



Career Break Policy September 2015

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HR Policy:	HR05
Date Issued:	25 September 2015
Date to be reviewed:	3 years or if statutory changes are required



Policy Title:		Career Break Policy		
Supersedes:		All previous Career Break Policies		
Description of Amendment(s	s):	New Policy for CCG employees		
This policy will impact on:		All staff		
Financial Implications:		No change		
Policy Area:		HR		
Version No:		1		
Issued By:				
Author:		HR Policy Lead - adapted for local use by Yorkshire and Humber Commissioning Support on behalf of Hull CCG		
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Consultation: All Staff		f via intranet	1 July 2015	
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1. POLICY STATEMENT

- 1.1 The Hull Clinical Commissioning Group (hereafter referred to as "The CCG") recognises that during an employee's working life there will be times when personal commitments take priority over work. The Career Break Policy has been designed to allow employees the opportunity to take an unpaid break from their employment of up to 5 years.
- 1.2 This policy will apply to all employees with agenda for change terms and conditions of employment.

2. PRINCIPLES

- 2.1 This policy will be communicated to staff via team meetings/team brief and will be available for staff on the intranet.
- 2.2 Training and support will be available to all Line Managers in the implementation and application of this policy

3. IMPACT ANALYSES

3.1 **Equality**

In applying this policy, the CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation.

In developing this policy, an Equality Impact Analysis has been undertaken and is attached at Appendix 1. As a result of the initial screening, the policy does not appear to have any adverse effects on people who share protected characteristics and no further actions are required at this stage.

The application of this policy will be monitored to ensure fair application.

3.2 **Bribery Act 2010**

The CCG follows good NHS business practice as outlined in the Business Conduct Policy and has robust controls in place to prevent bribery.

Under the Bribery Act 2010, it is a criminal offence to:

- Bribe another person by offering, promising or giving a financial or other advantage to induce them to perform improperly a relevant function or activity, or as a reward for already having done so; and
- Be bribed by another person by requesting, agreeing to receive or accepting a

financial or other advantage with the intention that a relevant function or activity would then be performed improperly, or as a reward for having already done so.

Due consideration has been given to the Bribery Act 2010 in the development of this policy document and consistent application of this policy will mitigate bribery in relation to this policy.

4. POLICY PURPOSE & AIMS

The Career Break Policy has been designed to allow employees the opportunity to take an unpaid break from their employment of up to 5 years.

5. IMPLEMENTATION

This policy will be communicated to staff via team meetings/team brief and will be available for staff on the intranet.

Breaches of this policy may be investigated and may result in the matter being treated as a disciplinary offence under the CCGs disciplinary procedure.

6. TRAINING & AWARENESS

A copy of the policy will be available on the CCG intranet. Training needs will be identified via the appraisal process and training needs analysis.

7. MONITORING & AUDIT

Applications made in line with this policy will be monitored by the Workforce Team. Applications and outcomes will be recorded centrally and will be reported on. These reports will consider diversity data and where it is identified that the application of the policy is not consistent for all, appropriate action will be taken

8. POLICY REVIEW

This policy and procedure will be reviewed every 3 years by Workforce team in conjunction with the Senior Leadership Team and Trade Union representatives. Where review is necessary due to legislative change, this will happen immediately.

9. PRINCIPLES

9.1 For statutory purposes, such as calculations for relevant statutory entitlements, the period of the break will count towards continuous employment, however all contractual terms and conditions of employment with the CCG will be suspended. The period of the career break will therefore not count as service when calculating contractual entitlement to benefits such as annual leave, sick pay, contractual redundancy payments and any other benefits dependent upon length of service. There will be no entitlement to benefits, such as sick pay, during the period of the break. Please refer to the Agenda for Change Handbook for further information.

