

Staff development toolkit for drug and alcohol services

**Revised and up-dated
2006**

The National Treatment Agency

More treatment, better treatment, fairer treatment

The National Treatment Agency (NTA) is a special health authority, created by the Government on 1 April 2001, with a remit to increase the availability, capacity and effectiveness of treatment for drug misuse in England.

The overall purpose of the NTA is to: double the number of people in effective, well managed treatment from 100,000 in 1998 to 200,000 in 2008; and increase the proportion of individuals completing or appropriately continuing treatment, year on year.

Staff development toolkit

This toolkit has been commissioned by the NTA as a contribution to the joint workforce development strategy with the Department of Health. First published in 2003, this version has been revised and up-dated. New sections have also been added in response to feedback and taking account of recent developments related to workforce development.

This toolkit is available on line at www.nta.nhs.uk.

Target audience

This toolkit is for managers in drug and alcohol services. It is particularly aimed at supporting organisations which may not have their own specialist human resources managers/departments.

Larger organisations (eg the NHS) are likely to have their own existing HR policies and procedures. This toolkit does not attempt to offer guidance on these organisation specific HR policies and procedures.

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Annexes

Example templates and tools.

Example templates and tools

The templates and tools provided with this toolkit can be copied or adapted for use in your own organisation. They aim to represent examples of good practice – however, all documents and procedures should be regularly reviewed to ensure they remain fit for purpose.

1. Job analysis questionnaire
2. Role profile
3. Job description
4. Person specification
5. Interview assessment
6. Induction checklist
7. Training and development policy
8. Training needs analysis questionnaire
9. Individual training and development plan
10. Organisational training and development plan
11. Training and development impact assessment
12. Structure of a portfolio
13. Routes to competence and qualifications
14. Self appraisal record
15. Appraisal record
16. Supervision record
17. Exit Interview

1. Introduction

This toolkit aims to provide straightforward and practical guidance on staff development for drug and alcohol services.

It is intended for the busy manager who is not a human resources specialist but who aims to adopt good practice in human resource management and development.

This toolkit will particularly support services to comply with the human resource development aspects of various organisational frameworks and standards including:

- Quality in Alcohol and Drug Services (QuADS)
- National Minimum Care Standards
- Models of Care for Drug Misusers
- Models of Care for Alcohol Misusers
- Healthcare Commission Assessment Criteria
- Investors in People

The guidance in this toolkit aims to describe generic good practice. Managers in larger organisations (such as the NHS) will also need to ensure they follow any policies and procedures specific to their own organisation.

1.1 How to use the toolkit

The toolkit is divided into sections, each of which contains guidance notes covering a key area of staff development activity. Each can be treated as a stand alone section. It is hoped that you will feel able to dip into the toolkit as required, perhaps referring to particular sections as the need arises.

The guidance notes are supported by a set of document templates, which can be copied or adapted for use in your own organisation.

This toolkit, including all the document templates can be downloaded from the NTA web site: www.nta.nhs.uk.

2. National Occupational Standards

National Occupational Standards have been developed for most occupations in the UK.

They describe the standards of performance and the level of knowledge required for a worker to be effective in a particular occupation.

National Occupational Standards therefore provide a means to measure 'competence' in the workplace. Competence can be defined as:

'The application of skills and knowledge necessary to perform to an agreed **standard**'.

National Occupational Standards are made up of a series of units. Each unit describes the **standards of performance** and the **level of knowledge** required for a particular function in a job.

These standards have many uses in staff development. For example, they support the following activities:

- Developing role profiles and job descriptions
- Recruitment and selection of new staff
- Planning induction for people in new roles
- Identifying and addressing training and development needs
- Recognition of competence through the achievement of qualifications and awards
- Appraisals and supervision.

The use of National Occupational Standards in all these activities will be fully explored in the relevant sections of this toolkit.

Diagram 1: National Occupational Standards and staff development



2.1 How National Occupational Standards are developed

The development of National Occupational Standards is the responsibility of Sector Skills Councils (SSCs). There are 25 Sector Skills Councils in the UK – each one covers a specific occupational sector. They are employer led, and licensed by the Department for Education and Skills.

In developing National Occupational Standards, the Sector Skills Councils work closely with individuals and organisations from their sector, to ensure the National Occupational Standards describe what is expected of workers now and in the future.

Copies of National Occupational Standards are available from Sector Skills Councils (usually on CD-ROM or to download from a web site). A full list of Sector Skills Councils can be obtained from the Sector Skills Development Agency (www.ssda.org.uk).

Some of the Sector Skills Councils most relevant to drug and alcohol services are shown in Table 1.

