers the arrangements for safeguarding during the recruitment and selection process and safeguarding issues that arise during employment in circumstances where children, young people and vulnerable adults or service users are placed at risk, or where they could have been placed at risk.

The policy also sets out the reporting obligations for all employees and the procedure that should be followed to report abuse if this occurs to one of The Promise Scotland's service users.

Recruitment Process

Advertisements for job roles at The Promise Scotland will specify clearly whether the work involves regulated work together with the basis of that work.

Offers of employment will be made conditional on the receipt of a satisfactory disclosure checks. These will be conducted by Disclosure Scotland.

The check will confirm that the applicant is suitable to carry out the role and has not been barred from performing this work.

If the background check reveals that an applicant is not suitable, the offer of employment will be withdrawn by The Promise Scotland and the applicant will not be employed.

Existing Employees

If existing employees become added to the children, young people and vulnerable adults barred lists by the disclosure body, The Promise Scotland may need to consider dismissal of the employee on the basis of the statutory ban imposed by the disclosure. The Promise Scotland may be unable to continue to employ the employee in any capacity if the continued association with the employee cannot be maintained, causes reputational damage to the employer or other reasons that harm its position in the marketplace.

What is Abuse?

Given the risk of abuse to children, young people and vulnerable adults and service users, all employees are required to be alert at all times to the possibility of abuse towards children, young people and vulnerable adults or service users.

Abuse may be a single incident or something that occurs over a long period of time. It can take many forms including, but not limited to:

- financial or material abuse
- physical abuse
- mental abuse
- neglect and failures to act
- sexual abuse
- threats of abuse or harm
- controlling or intimidating conduct
- self-neglect
- domestic abuse
- poor practices within an organisation providing care
- modern slavery.

The abuse may come from employees, personal assistants, service users, relatives, neighbours, social workers, providers of support services etc.

Reporting and Investigating Abuse

The Promise Scotland will treat all complaints, allegations or suspicions of abuse with the utmost seriousness. Training will be provided, as appropriate, to ensure that employees are aware of the warning signs of abuse and the correct reporting procedure to follow if they suspect abuse is, or has, taken place.



Employees that suspect abuse is occurring should refer the matter to their line manager immediately, with as much detail as possible. The line manager will need to be informed of the names of the people involved (if known), what type of abuse is or may be occurring, and the dates and times this occurred (if known). An official written report of the alleged act may be requested at this stage as part of the evidence gathering procedure.

Employees may be asked to refrain from discussing alleged abuse with fellow colleagues, other than those specified by their line manager, to avoid the spread of potentially harmful misinformation and to protect the validity of any investigation.

The allegations will be investigated fully and all such reports are taken seriously. The investigation will be conducted in a discrete and timely manner and will involve the collation of evidence typically derived from witness statements and surveillance footage where possible.

If it is suspected that a criminal act may have been committed, The Promise Scotland will report the situation to the police.

Employees suspected of abuse will be suspended on full pay pending a full investigation of the complaints. It should be noted that this suspension is not an indication of the employee's guilt, but rather a necessity given the circumstances. The Promise Scotland appreciates the impact prolonged suspension can have on an employee's reputation, even when allegations are later found to be incorrect, and does not take the decision to suspend lightly.

The Promise Scotland may be under a duty to disclose allegations of abuse to Disclosure Scotland as appropriate. The organisation may also consider it necessary to inform the police of allegations under investigation.

Maintaining Records

The Promise Scotland will ensure that all details associated with allegation of abuse are recorded clearly and accurately. The records will be maintained securely in line with The Promise Scotland's confidential record keeping procedure.

Disciplinary Action

If the investigation reveals that abuse has happened, or is happening, The Promise Scotland will set up a disciplinary hearing for the employee concerned. Abuse of service users is regarded by The Promise Scotland as an act of gross misconduct and the allegation could result in summary dismissal.



Employees will have the chance to appeal any disciplinary action that is taken against them.

Duty of Disclosure

The Promise Scotland is legally required to send information to Disclosure Scotland if a decision is taken to dismiss an employee or remove them from working in regulated work.

The Promise Scotland may also be required to inform Disclosure Scotland if The Promise Scotland suspends an employee, or an employee resigns in suspicious circumstances, as the referral duty criteria may already be met at that stage.

Additional Support and Guidance

Employees who wish for further information on safeguarding are encouraged to contact the Senior Operations Manager. The Promise Scotland will endeavour to provide up to date support and guidance to all employees when it comes to safeguarding and their duty to protect service users from harm. Relevant supporting material is also readily available online and The Promise Scotland will look to furnish employees with this where requested.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

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Sickness and Absence Policy

The Promise Scotland is committed to the maintenance of a safe and healthy working environment and high levels of attendance are critical for the successful delivery of its organisational aims and objectives.

The Promise Scotland understands that employees may be absent from work from time to time due to sickness or health and wellbeing reasons and wants to ensure that employees feel supported in dealing with this.

Our absence procedures aim to support both the smooth and effective running of the organisation by maximising attendance of all employees while also ensuring all employees who, for whatever reason, are absent from work are supported in returning to work as soon as it is viable, including introducing temporary or permanent arrangements to ease the transition.

Definition of Absence

For the purpose of these procedures, absence is defined as nonattendance at work, whether this is authorised, unauthorised or certified by yourself or a doctor.

Authorised absence: is where you have provided a self-certificate or medical certificate/line from a medical professional and where the dates on the certificate are current and continuous – or when you have followed absence procedures and your line manager has authorised you to be absent for a reason not related to sickness/injury.