- 9.2 To qualify for a Career Break, employees must:
 - have been employed by the CCG, continuously for a period of twelve months or more;
 - have demonstrated a commitment to continuing their career with the CCG;
 - have the approval of an appropriate authorising manager.
- 9.3 Subject to business needs, applications will normally be approved for the purpose of:
 - caring for a sick or dependent relative;
 - caring for children;
 - personal reasons e.g. following ill health; Subject to business needs, applications may be approved for the purpose of:
 - extended periods of travel or voluntary services
 - undertaking further education
 - Any other reason will be considered on its merit.
- 9.4 The length of the career break will normally be for a minimum of 3 months up to a maximum of 5 years. More than one career break may be granted in the course of employment provided that the combined length of the breaks does not exceed the maximum of 5 years.
- 9.5 Managers, where appropriate, should make every opportunity to maintain contact with those staff taking career breaks. The amount and level of contact will vary depending on the length of the career break and the individual circumstances relating to the break.
- 9.6 Employees will be expected to maintain contact with their manager, and should inform the CCG of any changes to personal circumstances, i.e. change of home address.
- 9.7 Employees on a career break will not normally be allowed to undertake any other paid employment with another employer during the career break except where, for example, work overseas or charitable work could broaden experience. In such circumstances written approval should be sought prior to the start of the career break.
- 9.8 Employees considering a career break should be aware of the following:
- 9.8.1 Annual Leave all accrued annual leave must be taken before commencement of the career break. No payment in lieu of outstanding leave will be made, neither will any "carry over" of leave be allowed. There is no entitlement to annual leave during the career break. On return to work, entitlement to annual leave would be the same as when the break started, and the period of the career break will not count as reckonable service for leave purposes.

- 9.8.2 **Trade Union Membership** should an individual wish to continue their trade union membership during the break, they must make their own arrangements for subscriptions to be paid.
- 9.8.3 Pay on return to work, employees would resume, for pay purposes, at the same pay point which had been reached at the time the career break began, subject to restructuring or substantial organisational change. If applicable, incremental dates will be deferred accordingly, to ensure that the employee's terms remain unchanged.
- 9.8.4 **Occupational Maternity Pay** employees commencing a career break immediately following a period of maternity leave will be liable to repay any Occupational Maternity Pay received should they fail to return to work for a period of 3 months after the break.
- 9.8.5 Pensions an employee may choose to continue making contributions to the NHS Pension Scheme during a career break. The form at Appendix 2 must be completed prior to the break to determine the employee's option in respect of their pension. Arrangements for continuing payments must be made prior to commencement of the break.

If the employee chooses to class up to the first 2 years of the career break as pensionable service then for the first 6 months of the career break, contributions are payable, by both the employee and employer, as if the employee was at work.

An individual, who has paid contributions regularly during the first 6 months of a break, may continue to contribute to the Scheme for a further period of up to 18 months (maximum of 2 years in total). During the extended period, the employee will be responsible for paying both their own and the employer's contributions.

Contributions will be based on the employee's normal pensionable pay. They must continue to be paid monthly, by standing order or Direct Debit; arrears will not be allowed to accumulate.

Further advice is available from the NHS Pensions Agency.

- 9.8.7 **Company Property** prior to an employee commencing a career break, where applicable, managers must ensure that appropriate arrangements have been made in respect of company property, i.e.
 - Return (or otherwise) of a lease car;
 - Return of Organisation property, such as mobile telephones, lap tops, keys, etc.
- 9.8.8 Applying for other Positions when on a career break, an employee is free to apply for other positions within the CCG. However, employees should note that, should they be successful, continuation of the career break cannot be guaranteed as it will depend upon the business needs and exigencies of the service in the area in which the new post sits. It is advised that a discussion is held with the recruiting manager prior to an application being submitted.

- 9.9 All records of applications and decisions will be kept on an employee's file, and held centrally by the Workforce Team.
- 9.10 **Organisational Change** should organisational change, such as a significant restructure, occur whilst an employee is on a career break then attempts to contact them will be made using the contact details provided to the CCG so that communication about the change is received by them. Consultation relating to proposed changes affecting their employment will take place as appropriate and as reasonably possible.