Table 1: Examples of Sector Skills Councils (SSCs)

| Sector Skills Council / standards setting body | National Occupational Standard |
|-------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Skills for Health Tel: 0117 922 1155 www.skillsforhealth.org.uk | <ul style="list-style-type: none"> • Drugs and Alcohol (DANOS) • Health Sector |
| Skills for Justice Tel: 0114 261 1499 www.skillsforjustice.com | <ul style="list-style-type: none"> • Community Justice • Custodial Care • Policing and law enforcement • Youth Justice |
| Skills for Care & Development Tel: 0113 245 1716 www.topssengland.net | <ul style="list-style-type: none"> • Health and Social Care • Managers in Residential Care |
| Lifelong Learning UK Tel: 0870 757 7890 www.lifelonglearninguk.org | <ul style="list-style-type: none"> • Community Development and Youth Work • Work-based Learning and Development |
| Management Standards Centre Tel: 020 7240 2826 www.management-standards.org | <ul style="list-style-type: none"> • Management and Leadership |

3. Drug and Alcohol National Occupational Standards (DANOS)

The Drug and Alcohol National Occupational Standards (DANOS) were launched in May 2002. Their development was led by Skills for Health (the Sector Skills Council for the UK health sector), working in partnership with the Sector Skills Councils for social care, justice, housing, education, youth work, training and employment. Other agencies involved include the National Treatment Agency for Substance Misuse (NTA), Drug Strategy Directorate of the Home Office, Department of Health, Alcohol Concern and DrugScope. Consultation on the new standards involved service providers and practitioners across the UK, as well as service users.

DANOS are relevant to *“everyone who is working to improve the quality of life for individuals and communities by minimising the harm associated with substance misuse”* (Skills for Health). This ranges from people who are specialist substance misuse practitioners, to those who only occasionally respond to substance misuse in their work (e.g. teachers, social workers, police officers etc). In order to describe this wide range of activities, there are currently 107 DANOS units. Related units are grouped within three key areas of:

- A. Service Delivery
- B. Management of Services
- C. Commissioning Services.

3.1 How to obtain DANOS

DANOS are freely available from Skills for Health.

The standards (and extensive additional information and supporting resources) can be downloaded from the Skills for Health web site at: www.skillsforhealth.org.uk/danos

Alternatively, telephone Skills for Health (Tel: 0117 922 1155) to request a copy of DANOS on CD.

DANOS key areas and sub-groups of units

A. Service Delivery

- AA. Help individuals access substance misuse services
- AB. Support individuals in difficult situations
- AC. Develop practice in the delivery of services
- AD. Educate people about substance use, health and social well-being
- AE. Test for substance misuse
- AF. Assess substance misusers' needs for care
- AG. Plan and review integrated programmes of care for substance misusers
- AH. Deliver healthcare services
- AI. Deliver services to help individuals address their substance use
- AJ. Help substance users address their offending behaviour
- AK. Support individuals' rehabilitation

B. Management of Services

- BA. Develop, implement and review the organisation's policies, strategies and plans
- BB. Promote the organisation and its services
- BC. Deliver services to specifications
- BD. Provide a healthy, safe, secure and suitable environment for the delivery of services
- BE. Manage information
- BF. Manage the organisation's human resources
- BG. Manage the organisation's financial resources
- BH. Provide administrative support for the delivery of services
- BI. Manage relationships

C. Commissioning Services

- CA. Identify needs for substance misuse services and develop strategies and plans to meet the needs
- CB. Manage contracts for substance misuse services

4. Job descriptions and role profiles

A job description describes the tasks and responsibilities that comprise a job. Recruitment, selection and subsequent appraisal should be based around the worker's ability to perform against the job description and accompanying person specification.

The length and complexity of a job description will vary according to the job involved, but a good simple description is valuable for even the most straightforward of jobs.

In order to write a job description, you will need to be clear about the main tasks, duties, expected results and the relationship with other jobs.

If you are the job holder, or line manager to the job holder, this information may seem fairly obvious. However, it is usually a good idea to discuss the job with others (e.g. other job holder/s or line manager/s) to ensure that all aspects are considered, including ways the job may be changing or developing.

If you need to write a job description for a job which you do not know well (or perhaps you are writing a job description for a job that is being newly created), then a more formal process of analysis may be required. This process of collecting information to write a job description may be assisted by using a 'job analysis questionnaire', which provides a checklist of the key issues to be covered. A job analysis questionnaire can be completed by the current job holder/s or during an interview with the job holder/s.

See Job analysis questionnaire - Form 1

4.1 National Occupational Standards and Role Profiles

Role Profiles

The starting point in using National Occupational Standards is to identify those units which are relevant to a particular job. This list of units is known as a Role Profile.

In order for a Role Profile to be useful, it must focus on those activities which are key to the role. A long list of every unit which seems to have some connection to the role will not be helpful.

Developing a Role Profile

The first step is to identify and obtain a copy of the National Occupational Standards which appear relevant to the role. If you are developing a Role Profile for a drugs and alcohol worker, then the Drugs and Alcohol National Occupational Standards (DANOS) are the most relevant. However, for some roles it may also be appropriate to include units from other sets of standards (e.g. Youth Work, Community Justice, Mental Health etc). Section 2 (Table 1) lists other relevant suites of National Occupational Standards and where they can be obtained.