Unauthorised absence: is a period of absence which, for whatever reason, has not been authorised.

Types of Absence

Short term absence: this is absence of 1-3 days.

Long term absence: any one period of absence which exceeds 28 days including Saturdays and Sundays.

Persistent absence is a series of frequent or regular absences that can be related or unrelated. There is a separate policy on persistent, long-term and unauthorised absence available [here](#).

Planned sickness absence is when an employee is absent from the workplace for a pre-determined reason.

Here are examples of planned sickness absence, but please note that this list is not exhaustive:

- Undergoing surgery
- Undergoing treatment for a health condition
- Recovery periods following surgery or treatment

If you know you will be absent to any of the above reasons, you should notify your line manager as far in advance as possible so that the correct leave and pay arrangements can be made and so that any operational considerations can be discussed.

Notification and Certification

Employees are required to comply with procedures for the notification of sickness and absence. Failure to do so may affect the payment of, or entitlement to, sick pay and could result in disciplinary action being taken.

A summary:

Day of absence	Report by?	Self cert required?	Return to work meeting?	FIT note required?
1-3 days (inc Saturdays & Sundays)	Day 1 – by 9.00am Daily thereafter	Yes	Yes	No
4-7 days (inc Saturdays & Sundays)	Day 1 – by 9.00am Daily thereafter	Yes	Yes	No
8 days + (inc Saturdays & Sundays)	8 th day and then at least weekly to update line manager on: • doctor visits (notify before and after appointments) • expected return dates • any other issues	No	Yes	Yes
28 days +	At least every two weeks to update line manager on: • doctor visits (notify before and after appointments)	No	Yes	Yes

	<ul style="list-style-type: none"> • expected return dates • any other issues 			
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If an employee is unable to attend work, they must contact their line manager by 09:00am advising the reason for absence, expected date of return if known and any work-related matters that require attention in their absence. Employees should always make contact themselves in the first instance. Only in exceptional cases should someone provide notification on your behalf acting on your behalf e.g., if you have been taken into hospital. If an employee is unable to contact their line manager, employees should contact a member of the Senior Leadership Team.

Whilst employees should, as appropriate, seek professional advice regarding their fitness for work, it is the employees' responsibility to make the decision regarding whether they are fit to attend work.

The Promise Scotland will treat all employees on sick leave with sensitivity. However, it may be necessary for your line manager to discuss workload with you in order to ensure any necessary arrangements for meeting priorities are made.

Sickness absence procedure:

- The employee is responsible for informing their line manager of their absence as per the table above.
- Line managers are responsible for informing the Finance & Admin Officer of absences, as soon as possible by email. The Finance & Admin Officer will record sickness absence on the employee's sickness absence record on Breathe HR.
- Line managers are responsible for conducting return to work meetings, regardless of length or reason for the absence, once the employee has returned to work. In the absence of the employee's line manager, another appropriate manager or member of the Senior Leadership Team will carry out the meeting.
- Line managers should also ensure that employees have sent completed combined self-certificate and return to work forms to the Finance & Admin Officer along with any FIT notes, for filing in the individual's HR file.
- The Finance & Admin Officer should ensure any sickness documentation (i.e. fit notes or return to work forms) is uploaded to the employee's Breathe HR profile.
- The Finance & Admin Officer should ensure that they close the employee's absence on Breathe HR once they have returned to work.

Self-certification

A [self-certification](#) form must be completed for every day of absence.

Employees are responsible for

- downloading a self-certification and return to work form from the HR folder.
- The self-certification form must be completed prior to the return-to-work meeting and submitted to the line manager.

Line managers are responsible for ensuring the self-certification and return to work form is forwarded to the Finance & Admin Officer.

FIT Notes: (replacing medical statements/doctor's lines/sick notes)

From 6 April 2010 the sick note was replaced with a fit note (statement of fitness for work). The FIT note provides GPs and other healthcare professionals (i.e. registered nurse, occupational therapist, pharmacist or physiotherapist) with the option of declaring either someone is unfit for work or, may be fit for work with some support.

If absent for more than seven days (including Saturdays and Sunday, and non-working days for part time employees), a doctor or other healthcare professional must be consulted, and a FIT note obtained. The FIT note should be sent by post, delivered, or emailed to the appropriate line manager as soon as issued. Employees should keep their line manager updated on any further FIT notes at reasonable intervals. FIT notes must run consecutively. Employees are responsible for ensuring that FIT notes relate to appropriate dates and that they are submitted to their line manager as soon as possible.

Line managers are responsible for ensuring that FIT notes are kept confidential in a secure environment whilst in their possession and that they are passed to the Finance & Admin Manager on the day of receipt. FIT notes will be filed in personnel files and should not be retained anywhere else overnight.

Where absence continues, employees should make contact with their line manager, at least weekly, to update on doctor visits (when they are and how they have gone), progress, expected return dates and any other issues unless another arrangement is agreed.

The Promise Scotland may request that the employee provides consent for The Promise Scotland to obtain a medical report from a GP or other medical professional.

To assist The Promise Scotland in supporting your return to work and the effective running of the organisation, you may be asked to give your consent for The Promise Scotland to obtain a prognosis from your doctor.

If an employee is deemed unfit to work, they **should not** work at home. However, if an employee feels unwell (i.e. a cold) and deem themselves fit for work, employees may choose to work from home instead of the office.

Working at home may be an option offered on a FIT note where coming into work is difficult.