10. REQUESTS

- 10.1 Employees wishing to apply for a career break should complete the application form at Appendix 1, and submit it to their manager. Both the proposed commencement date and return to work date should be included. A copy must be sent to the Workforce Team by the manager dealing with the application.
- 10.2 Applications must be submitted to the authorising manager, at least 3 months prior to commencement of the intended break. Requests made less than 3 months before, will be considered only in exceptional circumstances. In deciding whether to support an applicant, the authorising manager should satisfy themselves that the individual has a clear commitment to continuing a career with the CCG, and that the reasons for requesting the break are valid. They must also ensure that approving the request will not cause detriment to the CCG and therefore it is likely they will need to discuss with senior leaders in the CCG prior to approval being granted. For example, requests may be refused where the career break may have a detrimental impact on the quality of service delivery.
- 10.3 Applicants will be notified in writing of the decision within 21 calendar days of the date of submission of their application. A copy must be sent to the Workforce Team by the manager.
- 10.4 The individual must also complete the form at Appendix 2 to confirm their option in respect of their pension membership during the break (see 1.8.5 above).
- 10.5 Employees may resort to the grievance procedure if a request for a break is refused.

11. CONFIRMING A RETURN AFTER A CAREER BREAK

11.1 Employees will be required to give written notification of their return to work. Where the career break is for less than a year, 2 months' notice of return is required. For breaks of longer than a year, 6 months' notice of return is required.

12. CHANGES TO LENGTH OF CAREER BREAK

12.1 Employees wishing to return earlier than originally anticipated must give 2 months' notice in writing. Employees wishing to extend the length of their career break must apply in writing, at least 2 months' before the agreed end, so that appropriate

- consideration can be given to an extension.
- 12.2 Where an employee returns to work within a year, they will return to the same post they held when the career break started, as far as is reasonably practicable. If this is not possible, due to restructuring etc., or if the break has been for longer than a year, then every effort will be made to find the employee a post with similar duties and responsibilities to those of the previous post held. Should it not be possible to find a suitable similar position then redundancy may be considered.
- 12.3 Employees may be required to undertake a period of training on their return to work. The content and duration will depend on the length of the break, the post, and any changes in working practices, legislation or policy.

13. FAILURE TO RETURN

13.1 If the employee fails to return to the CCG following the career break it shall be deemed that they have now resigned.

Appendix 1: Career Break Scheme - Application Form

Appendix 1: Career Break Scheme - Ap		
FULL NAME	CCG SERVICE ARE	A
PERSONAL NUMBER	START DATE WITH	THE CCG
THIS FORM SHOULD BE SUBMITTED T WORKFORCE TEAM AT LEAST 3 MON' START		
I would like my career break to start on:		
I would like to return to work on:		
Reason for career break:		
My contact details (including phone number) during the break will be:		
I wish to apply for an extended period of u confirm that:	npaid leave under the Car	eer Break Scheme. I
 I have read and fully understood the Policy; I will complete and submit a Caree 		
SIGNATURE OF EMPLOYEE	D	OATE
To be completed by the Authorising Ma	nager	
I support / do not support this application f a written statement outlining the reasons v (delete as applicable).		
SIGNATURE OF MANAGER	D	PATE
MANAGER'S NAME (Block letters)		

Appendix 2: Career Break Financial Agreement

FULL NAME	CCG SERVICE AREA
PERSONAL NUMBER	START DATE WITH THE CCG
START DATE OF CAREER BREAK	DATE OF RETURN TO WORK

I confirm that:

- I understand that I have the option to decide whether my career break should be pensionable for a period of up to two years;
- I understand that, should I decide that I would like my career break to be
 pensionable, I remain liable for monthly pension contributions for the period and that,
 for the first six months of the career break, I will pay my own contributions and that
 the CCG will continue to pay employer's contributions;
- I understand that, if I pay my contributions continuously for the first six months of the career break, I may continue to pension the break for a further period of up to 18 months. During this additional period, I will be liable to pay both my own, and the CCG's contributions:
- I understand that contributions will be based on my normal earnings;
- I agree to make monthly payments to CCG via standing order/Direct Debit.
- I understand that, if I fail to make my contributions as agreed, my pension record will be closed down at the date of the last contribution made.