Ensure you are clear about the tasks, duties or responsibilities which the job involves. Refer to the **unit titles** from the National Occupational Standards and list those units which appear to be most relevant. For further clarification, refer to the **unit summaries** (each unit begins with a concise summary of what the unit is about). This should produce a short list of potentially relevant units.

Units which have been short listed can then be reviewed in more detail to check whether or not they do describe the required activities. Be careful to select units which describe activities at the required level of responsibility.

Ideally, a role profile should contain no more than about 20 units. This provides a focus on the key aspects of the role. If you find it difficult to reduce the number of units selected, then it can be helpful to *prioritise* the list of units and only include those units which are a high priority.

Resources to support the development of role profiles

The DANOS web site (www.skillsforhealth.org.uk/danos) provides;

- a Role Profile Library containing role profiles already developed for different roles and,
- an on-line Role Profile tool (to select DANOS units and develop new role profiles)

36 role profiles for common jobs in the drugs and alcohol sector are also provided on the DANOS CD-ROM (available from Skills for Health). If necessary, these can be adapted to suit your organisation's specific requirements.

See Role Profile template - Form 2

4.2 National Occupational Standards and job descriptions

Increasingly, job descriptions incorporate National Occupational Standards.

If you are up-dating an existing job description, the simplest approach is to add the list of relevant units (i.e. the role profile) as an appendix. Alternatively, you can reference the existing description of tasks and responsibilities to their relevant unit numbers from the National Occupational Standards.

If a new job description is being created, then the role profile can be used to provide the description of key tasks and responsibilities. Any other aspects of the role (beyond the key activities covered by the unit titles) can still be described in the text of the job description.

Why incorporate role profiles into job descriptions?

Incorporating the list of relevant National Occupational Standards (ie the role profile) into job descriptions has a number of advantages, including provision of;

- a 'checklist' to ensure that all the relevant activities are included in the job description
- clear and consistent descriptions of activities
- a direct reference to the content of relevant units (i.e. the standards of performance and related skills and knowledge required by job holders)
- a structure to support training and development of the job holder
- a link between jobs and related qualifications and awards.

The National Treatment Agency (NTA) approach to DANOS and job descriptions

The NTA requested that all job descriptions for adult service delivery, management of services and commissioning are written in terms of DANOS standards by December 2004.

This does not imply a required change in the employer's expectation of the workers' role. It *does* mean that new and existing job descriptions should be referenced to DANOS (as described above).

The rationale for this approach is the recognition that linking job descriptions to DANOS is essential if DANOS is to be used to full effect as a tool to develop the workforce.

The structure of a job description

A job description should include the following:

- **Job title**

- **Department**

- **Reporting to...**

- **Location**

- **Grade and any additional benefits** (where appropriate)

- **Date** (when last up-dated)

- **Main purpose of job** (one sentence summarising the overall purpose of the job)

- **Main tasks of the job**
(Identify units from National Occupational Standards applicable to the role e.g. DANOS)

- **Level of responsibility**
(e.g. number of staff supervised, role as a team member, compliance with regulations/legislation etc)

- **Working conditions**
(e.g. hours of work, any travelling required etc).