A FIT note may make a recommendation for temporary changes to be made to the employee's working environment or conditions to facilitate a return to work.

Where a FIT note is marked as "may be fit for work", the GP or other healthcare professional usually sets out the possible alterations or amendments that could be made to the employee's working practices to facilitate their fitness for work. Examples of the options available are:

- phased return to work
- amended duties
- altered hours
- workplace adaptations.

If the employee's doctor or other healthcare professional provides a certificate stating that the employee "may be fit for work" the employee should inform their line manager immediately and their line manager on behalf of The Promise Scotland, must discuss with the employee whether there are any additional measures that may be needed to facilitate the employee's return to work, taking into account their advice. If appropriate measures cannot be taken, the employee will remain on sick leave and The Promise Scotland will set a date to review the situation.

Medical Examination

Occupational Health

If The Promise Scotland has cause to be concerned about the employee's health, e.g., the employee has had a number of periods of sickness absence for the same reason in a short period, or the employee's absence has become a long absence, then the employee's line manager may suggest that the employee undertake an assessment with The Promise Scotland's preferred medical provider.

In certain circumstances, especially if the employee's sickness absence may impact on the employee's long-term employment, then The Promise Scotland may ask the employee to consult a medical practitioner of its choice, to have the employee's fitness to work arrangements assessed and confirmed

Should The Promise Scotland seek further medical information, the employee will be provided with detailed information relating to the report, and the employee's access to it. Should The Promise Scotland seek further medical information, the employee will be consulted, and written consent will be obtained.

Access to Medical Reports

The Promise Scotland may need to request a copy of the employee's medical reports or medical records to assist in the assessment of the employee's medical condition. The employee's consent, in line with requirements under the Access to Medical Reports Act 1988, will be obtained prior to The Promise Scotland making contact with the employee's GP and the employee is entitled to see a copy of the documentation provided. In line with data protection legislation, the employee will also be given details on the reason for the examination, what The Promise Scotland intends to do with the data obtained and the lawful basis for processing the data.

Should medical information be obtained by either route, The Promise Scotland will meet with the employee to discuss it. There may be changes required to the employee's work or The Promise Scotland's processes as a result of the medical information obtained, in which case this will be discussed and agreed with the employee where business requirements allow. Any outcomes will subsequently be provided to the employee in writing.

Phased Return

Should a phased return be recommended by a medical professional, or if The Promise Scotland deems it to be appropriate to help the employee settle back into work, this will be discussed with the employee. A plan will be put in place as to how the return will be managed, and review dates will be set with a view to building the employee back to their full duties and hours.

The Promise Scotland will confirm in writing the employee's return to work plan. This should not be seen as a change to the employee's terms and conditions, and it may be subject to change depending on the employee's medical needs or the needs of the business.

Returning to Work

For 8 days+ (including Saturdays and Sundays), once employees feel that they are fit to return to work, they should again make contact with their line manager in advance of returning to work, so that any arrangements for covering their work can be changed. The Promise Scotland reserves the right to request employees to refrain from returning to work until they receive a statement from the GP or other healthcare professional advising that they may be fit to resume duties.

Updates During Sickness

Whilst employees are expected to keep their line manager updated with details of their health and expected date of returning to work, The Promise Scotland understands that

your health takes precedence. Managers will ensure that your condition is taken into consideration and will seek to arrange these at times and frequencies convenient to you.

The location of these meetings will usually be at the employee's usual place of work but, if a virtual meeting or home visit is necessary due to the nature of the employee's absence, this can be accommodated.

Sickness Whilst on Annual Leave

The Promise Scotland understands the importance of breaks and rest periods for employees and the impact that this has on wellbeing. Therefore, if you are sick during an annual leave period, and the procedures for reporting sickness absences are followed at the time, holiday entitlement will be retained for those days of sickness. If these procedures are followed, then the first date of sickness absence will be taken as the date you reported the sickness. Annual leave will not be converted to sick leave after the event or return to work. Equally, sick leave cannot be converted to annual leave at any point.

Hospital Admission

In the unfortunate event that employees are admitted to hospital or similar institution you should forward the medical certificate issued by the hospital staff to your line manager as soon as reasonably practicable. However, we understand that this might not be the employees main priority and should only be done when it is reasonable to do so. If you are severely incapacitated a family member or friend can do this on your behalf.

Recording of Sickness Absence

It is the responsibility of the line manager to ensure that reporting and recording procedures are followed and to pass on information to the Finance & Admin Officer. When an employee notifies their manager of their sickness absence, the line manager must inform the Finance & Admin Officer as soon as possible by email. The Finance & Admin Officer will record sickness absences on Breathe HR and the organisation's sickness absence record which will be shared quarterly with SLT and line managers.

Unauthorised Absence

Please note that failure to report an absence or to follow any of the above procedures may result in absence being treated as unauthorised absence. Where an employee is absent without leave, the main objective of The Promise Scotland is to re-establish contact with the employee to determine whether they intend to return to work and to discuss any problems they may be experiencing.

Unauthorised absence is usually treated as unpaid. However, in an effort to avoid periods on unpaid leave, all reasonable attempts will be made by line managers to contact employees. Line managers will use the employee's contact number(s) to ensure they are

safe. Therefore, employees should ensure that their contact details are up to date on the system. If it is believed there is a grave cause for concern it may be appropriate to contact the employee's emergency contact/next of kin to enquire after their welfare or for a member of the management team or other nominated member of the team to visit them at home.