Please select ONE of the following four options

Option 1	I do not wish my career break to be treated as pensionable sunderstand that my pension record will be closed down at the break with no contributions payable OR	e start of my		
Option 2	I wish to treat up to the initial six months of my career break pensionable and undertake to pay monthly employee contrib standing order/Direct Debit OR			
Option 3				
Option 4 I wish to treat my career break as pensionable for the maximum period of two years. I undertake to pay monthly employee contributions for the six months and both employee's and employer's contributions for the remaining 18 months of the period. All contributions will be made via standing order/Direct Debit.				
SIGNATU	RE OF EMPLOYEE	DATE		

Appendix 3

Workforce Procedure for Recording and Monitoring Career Break Applications

A copy of the Career Break Scheme Application Form (Appendix 1) is sent by the individual to the Workforce Team.



A copy of the response letter should be provided by the manager to the Workforce Team.



A Workforce administrator will record the request and outcome. Equality and Diversity monitoring information will also be obtained from ESR and held on this record.



The Workforce Team will contact managers to obtain details of the response if this is not provided in a timely manner.



Reports will be produced every six months by the Workforce Team and provided to the CCG management team.

Equality Impact Assessment:

Career Break Policy

Equality Impact Assessment

	Equality Impact Analy	sis:			
Policy / Project / Function:	Career Break Policy				
Date of Analysis:	1 June 2015				
This Equality Impact Analysis was completed by:	Workforce Service				
What are the aims and intended effects of this policy, project or function?	The Career Break Policy has been designed to allow employees the opportunity to take an unpaid break from their employment, of up to 5 years.				
Please list any other policies that are related to or referred to as part of this analysis	 Grievance Procedure Disciplinary Procedure Appraisal Process Change Management Policy Maternity Leave Policy Annual Leave Policy 	olicy			
Who does the policy, project or function affect? Please Tick	Employees Service Users Members of the Public Other (List Below)				

Equality Impact Analysis:

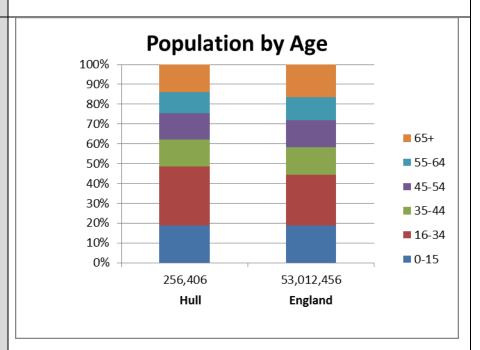
Local Profile/Demography of the Groups affected (population figures) Relevant data can be found in the attached Knowledge Management Toolkit (Employee data as at Oct 14)

General

There are 57 GP practices in the Hull area which spans 7,154 hectares and, as a city, has relatively tight geographical boundaries with most of the 'leafy suburb' areas outside Hull's boundaries in East Riding of Yorkshire. As a result, Hull has a relatively high deprivation score, as measured by the Index of Multiple Deprivation 2010, with Hull ranked as the 10th most deprived local authority out of 326 (bottom 4%).

The resident population of Hull is 256,406 based on the 2011 Census data and 265,369 residents based on estimates from the local GP registration file as at October 2011. This equates to approximately 37 residents per hectare. The Joint Strategic Needs Assessment (JSNA) identifies considerable inequalities in health between Hull and England, and between populations within Hull.