See Job description template – Form 3

5. Recruitment and selection

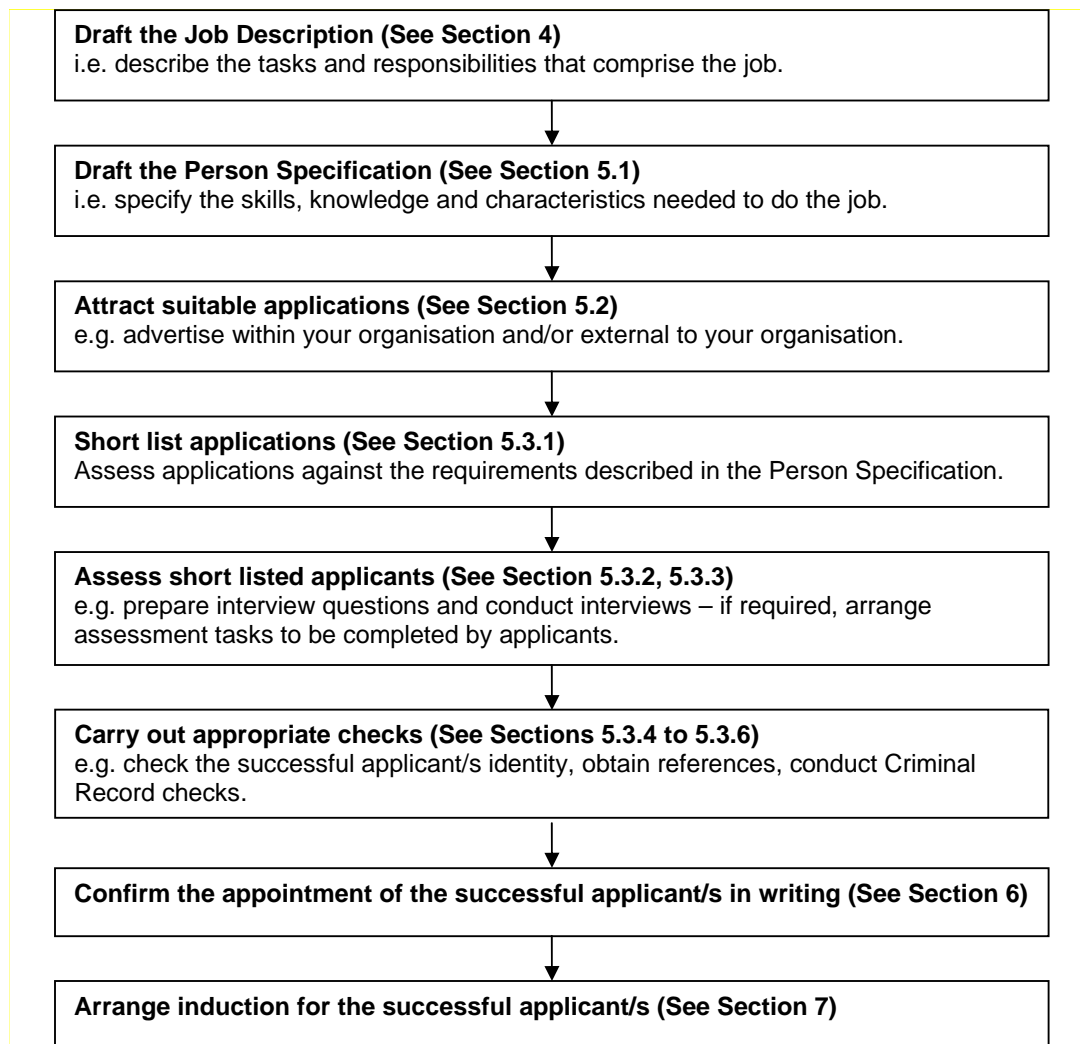
A thorough recruitment and selection procedure will increase the chance of identifying the most suitable applicant for a job vacancy. It also assists those responsible for recruitment to be confident in their decision making.

The recruitment process is usually the first direct experience an employee has of an organisation. It is therefore important that the process is as professional as possible and promotes a positive image of the organisation.

Poor recruitment practices will give out the wrong messages to successful applicants who may begin their employment with negative impressions of the organisation and a lack of understanding of their new role. This could lead to a high turnover of employees and poor performance.

For every successful applicant there will inevitably be many more unsuccessful applicants. It is vital that they are also treated as fairly and professionally as possible. This is an opportunity to promote a positive image in the local community among whom there will be potential future employees and service users

Overview of the Recruitment and Selection process



5.1 Developing job descriptions and person specifications

5.1.1 Job description

The first stage in recruitment and selection is to be clear about the requirements of the job that is to be filled. If this is not clear, it will not be possible to decide which applicant is most suitable.

The job description provides a description of the job to be filled (See section 4 for how to develop a job description).

5.1.2 Person specification

Once you have an accurate and up-to-date job description, it will be possible to decide on the attributes of the ideal person to fill that job. This is described in the 'person specification'.

A person specification is a profile of the skills, knowledge and characteristics needed for a worker to perform a specific job. The recruitment and selection process revolves around identifying methods to assess the skills, knowledge and characteristics of applicants to find the individual who most closely matches that person specification.

A clearly written person specification provides an objective set of criteria against which to make a decision that can, if necessary, be justified at a later stage.

A person specification normally presents the key attributes required to do the job as either 'essential' or 'desirable'.

Typically, the person specification is divided into a number of categories to help you focus on specific attributes required for the job. For example:

1. **Physical** – e.g. mobility, good eye sight.
2. **Education and training** – any specific qualifications or prior training.
3. **Experience** – any specific prior experience.
4. **Skills and knowledge** – *described within the relevant national occupational standards.*
5. **Personal qualities** – e.g. reliability, self motivation, good team worker.
6. **Social circumstances** – e.g. ability to work unsociable hours.

See Person specification template – Form 4

5.1.3 Equal opportunities

The attributes on the person specification must be objective, based purely on the requirements of the job and not on any form of direct or indirect prejudice. It is vital that you do not specify any attributes that would unfairly discriminate against applicants.

The main laws on equality relevant to recruitment and selection are:

Sex Discrimination Act 1975

This makes discrimination on the grounds of gender or marriage unlawful and applies to men and women.

Race Relations Act 1976

This makes discrimination on the grounds of race, colour, nationality, ethnic or national origin unlawful. The law covers people from all racial groups, including white people.

The Race Relations Amendment Act (2000) extended the application of the Race Relations Act for public bodies: "It is unlawful for a public authority in carrying out any functions of the authority to do any act which constitutes discrimination".