Failure to adhere to the above procedures could result in a loss of entitlement of Statutory Sick Pay and The Promise Scotland sick pay.

Abuse of the System

Any proven abuse of the sickness system will be dealt with in accordance with the terms of The Promise Scotland disciplinary procedure.

Developing a Medical Condition During Employment

Should an employee develop a medical condition during their employment with The Promise Scotland that results in additional support being required, it is recommended that they advise their line manager – or if the line manager is not available – the Senior Operations Manager so that support can be put in place where at all possible.

Sick Pay

The Promise Scotland operates an Organisational Sick Pay (OSP) scheme for employees with more than 6 months employment. The scheme may be changed or withdrawn by the organisation on written notice as per the contract of employment. If you have not followed The Promise Scotland's sickness absence procedure you will not be entitled to OSP.

Subject to satisfying procedures and conditions of sick leave as detailed above, an employee absent from work as a result of sickness shall be entitled in any one period of twelve months, to paid sick leave in accordance with the following table. The periods stated in the table overleaf indicate the total periods where sick pay will be paid in a rolling 12 month period – i.e., based on the previous 12 months' absence history – whether absence due to single illness or succession of illnesses.

Service at commencement of absence from duty	Full allowance for	followed by half allowance for
Less than 6 months (see section on Statutory sick pay below)	3 days *	0 days*
Over 6 months	18 weeks	18 weeks

No salary, sick pay, or pension payments will be paid for periods of unauthorised absence.

Payments may be made for periods of absence due to reasons other than sickness or injury at The Promise Scotland discretion.

(* There will be some flexibility to this policy in exceptional circumstances)

Statutory Sick Pay

You are eligible for Statutory Sick Pay (SSP) when you are absent from work due to sickness.

The main features of the SSP scheme are:

- The first three days of incapacity are unpaid (called 'waiting days').
- Further sickness is paid at the weekly rate published by Her Majesty's Revenue and Customs (revised annually in April) for up to 28 weeks.
- Once SSP is exhausted, an employee may transfer onto benefits, paid directly by the Department of Work and Pensions.
- If two periods of sickness are separated by less than eight weeks (56 days) then they are linked and the employee need not serve the waiting days again.

The current statutory sick pay rate can be found [here](#).

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

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Social Media Policy

We recognise that the internet and social media provides unique opportunities to participate in interactive discussions and share information on particular topics. However, use of social media can pose risks to our confidential and proprietary information, security and reputation, and can jeopardise our compliance with legal obligations.

To provide clear rules and guidelines on use of all forms of social media including Twitter, Facebook, YouTube, LinkedIn, all other social networking sites and all other internet postings, including blogs and to provide information on employees' responsibilities whilst using social media. This policy should be read alongside the Email and Internet Use policy.

It applies to the use of social media for business (during and outwith office hours) and for personal purposes when a link could be made to The Promise Scotland organisation. The policy applies regardless of whether the social media is accessed using The Promise Scotland IT facilities and equipment or personal equipment.

To minimise these risks, to avoid loss of productivity and to ensure that our IT resources and communications systems are used only for appropriate business purposes, we expect employees to adhere to this policy.

Scope

This policy applies to all employees, temporary employees, agency staff, associates and consultants/consultants who have access to any computer equipment, including computers, laptops, personal digital assistants (PDA) mobile telephone (WAP systems). (Any third parties who have access to The Promise Scotland IT facilities and communications systems are required to comply with this policy.) Due to the continual advancement of technology, this cannot be an exhaustive list, and if an employee has any doubt about the scope of this policy, they should consult their line manager.

The policy applies to the use of social media for business (during and outwith office hours) and for personal purposes when there is a clear link to The Promise Scotland organisation.

Responsible use of Social Media

This section provides employees with common sense rules and guidance that must be followed to ensure appropriate, responsible and safe use of social media, whether in the workplace and/or outside working hours.

The Promise Scotland recognises that employees may hold personal social media accounts which are useful for business purposes – such as tracking news or announcements, following government debates in real time, tracking breaking news, communicating with personal (work related) contacts or communicating when not in the office.

It is recognised, that most social media sites are accessible during working time and/or at breaks through personal mobile devices. However, access and use of social media sites during work hours is discouraged, unless this is in relation to posting work content on social media, either on The Promise Scotland social media channels or from your personal social media accounts. It is important that any social media or other electronic communications activity does not involve unprofessional or inappropriate content and does not interfere with your employment or productivity.

Employees should exercise caution with respect to any comments made regarding:

- The Promise Scotland
- principles and values of the organisation
- colleagues, supporters, critics, influencers and all other individuals or organisations which may be affiliated or connected to The Promise Scotland and its work, its Board of Directors and the Oversight Board

This list is not exhaustive.

Employees must also avoid social media communications that might be misconstrued in a way that could damage The Promise Scotland's reputation, even indirectly.

Employees are personally responsible for what they communicate in social media. If you are uncertain or concerned about the appropriateness of any statement or posting, refrain from making the communication until you discuss it with your line manager.

Using social Media for Business Purposes

All employees are encouraged to contribute materials, suggestions and content for professional social media usage. If you would like to post an item of a professional nature on social media, please forward your content to a member of the Public Affairs team who will review the content and approve prior to this being posted, either, by yourself directly

or by the Promise Scotland. This process ensures that the organisation maintains a consistent and professional voice online.

If you are contacted for comments about the organisation for publication anywhere, including in any social media outlet, direct the enquiry to the Public Affairs team and do not respond without approval.