Age



Compared to England, Hull has lower percentages of residents aged 10-19 years and 55+ years, but slightly higher percentages aged under 5, 20-34 years and 45-54 years. There is a relatively large difference between Hull and England for the age group 20-34 years, due to Hull's colleges and Universities.

There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010. The number of deaths occurring to Hull residents has decreased from 2,571 to 2,310 between 2001 and 2010. ONS estimated the resident population to be 243,596 in 2001 compared to 260,424 residents based on the GP registration file, with the difference between these estimates narrowing over time. So, whilst it is difficult to quantify the exact increase in Hull's population, it has increased over recent years.

	Between 2010 and 2030, ONS estimate that Hull's population will increase from 266,100 to 311,900 residents, an increase of 17%. The figure above shows the population of Hull (2011 Census Data).					
Race	The percentage of the population from Black and Minority Ethnic (BME) groups has increased substantially since 2001. For the 2001 Census, it was estimated that 3.3% of Hull's population was not White British or White Irish, whereas Census data shows that this					
	figure increased to 10.2% for 2011. There is no single BME group in Hull with much higher percentages compared to other groups. The 2011 census data shows:					
	White British - 89.7% White Other - 4.4% Mixed - 1.3% Asian - 2.5% Black - 1.2% Other - 0.8%					
Sex	The gender split in Hull is approximately 50.1% men and women. For 2008-2010, life expectancy in Hull was 75.7 men and 80.2 years for women compared to 78.6 years years for men and women respectively in England.	years for				
Gender reassignment	No local information provided.					
Disability	According to the 2011 Census, it is estimated that approximately 19.7% of the Hull population lives with a long term health problem or disability compared with 17.6% for England. This information can be broken down further (Source: Projecting Older People Population Information System and Projecting Adult Needs and Service Information) to include learning disabilities, physical disabilities, hearing impairments and visual impairments, as follows:					
	2012 Estimates	Hull				
	Learning Disability (Age 18 – 64)	4,078				
	Learning Disability (Age 65 and over)	762				
	Physical Disability – Moderate (Age 18 – 64) 12,222					
	Physical Disability – Serious (Age 18 – 64)	3,491				
	Visual Impairment (Age 18 – 64) 108					
	Visual Impairment (Age 65 and over)	3,263				
	Hearing Impairment – Moderate or Severe (Age 18 – 64)	5,765				
	Hearing Impairment – Moderate or Severe (Age 65 and over)	15,707				
	Hearing Impairment – Profound (Age 18 – 64)	49				

	Hearing Impairment – Profound (Age 65 and over) 402								
Sexual Orientation	(LG esti	There are no local statistics for how many Lesbian, Gay or Bisexual (LGB) people live within Hull however, nationally, the Government estimates that 5% of the population are lesbian, gay, bi and transgender communities.							
Religion, faith and belief	ider mad	According to the 2011 Census, 54.9% of the population have identified themselves as Christian and 3.1% of the population is made up of other religions. The remainder of the population did not state anything (7.2%) or stated 'no religion' (34.8%).							
		Religion	2011						
		Christian	54.9%	6					
		Buddhist	0.3%	, D					
		Hindu 0.2%							
		Jewish 0.1%							
		Muslim 2.1%							
		Sikh	0.1%	, D					
		Other Religion	0.3%	, D					
		No Religion	34.89	6					
		Religion Not Stated 7.2%							
Marriage and civil partnership	This protected characteristic generally only applies in the workplace. Data from the Office of National Statistics covering the period 2008- 2010 indicates that there were 18,049 Civil Partnerships in England and Wales during this three-year period – 52% men and 48% women.								
Pregnancy and maternity	There were 2,869 live births occurring to Hull residents in 2001, but this has increased steadily to 3,771 for 2010.								