Disability Discrimination Act 1996

This deals with discrimination against disabled people – that is when someone treats a disabled person less favourably than someone else without justification, for a reason related to their disability. Employers are required to make "reasonable adjustments" to work arrangements or premises which place a disabled person at a substantial disadvantage.

Employment Equality Regulations 2003

This makes discrimination on the grounds of religious belief and sexual orientation unlawful.

Age Discrimination 2006

Legislation covering age discrimination comes into force in October 2006. This will protect all age groups from less favourable treatment on the grounds of age.

Equal opportunities guidance

Equal opportunities legislation can be complex to interpret. For example, in certain limited circumstances it is lawful to discriminate in recruitment, promotion and transfer in a job for which the sex, race or age of the worker is a Genuine Occupational Qualification (GOQ). Section 7 of the *Sex Discrimination Act*, for example, states that a job may be restricted to one sex where the essential nature of the job, or of particular duties attached to the job, calls for a member of one sex (Ref: Equal Opportunities Commission, 2002 www.eoc.org.uk). However, there are strict criteria to be met before a GOQ can be regarded as acceptable and this would always be open to challenge from an aggrieved individual. Complaints against an employer would be heard in an employment tribunal, where the burden of proof would lie with the employer to establish the validity of a GOQ.

If you are in any doubt about complying with equal opportunities legislation do not hesitate to seek advice. The following bodies provide free information and guidance on all aspects of equal opportunities legislation and good practice:

- Equal Opportunities Commission
Tel: 0845 601 5901
www.eoc.org.uk
- Commission for Racial Equality
Tel: 020 7939 0000
www.cre.gov.uk
- Disability Rights Commission
Tel: 08457 622 633
www.drc-gb.org

Future developments

By 2007, the government proposes to merge the Equal Opportunities Commission, Commission for Racial Equality and the Disability Rights Commission to establish one "Commission for Equality and Human Rights". The existing organisations have evolved over a number of years with the introduction of successive legislation. Therefore the aim is to create a more straight forward, coherent system.

5.2 Attracting applicants

Once you have a job description and person specification you can begin to attract job applicants. If you use the local job centre, or a recruitment agency the job description and person specification will provide detailed information to help attract the most appropriate applicants. Alternatively, you may decide to advertise.

5.2.1 Job advertisements

The job advertisement must always be written after the job description and person specification have been produced. This will help you to be exact about the job on offer and the person you are looking for. This greatly increases your chances of attracting the right person for the job.

Effective advertisements are well structured and clearly written. Try to avoid un-necessary jargon or acronyms which may be unfamiliar to people external to your organisations.

In particular, do not be afraid to specify the 'essential' criteria you identified in the person specification. This will encourage candidates to 'self select'. Remember that a carefully worded advertisement, based upon an accurate job description and person specification, will save time in the long run. If the advert is too vague about the person required, you are likely to receive a larger number of inappropriate applications which you then have to process. It is easier and more efficient to receive a smaller number of very appropriate applications.

Consideration must also be given regarding the most appropriate (and cost effective) placement of the job advertisement. For example, non-specialist jobs may be most effectively advertised locally (e.g. in local newspapers), whereas specialist or senior positions may need to be advertised nationally (e.g. in national newspapers and/or specialist journals). Placing job advertisement in national and/or specialist publications will be considerably more expensive than using local media, but may be justified in order to reach the most appropriate applicants.

Increasingly, job advertisements are posted on organisations' and/or specialist recruitment web sites. This can provide an effective and economical method of advertising.

Also, consider the timing of your advertisement (e.g. perhaps avoiding the summer or Christmas holiday period), and ensuring sufficient time is allowed before the closing date and/or interview dates.

You may wish to ask applicants during the recruitment process how they heard about the job vacancy. This may help you to evaluate the effectiveness of various advertising methods.

Writing a job advert

A good advert makes key facts clear at a glance – this will attract the attention of those who may have an interest in the job.

The key facts that should be clear at a glance are:

- Organisation name (and logo if applicable)
- Job title
- Location
- Salary (plus any benefits).

Further details should then be contained in the main text of the advert:

- brief description of the organisation
- brief description of the job (taken from the job description)
- brief description of the essential (and possibly desirable) characteristics required of the job holder (taken from the person specification)
- working conditions (e.g. working hours, possibility of job sharing / working part time etc)
- how to apply (e.g. complete an application form)
- a contact name and address (and telephone number if appropriate)
- closing date for applications.

5.2.2 Application forms

It is good practice to use an application form (in preference to accepting CVs). The use of an application form helps in the shortlisting process as details of all applicants are presented in a standard format. Most application forms also allow for personal details (e.g. name, age, address, nationality) to be removed prior to shortlisting. This is good practice with regard to equal opportunities.

Ensure you provide clear instructions for the completion of the application form. For example, you may wish to emphasise that applicants will be assessed according to how well they meet the requirements of the person specification (e.g. you could explicitly request applicants to explain how they meet each point on the person specification).

5.3 Selection

5.3.1 Shortlisting

Once applications for the job have been received it is necessary to select those candidates that you wish to interview.