Employees must not do anything that would jeopardise the confidentiality, integrity or reputation of The Promise Scotland or its intellectual property through the use of social media, for example:

- Employees should avoid misappropriating or infringing the intellectual property of other organisations and individuals, which can create a liability for The Promise Scotland as well as the individual author.
- Employees must not use The Promise Scotland logo, brand name or other associate trademarks or post other confidential or propriety information without prior written permission from The Promise Scotland. This includes all training materials, publications and any other materials developed by The Promise Scotland.
- Employees should not provide references, positive or negative, for other individuals on social or professional networking sites, which can be attributed to The Promise Scotland as such references can create legal liability for both the author of the reference and the organisation. (Providing references is not the same as endorsing other people's skills on a personal level, for example on LinkedIn.) Should guidance be required on this, please talk to your line manager.

Professional Integrity

- In respect of our colleagues, supporters, critics, influencers and all other individuals or organisations which may be affiliated or connected to The Promise Scotland and its work, its Board of Directors and the Oversight Board, employees should:
- Refrain from posting anything relating to the above without their written permission, unless already in the public domain.
- In particular, you must not post anything or be seen through your own engagement with such posts to condone offensive or inappropriate, including discriminatory comments, insults or obscenities.

Using Social Media for Personal Purposes

Employees should make it clear that any comments are posted on their own behalf and are written in first name person and use a personal e-mail address. It is suggested that 'Views are my own and do not necessarily represent the views of my employer' or similar are included in any profile.

To protect The Promise Scotland's reputation, employees should exercise caution with respect to any comments made regarding:

- The Promise Scotland
- colleagues, supporters, critics, influencers and all other individuals or organisations which may be affiliated or connected to The Promise Scotland and its work, its Board of Directors and the Oversight Board; or,
- statements/engaging in threads that may be deemed contradictory to the values of the organisation

Even if you make it clear that your views on such topics do not represent those of The Promise Scotland, your comments could still be considered as damage to reputation.

Employees must avoid social media communications that might be misconstrued in a way that could damage The Promise Scotland's reputation, even indirectly.

All employees are personally responsible for what they communicate in social media.

If you disclose your association as an employee of The Promise Scotland, you should make clear that the views expressed are stated to be personal, and not necessarily those of The Promise Scotland. You should also ensure that your profile and any content you post are consistent with the professional image that The Promise Scotland expect you to present to colleagues and other stakeholders.

You must not, under any circumstances, post comments about sensitive business, related or confidential topics. Even if you make clear that your views on such topics do not represent those of The Promise Scotland, your comments could still be considered as damaging to reputation.

If you are uncertain or concerned about the appropriateness of postings or statements, you must refrain from making communication until you fully discuss this with your line manager.

If you see content in social media that disparages or reflects poorly on The Promise Scotland or our stakeholders you should immediately make this known to Public Affairs team and/or your line manager.

All employees have a responsibility to protect The Promise Scotland's reputation.

Use of Social Media in Promoting The Promise Scotland

Only those in designated posts are assigned to use Social Media for promotional and business purposes. All decisions relating to shared content and information about The Promise Scotland is approved by the relevant members of the Public Affairs team and it is the responsibility of the Public Affairs team to update and maintain these materials accordingly.

If you are contacted for comments or enquiries about The Promise Scotland, you must always refer to the Public Affairs team and report it to your line manager.

Recruitment

The Promise Scotland may use social media websites in the course of recruitment. Where we do this, we will act in accordance with data protection and equal opportunities obligations.

Compliance and Breach of Policy

Social media should never be used in a way that breaches this Policy or any other The Promise Scotland policies (e.g., Harassment, Disciplinary, Equal Opportunities)

The Promise Scotland will treat online behaviour that is offensive or potentially causes harm, in the same way as all other behaviour and where it is believed that an employee has failed to comply with this, or any other The Promise Scotland policy, appropriate action will be taken under The Promise Scotland's disciplinary procedure. In cases of consultants or non-employees, breaches of this policy, where applicable, may result in termination of the agreement without notice.

Employees must be aware that any breach of this policy may also give cause to civil or criminal liability of the individual and/or The Promise Scotland.

Disciplinary action may be taken regardless of whether the breach is committed during working hours, and regardless of whether The Promise Scotland's IT equipment or facilities are used for the purpose of committing the breach.

Any employee suspected of committing a breach of this policy will be required to cooperate with The Promise Scotland's investigation, which may involve submitting relevant passwords and login in details for The Promise Scotland equipment and systems. Failure to comply with such a request may, in itself, result in disciplinary action being taken.

Employees may also be required immediately to remove social media postings that are deemed by The Promise Scotland to constitute a breach of this policy. Failure to comply with such a request may, in itself, result in disciplinary action being taken.

In particular, misuse of social media by creating, deliberately viewing, accessing, transmitting or downloading any of the following material whilst at work, will amount to gross misconduct which may result in termination of your employment and/or engagement with The Promise Scotland. This list gives example of unacceptable materials but is not exhaustive.

- pornographic material
- offensive, obscene or criminal material which is liable to cause embarrassment or otherwise bring The Promise Scotland into disrepute
- a false and libellous/defamatory statement about a person or organisation
- material which is abusive, racist, sectarian, defamatory or unlawful, offensive or otherwise discriminatory on any protected ground
- confidential information about The Promise Scotland, employees, members or any individual associated with The Promise Scotland
- any information which is likely to create any liability (whether criminal or civil)
- material in breach of copyright

Whilst the viewing of material such as spam emails, or websites which promote a view that differs from The Promise Scotland is often unavoidable, and indeed can prove useful, the following would be deemed inappropriate by The Promise Scotland:

- contributing to the circulation of chain letters or other spams
- promoting, endorsing or transmitting material that conflicts with The Promise Scotland's values

If unacceptable materials are received, you must advise your line manager and the senior operations manager, as soon as possible.