Equality Impact Analysis: Is any Equality Data available Yes - employee data has been used to support the relating to the use or monitoring of the impact of this policy in the future. The implementation of this policy, employee data is not included due to the low number of project or function? CCG employees and concern around anonymity Equality data is internal or external information that may indicate how the activity being analysed can affect different No groups of people who share the nine Protected Characteristics -Where you have answered yes, please incorporate this referred to hereafter as 'Equality data when performing the Equality Impact Assessment Groups'. Test (the next section of this document). Examples of Equality Data include: (this list is not definitive) 1: Application success rates Equality Groups 2: Complaints by Equality Groups 3: Service usage and withdrawal of services by Equality Groups 4: Grievances or decisions upheld and dismissed by Equality **Groups** List any Consultation e.g. with Consultation has taken place both locally and nationally employees, service users, with Trade Unions and staff Unions or members of the SLT public that has taken place in **CCG** Employees the development or JTUPF Sub group implementation of this policy, **JTUPF** project or function Governing Body (approval) **Promoting Inclusivity** This policy does not directly promote inclusivity, How does the project, service or however it is available to all staff to access and function contribute towards our monitoring its use will be important. aims of eliminating discrimination and promoting equality and diversity within our organisation





1. Equality Impact Analysis: Assessment Test

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

characteristics protected by The Equality Act 2010?						
Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists		
Gender (Men and Women)	✓			Whilst there is no local evidence as yet, it is generally the case that women are more likely to access the childcare break. This is a positive impact, however, in a changing society; more men might be likely to take this up, as it is open to all. This policy will be applied consistently regardless of gender and therefore should have no impact on this protected characteristic.		
Race (All Racial Groups)			√	As the policy is written in English there is a potential impact on employees whose first language is not English and therefore may struggle reading the policy. However this potential impact is minimised due to the development of the 'portal' facilities detailed in the action plan.		
Disability (Mental and Physical)		√		A career break may be offered to support an employee suffering a long term health condition classed as a disability or with adjusting to a new disability.		
Religion or Belief	✓			A career break could be used to facilitate an employee undergoing a religious rite of passage or taking an extended faith related journey. This policy will be applied consistently regardless of religion or belief and therefore should have no impact on this protected characteristic.		



Sexual Orientation (Heterosexual, Homosexual and Bisexual)	~		This policy will be applied consistently regardless of sexual orientation and therefore should have no impact on this protected characteristic.	
What impact will the imple				unction have on employees, service users or other people who share ed by <i>The Equality Act</i> 2010?
Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a <i>Genuine Determining Reason</i> exists
Pregnancy and Maternity		✓		Employees who wish to extend their leave beyond maternity leave can use this policy.
Transgender	~			A career break may support an employee undergoing gender reassignment or any other surgery This policy will be applied consistently and therefore should have no impact on this protected characteristic.
Marital Status	~			This policy will be applied consistently regardless of marital status and therefore should have no impact on this protected characteristic.
Age	✓			This policy will be applied consistently regardless of age and therefore should have no impact on this protected characteristic.

Action Planning:

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010*?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
As the policy is written in English there is a potential impact on employees whose first language is not English and therefore may struggle reading the policy.	The CCGs Communication Team is developing the 'portal' to signpost individuals to alternative formats.	CCG Communications	June 2015	Next policy review
Equal application of the policy is essential; this should be monitored on a regular basis to provide this assurance.	Monitoring the use of the policy	HR Lead	To form part of the quarterly Workforce monitoring reports to SLT	1 year from implementation



Hull Clinical Commissioning Group

Equality Impact Findings:	
Analysis Rating:	Green
Red - Stop and remove the policy	Red: As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.
Red Amber - Continue the policy	As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken.
Amber - Adjust the Policy	As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.
Green - No major change	As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.



Brief Summary/Further comments	As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.

Signatures	
Other Comments	
Confirmed by (manager): (Name and Title)	Julia Mizon.
Date:	20 June 2015