This process involves comparing the information on the application forms to the requirements defined in the person specification.

The aim is to make the shortlisting process as objective as possible. For example it is good practice to:

- Number the application forms and remove information such as ethnicity, age etc – which should be on a separate monitoring sheet as part of the application form.
- Score applications against the criteria set out in the person specification.

How selective to be at the shortlisting stage will depend, in part, on the number of applications received. However, you would not shortlist any applications that do not meet **all** of the essential criteria from the person specification.

Plan in advance who will be responsible for shortlisting applicants to ensure that the decision making process is consistent. It can be helpful for the shortlisting to be undertaken by all those who will be involved in the interview process, not just one person (to reduce any chance of bias).

The decision whether or not to shortlist a candidate must be recorded (for example, as a note attached to each application), with reasons which relate to the essential and desirable criteria from the person specification. Remember that job applicants are legally entitled to request copies of information kept about them (see Section 16, Personnel records). Therefore, restrict these notes to an objective assessment of how the applicant meets (or does not meet) the requirements of the person specification.

Remember, the more applicants you shortlist the more time consuming will be the assessment/interview process (and potentially the more confusing will be the selection of a suitable candidate). This once again demonstrates the importance of a detailed job description and person specification in order to reject unsuitable candidates before the interviewing/assessing stage.

Once you have arrived at a shortlist of applicants, you are ready to carry out a more in depth assessment of those applicants.

Competence-based qualifications

Applicants who have achieved competence-based qualifications (e.g. NVQs and related awards) have already demonstrated their competence against the national occupational standard. These achievements can be compared with the national occupational standards linked to the job description for the vacant post. This will increasingly help employers to match the competences of job applicants to the competences required within their organisations.

5.3.2 Assessment of shortlisted applicants

It is good practice to review the required attributes on the person specification and identify the most appropriate assessment method for each of the desired attributes. For example, some

attributes may already be apparent from the application form, others may require in-depth questioning during an interview and others may be more suited to assessment through a short presentation or work-related task.

Arranging for applicants to complete a work-related task either before or during their interview can in some circumstances reveal a great deal about an applicant's suitability for a job.

If this option is chosen, then do be sure to plan the task thoroughly, for example, ensure:

- clear instructions are provided
- any staff involved are fully briefed
- adequate resources are provided.

Allow candidates sufficient time to prepare themselves and, if necessary, let them know in advance what resources will be provided (e.g. if a data projector and CD/DVD drive will be available for presentations).

5.3.3 Interviews

Interviews remain the most commonly used method of selecting candidates for a job. They are particularly useful as an opportunity for both employer and candidate to find out large amounts of information about each other in order for each to come to a decision.

However, interviews can also be unreliable as a means of predicting the future success of a candidate in a job. This is largely due to many interviews being haphazard and unstructured. It is also due to the decision making process itself. Studies have shown that 85% of selection decisions are made within 4 minutes of the start of the interview (*Ref: Decision Making in the Employment Interview, Webster*).

The purpose of an interview is to answer two fundamental questions:

1. Can the candidate do the job? Is he or she competent?
2. Will the candidate do the job? Is he or she motivated?

Further aims of the interview are:

1. to provide the candidate with information about the job and the organisation
2. to give the candidate a favourable impression of the organisation to encourage the most appropriate candidate to join.

There is no doubt that the effectiveness of an interview will be greatly enhanced by thorough preparation.

Preparing for the interview

1. Estimate the time needed for each interview, allowing for time to complete notes after each one. As a general rule, do not schedule more than six interviews in one day.
2. Decide the timetable – it may be a good idea to see those travelling the shortest distance first.
3. Arrange a suitable venue for the interviews; ensure adequate seating, lighting, heating and avoid all interruptions, e.g. put a notice on the door and divert any phone calls.

4. Select appropriate members of the interview panel. It demonstrates good practice with regard to equal opportunities to aim for a diverse interview panel (e.g. if possible avoid single sex panels). Also, consider whether panel members are competent interviewers (in particular, all interviewers must be aware of their responsibilities in compliance with equal opportunities legislation).
5. Ensure you have copies of the job description, person specification and any related National Occupational Standards (for each member of the interview panel).
6. Have a copy of each candidate's application form (for each member of the interview panel). Ensure these are available well in advance, so that interviewers have read the application forms before the interview.
7. Identify the aspects of the job in which each candidate fully matches the specification or where they have little or no experience in order that these points can be probed more deeply during the interview. In these areas the interviewers have to make a judgement on the importance of such gaps and how readily the gaps can be filled by future training and experience.

Arrange the layout of the room

Decide on the atmosphere that you wish to create. For example, desks can be a barrier between candidate and interviewer – you may wish to create a more relaxed, informal atmosphere with comfortable seats arranged at right angles (rather than confronting each other!).

Reception of candidates

Identify and brief the person who will be meeting the candidates as they arrive on who to expect, where they should wait and who will be conducting the interviews.