Monitoring

The contents of our IT equipment and communications systems are, and remain at all times, the property of The Promise Scotland. Therefore, all employees and workers should have no expectation of privacy in any message, document, social media post, blog, discussion or any other information sent, received or stored on our IT systems.

We reserve the right to monitor, intercept and review, without notice, employee and worker activities using The Promise Scotland IT equipment and communication systems, including, but not limited to, social media postings and activities, to ensure that The Promise Scotland rules are being complied with for legitimate business purposes. As an

employee or worker of The Promise Scotland you consent to such monitoring by The Promise Scotland.

We may store copies of such data or communications for a period of time after they are ceased and may delete such copies from time to time without notice.

Responsibility

The prevention, detection and reporting of unacceptable social media usage and/or behaviour is the responsibility of all The Promise Scotland employees and suitable confidential reporting channels are outlined within the Whistleblowing Policy

Our external IT partner is responsible for the operation, support, and security of The Promise Scotland's computer networks.

All those persons referred to within the scope of this policy are required to adhere to its terms and conditions.

Individual Managers are responsible for ensuring that this policy is applied within their own area.

Any queries on the application or interpretation of this policy must be discussed with your line manager before any action being taken.

The Head of Public Affairs has the responsibility for ensuring the maintenance, regular review and updating of this policy.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

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Policy type	Compulsory read

Travel, Subsistence and Expenses Policy

This document sets out The Promise Scotland's policy on the reimbursement of travel costs and subsistence on The Promise Scotland official business for employees and oversight board members.

This policy seeks to support The Promise Scotland's broader environmental objectives by encouraging more sustainable behaviours and discouraging carbon-intensive methods of working and travelling. It is understood that face-to-face meetings are essential for relationship building and development. However, it is also acknowledged that effective work can be achieved through a balance of face-to-face meetings and digital contact.

For efficiency, employees and Oversight Board members are requested to submit one claim per month covering the previous month. The Promise Scotland will not pay claims more than 2 months after the date the expenditure was incurred, or which lack appropriate receipts.

Payments are reimbursed by bank transfer following approval by the relevant Line Manager and after being reviewed by a member of the Finance team.

Any travel and subsistence expenses must be submitted to Breathe HR and must be authorised/approved by your Line Manager.

For the avoidance of doubt, travel from an employee's home address to The Promise Scotland's premises in Edinburgh will not be classed as a business travel expense and employees will not be reimbursed for this. Where employees are travelling to a location out with Edinburgh from our premises or home address on behalf of the Promise Scotland, this will usually be classed as a travel expense. However, all expenses should be discussed and approved with your Line Manager before incurring them.

Receipts

To comply with HMRC requirements expenses will only be reimbursed on production of receipts which support the claim.

The Promise Scotland recognises that it is not always possible to obtain a receipt. In the event of lost or missing receipts the employee/oversight board member should seek duplicate receipts or produce alternative proof of payment – such as a photo. If no proof

of payment is available e.g., the underground or parking meter did not return the ticket the employee/oversight board member should note this on the claim.

VISA, Mastercard, debit or credit card till receipts are not an acceptable form for proof of purchase. The original itemised till receipt should be provided. A screenshot can be provided from your online internet banking as a last resort as proof of expense but reimbursement for such claims will be made at the discretion of the Line Manager.

Travel General Principles

All journeys away from an employee/oversight board member's home (while The Promise Scotland doesn't have a fixed office location) when carrying out necessary business will be regarded as business travel.

- Travel should be by the most efficient and environmentally effective means of transport consistent with the business objective of the trip and safety of the employee/oversight board member.
- Travellers are expected to consider whether the journey is essential or alternative options such as video or telephone conferencing would be more appropriate.

First Class Travel

Occasionally first-class tickets are more economical overall as other services such as internet connection and food are included in the fare. Where this is the case, screen shots showing the comparable costs should be provided as evidence.

Train journeys may be first class to avoid more costly flights and overnight accommodation. Where this is the case, employees/oversight board members should book as far in advance as possible to obtain the best possible price.

However, generally, employees/oversight board members should not travel by first class or business class on any form of transport.

Travellers are welcome to upgrade from standard to higher classes at their own expense, but The Promise Scotland will only reimburse the cost of the standard fare.

If the employee/oversight board member has additional needs and this has been agreed with their Line Manager, first class travel may be permissible.

Use of Own Vehicle and Claiming Mileage

Employees/oversight board members are entitled to claim mileage when using their own transport for travelling on The Promise Scotland business.

When undertaking a journey on The Promise Scotland business the driver is responsible for ensuring the vehicle is in a roadworthy condition, licensed, insured for business travel and has a valid MOT certificate if appropriate.

Mileage should reflect the actual mileage driven using the most direct route unless the route is unsafe due to the time of travel or weather conditions.

Rates payable per mile are in accordance with HMRC published guidelines:

- Cars & Vans - £0.45 per mile up to 10,000 miles, thereafter £0.25 per mile
- Motorcycles - £0.24 per mile
- Bikes - £0.20 per mile

As rates can change very frequently, for up to date figures please access the link [here](#).

The mileage rate covers the buying, running and maintaining the vehicle such as fuel, oil servicing, repairs, insurance, car tax and MOT. It also covers the depreciation of the vehicle.

Full details of the journey, including date, reason for journey, starting points and destinations, should be shown in the appropriate section of the Expense Claim Form.

The cost of road and bridge tolls will be reimbursed if they form part of a business journey.

Parking costs incurred in the course of travelling away from home may also be claimed.

It should be agreed in advance with the Line Manager if parking costs are expected to exceed more than £10 in a day.

Taxis

Employees/oversight board members may claim reimbursement of the cost of a taxi or private hire vehicle fares when it would not be reasonable to take a connecting journey via public transport. Electric Taxis should be requested if possible. Taxis may be used for journeys:

- Where no other suitable transport is readily available
- When heavy or bulky equipment is being transported
- Where the saving of time is of paramount importance
- Where an individual has restricted mobility or other disability
- Where public transport is unavailable (either early in the morning or late at night) or deemed inappropriate (e.g. late at night where an employee/oversight board member would otherwise feel unsafe).

- Where a taxi is being shared with either The Promise Scotland employees or other employees/oversight board member and the overall cost is less than each taking public transport.

Tips arising from a taxi journey will not be reimbursed.

Fines and Penalties

Car parking fines, release fines, speeding and other motoring penalties are the responsibility of the individual and The Promise Scotland will not reimburse these costs.

Subsistence

The Promise Scotland will reimburse the costs of meals taken during business journeys away from their home where these meals have not been provided, please see the following:

- Maximum total Breakfast [if not included] £7
- Lunch £12
- Evening Meal £20

For the avoidance of doubt, tips and alcoholic drinks will not be reimbursed.

Accommodation

Standard of overnight accommodation:

- Employees/oversight board member should ensure that accommodation is safe and of a reasonable standard – normally at three-star rating.
- Rooms should be sole occupancy, have ensuite facilities, TV, tea and coffee making facilities and internet access. There should be adequate space and where it is necessary to work in the room facilities [light, desk, etc.] for doing this. The accommodation should have satisfactory personal security arrangements and adequate emergency procedures.
- The Promise Scotland encourages employees/oversight board members to book accommodation that is green certificated, where cost is not excessive in comparison to alternatives in the area.

Items of a personal nature such as alcoholic mini-bar drinks or video/movie hire will not be reimbursed by The Promise Scotland. Where these items are included on a bill the costs should be deducted by the employees/oversight board members prior to the submission of the claim for reimbursement.

If Internet access is not included in the room rate, employees/oversight board members may claim internet costs when staying in hotels provided it is incurred for The Promise

Scotland business [e.g. working on a presentation/report for the following day's business meeting]. The reason for internet access should be detailed on the claim.

An employee/oversight board members travelling on The Promise Scotland business and choosing to stay overnight with friends, relatives or colleagues instead of in a hotel, will be reimbursed for the actual cost of an evening meal [for themselves only]. No other expenses should be claimed.

Rates Allowable

£120 per night [including breakfast and VAT]

*If the night required falls within a particularly busy time, The Promise Scotland appreciate the cost of a 3-star hotel may be greater than £120 per night. If this is the case, Line Manager approval is required in advance.

Bookings should be made at least two weeks in advance and should be booked via The Promise Scotland finance team.

Travel with Spouse/Partner/Family

The Promise Scotland understand that some employees/oversight board members may have childcare needs that need to be considered when undertaking The Promise Scotland work. These needs should be discussed and signed off in advance of incurring costs.

Where employees/oversight board members are accompanied by a Spouse/Partner or other non-The Promise Scotland connected persons, the employees/oversight board members must only claim the appropriate share of each item of expenditure, consistent with that which would have been incurred if travelling unaccompanied. Any costs incurred on behalf of an employee/oversight board member's spouse or partner will not be reimbursed.

Hospitality

The Promise Scotland can only provide hospitality to employees/oversight board members where there is a valid business reason.

Refreshments during a meeting – the provision of tea, coffee and biscuits/fruit can be reimbursed when the refreshments are bought for a business meeting. The Promise Scotland encourages employees/oversight board members to source food from social enterprises where possible.

Modest working lunches for training events and formal minuted meetings are permitted where the timing and duration of the meetings unavoidably prevents attendees from having their normal personal lunch break.

Communication Costs

Employees / oversight board members who are required to make business calls using their home phone/ personal mobile may claim costs. In support of claims, itemised statements with the relevant calls highlighted must be attached.

The Promise Scotland will not pay for home internet or internet boosters.

Time Limit

Claims should be submitted as soon as possible after the month in which they have been incurred. In any event, claims must be submitted within two months of the expense being incurred. This also enables verification to take place with greater ease.

Claims received by the 10th of the month will be included in the mid-month payment run and by the 25th of the month in the month end payment run.

Employees/oversight board members should also be mindful of The Promise Scotland's financial year ends on the 31 March. In order to adhere to approved accounting principles, all expenses for that year must be reported in the year in which they were incurred to ensure that the expense is appropriately captured in the financial statements. A special reminder will be sent by Finance at the end of March each year to assist.

Ownership

All items purchased with The Promise Scotland funds are and remain the property of The Promise Scotland. In the event that an employee/oversight board member leaves The Promise Scotland they must ensure that all such items remain with The Promise Scotland.

Freedom of Information

The Promise Scotland is covered by the Freedom of Information Act, which is subject to such an enquiry, it may be required to disclose related expenditure information if required.

Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023

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Whistleblowing Policy

The Promise Scotland takes any suggestion of malpractice very seriously and encourages freedom of speech amongst all employees. The Promise Scotland encourages employees to use internal mechanisms for reporting any malpractice or illegal acts or omissions by its employees or ex-employees.

What is Whistleblowing

The Promise Scotland's aim is to maintain the highest standards of integrity in everything we do. However, The Promise Scotland recognise that at times organisations may be affected by behaviour that is in breach of ethical or professional codes. Should you have any such concerns, we encourage you to report them immediately — this is called 'whistleblowing'. You can be assured that we will take your concerns seriously, they will be thoroughly investigated, and you can be confident there will be no reprisals.

The Promise Scotland will not tolerate any harassment or victimisation of any employee who invokes this "Whistleblowing policy" (including informal pressures), and will treat this as a serious disciplinary offence, which will be dealt with under the Disciplinary Procedure. If you feel you have been treated detrimentally as a result of raising a concern, you should notify us as soon as possible. First inform your Line Manager and, if the matter remains unresolved, you should follow the procedure outlined in our Grievance Policy.

At the Promise Scotland we want to ensure that employees feel comfortable to raise any concerns which they feel are relevant to this policy. To help to promote this culture, we will appoint a suitable board member as the whistleblowing champion and they will provide advice and support to colleagues and managers by signposting the relevant procedures and providing additional support to employees who do not feel comfortable raising concerns with their direct Line Manager.

How to Raise a Whistleblowing Concern

If an employee has any concern that malpractice is occurring and in particular believes that any of the following has occurred, or is likely to occur, they should bring it immediately to the attention of their Line Manager or another member of the Senior Leadership Team in writing. Their letter should state that they are raising concerns under this policy and explain what they are, including all key facts, dates and the name of the people



who are involved. They will then be invited to a meeting to discuss their concerns and are entitled to be accompanied at this and any subsequent meetings by a colleague or trade union representative.

The Line Manager or member of the Senior Leadership Team will then arrange for a full investigation to take place. If the concern is about the Line Manager or a member of the Senior Leadership Team this should be brought to the attention of the Chief Executive and if the concern is about the Chief Executive, this should be brought to the attention of the Chair of The Promise Scotland who will decide on how the investigation will proceed.

This may include commissioning an investigation by an independent external adviser.

Examples of malpractice, illegal acts or omission may include:

- a criminal offence
- a failure to comply with a legal obligation
- a miscarriage of justice
- a health and safety danger
- environmental damage
- the deliberate concealment of any such matters

Please note the above list is not exhaustive.

The investigation may need to be carried out under the terms of strict confidentiality i.e., by not informing the subject of the complaint until (or if) it becomes necessary to do so. This may be appropriate in cases of for example, suspected fraud. In certain cases, however, such as allegations of ill treatment of colleagues or clients, suspension from work may have to be considered immediately.

If the result of the investigation is that there is a case to be answered by any individual, the Disciplinary Procedure will be used.

Where there is no case to answer, but the employee who raised the issue held a genuine concern and was not acting maliciously, the Senior Leadership Team should ensure that they suffer no reprisals. Only where false allegations are made maliciously, will it be considered appropriate to act against the employee under the terms of the Disciplinary Procedure.

Following the investigation, the employee who raised the concern will be given feedback on any action taken (this will not include details of any disciplinary action, which will remain confidential to the individual concerned).



If the employee is not satisfied with the outcome of the investigation, The Promise Scotland recognises the lawful rights of employees to make disclosures to the appropriate regulatory body.

Taking concerns outside of The Promise Scotland

The Promise Scotland also recognises that there may be matters that cannot be dealt with internally and external authorities will need to be involved. If an employee feels that the malpractice is so severe, or that attempts to resolve concerns internally have not been successful and that it needs to be disclosed to an external authority, they should first seek advice and information from the helpline provided by **Public Concern at Work on 0207 404 6609**. Public Concern at Work is not a regulatory organisation and will not necessarily investigate an allegation but will provide advice. The appropriate regulatory body to direct concerns is dependent upon the nature of the allegation, e.g., the Police, the Health & Safety Executive, the Inland Revenue, the Information Commissioner, the Financial Services Authority, etc.

Confidentiality and Anonymity

You are always encouraged to raise concerns openly, and if you prefer to do so in confidence, we will do all that we can to ensure your identity remains hidden. We may want to disclose your identity to people involved in the investigation but will always discuss this with you first.

You are protected from reprisals under this policy, but if you are still worried, we encourage you to discuss this with us and we will explore how far we can go in keeping your concerns confidential.

Concerns raised anonymously are very difficult — and sometimes impossible — to investigate. We are unable to properly establish whether your allegations are credible without being able to ask you for more details or for clarification, and this makes it hard to reach an informed decision. This is why we urge you not to report matters anonymously.

Whilst effort will be made to ensure that matters remain confidential during the course of investigation of any allegation, it is impossible in all cases to preserve anonymity or to avoid disclosing sensitive information to colleagues who may be accused or potential witnesses to inappropriate conduct.

The Promise Scotland takes any allegation of malpractice very seriously and reserves the right to deal with any allegation as it considers appropriate.

Should an employee have a complaint about a breach of their own contract of employment, this complaint should be raised through the Grievance Procedure.



Review

This policy will be reviewed in response annually at least and in line with any legislative changes by the Senior Operations Manager.

Reviewed in: December 2022

Next review: December 2023