Upon arrival candidates should be offered a comfortable place to wait, refreshments (water/tea/coffee) and shown the location of the WCs.

The interview

During the interview it is good practice to follow a standard structure for all candidates. **Therefore, the main areas for questioning should be planned in advance (based upon the requirements identified in the person specification).** Following a standard structure will be the most effective way to ensure that each candidate is treated equally and that nothing is missed out. It will also assist with time keeping.

If you are conducting a panel interview, identify one member of the interview panel to act as chair. This person would welcome the candidates and take the lead managing the process and timing of the interview.

Allocate areas for questioning to each member of the panel before the interview. It also helps if each interviewer, when concluding his or her topics, invites others to pose any additional questions in case a pertinent question has been missed or not answered in sufficient depth.

One of the main benefits of a panel interview is that panel members who are not asking questions at a particular time have an opportunity to:

- write notes of the candidates' replies
- note the reaction of the candidate to questions (e.g. uneasy, surprised, hesitant)
- note the candidate's eye contact, posture, tone of voice etc.

You should start interviews by putting candidates at their ease. You want them to provide information and to talk freely and openly. Start with an 'ice-breaker' question such as 'How was your journey this morning?'

During the interview, it is the candidate who should be encouraged to do most of the talking. This is helped by the interviewer/s using open questions and listening actively and attentively.

Questioning during an interview

Ask **open** questions – this encourages the candidate to express him/her self (these questions usually start with Why? What? When? Where? How? Tell me about...).

Follow up with **probing** questions – perhaps to investigate further when an answer is too superficial or general ("tell me more about...").

Ask questions about **situations in the past** – this may indicate how a candidate will respond in the future.

You may wish to use **hypothetical** questions – these involve putting a scenario to a candidate and asking how they would respond.

Avoid **closed** questions that can be answered by Yes or No.

Avoid **multiple** questions – these can be confusing:
("What do you think caused the problem, what solutions have you considered and why?").

Do not use **leading** questions which contain their own answer:
("You feel you can work well in a team do you?").

Do not attempt to help out a person who is struggling by answering your own questions. This will be counter-productive.

Do not be distracted from listening to the candidate. This is another reason for planning questions in advance so the interviewer can concentrate on listening to a candidate's responses rather than planning the next question while the candidate is speaking.

Also, beware of the 'halo effect' when a good first impression is seized upon by the interviewer (or the 'horns effect' when the interviewer seizes on a bad first impression). First impressions can effect how prepared an interviewer is to listen to the candidate. Try to avoid making a judgement before having a chance to hear what the candidate has to say.

Questions which imply an intention to discriminate must not be asked. This includes questions relating directly or indirectly to race, marital status, sexual orientation, political or religious beliefs and age.

Using competency based questions during an interview

The use of competency-based questions further increases the effectiveness of interview questions. For example, questions should be devised which require candidates to talk about examples of previous experience or scenarios which demonstrate how they would meet the standards of performance described by the relevant National Occupational Standards. This provides a direct link from the interview to the job description/role profile.

Questions which provoke discussion on the key competences for the job can particularly enhance the effectiveness of the interview.

Skills of 'attention' interviewing

The successful interviewer will concentrate on the candidate and encourage the candidate through actively showing interest. This can be achieved both verbally and non verbally:

Verbal

- open questioning
- summarising what has been understood
- probing for further information/explanation

Non-verbal

- maintaining eye contact
- smiling
- nodding
- open and relaxed posture.

Encourage the candidate to ask any questions about the job and the conditions of employment. These should be answered as openly and accurately as possible. Also, it is useful to assess the candidate's reaction to the information provided.

Finishing the interview

In the closing stage of the interview, candidates should be asked if they have anything they wish to add in support of their application. They should be given the opportunity to ask questions. At the end of the interview the candidate must be thanked and told what the next step will be.

At the end of each interview, write up your notes so you can remember the key points and, if appropriate, provide feedback to the candidate or justify the decision made.

Remember that job applicants (and employees) are legally entitled to request copies of information kept about them (see Section 16, Personnel records). Therefore, restrict your comments on the interview notes to an objective assessment of how the candidate meets (or does not meet) the requirements of the person specification.

Analysing the result of the interview

The analysis of the result of an interview should concentrate on establishing the extent to which the candidate has met the requirements of the person specification. Reference should be made to each of the essential and desirable requirements set out in the person specification and an indication given of how the candidate measures up to them. Candidates who fail to demonstrate that they have the essential qualities required can be eliminated. The final choice will be made on the basis of the candidate who rates highest on both the essential and desirable characteristics.

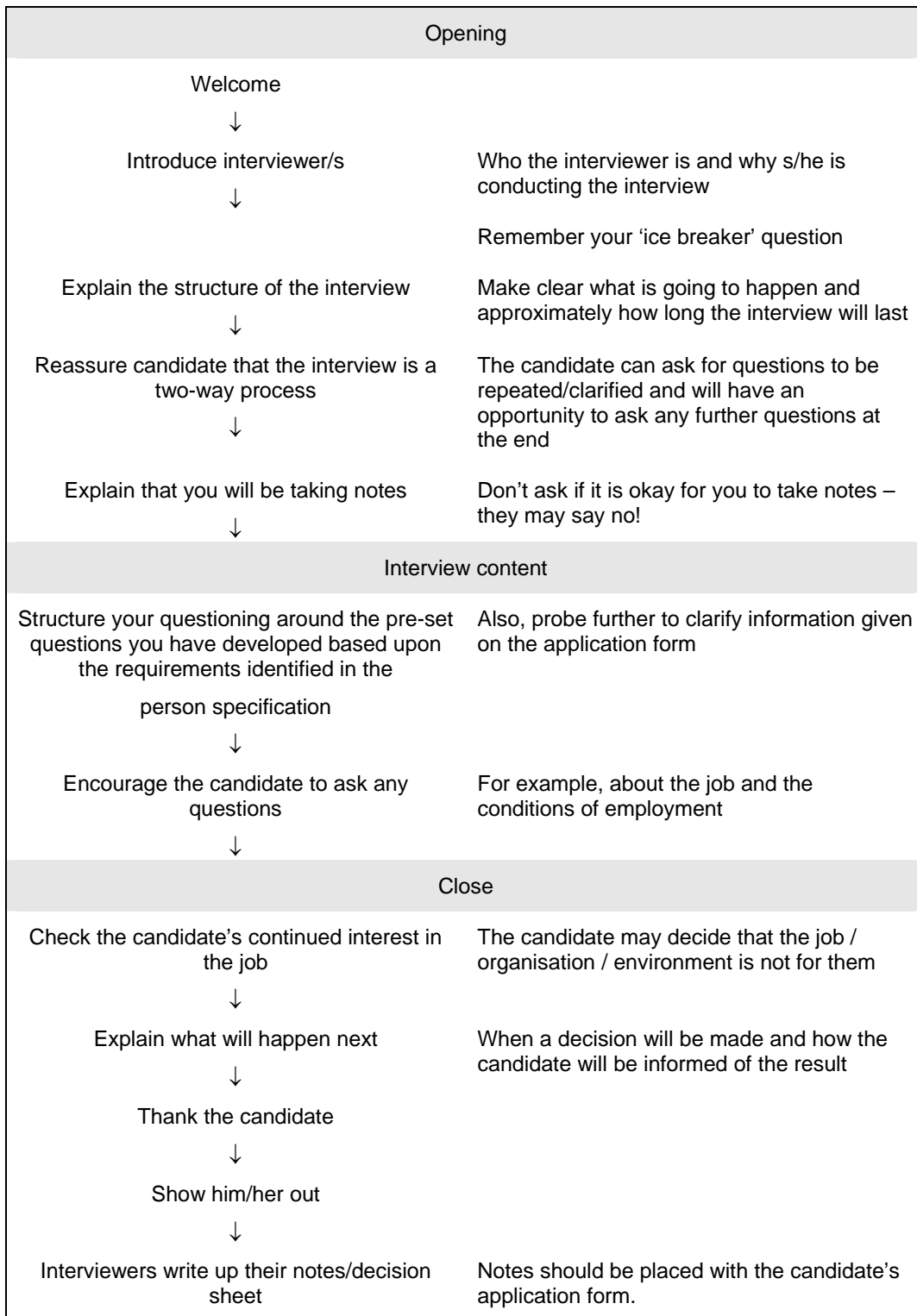
Even successful candidates may lack some of the skills and knowledge required for their new job. This should be noted in order to assist planning of induction and training once the person starts their new post.

Interviews – conclusion

Remember that interviews are more than just an opportunity for you to find out more about the suitability of a candidate for a particular job. They are a two-way process enabling the candidate to find out if he/she wishes to work for the organisation. They are also an opportunity to create a positive impression of the organisation (even unsuccessful candidates are potential future employees, service users etc).

See Interview assessment template – Form 5

Diagram 2: Interview structure – a checklist



5.3.4 Checking the identity of applicants

It is good practice to check the identity of new employees. To ensure that new employees are treated equally and fairly, this applies to *all* new employees.

Checking identity is particularly important to ensure potential employees are legally entitled to work in the UK, and in connection with checking for criminal records.

The Asylum and Immigration Act 1996 requires employers to make basic document checks on every person they intend to employ.

From May 2004, the expansion of the European Union meant that citizens of the eight new EU countries are entitled to work in the UK, but they are required to register with the Home Office before taking up employment.

The Home Office provides a full list of acceptable documents which employees should provide to prove they are legally entitled to work in the UK. These include:

- UK passport
- Passport/ID Card proving the holder is a national of the European Union
- Residence permit issued by the Home Office

You must take “reasonable steps” to satisfy yourself that the potential employee is the rightful holder of the documents they present e.g. check photographs and/or dates of birth are consistent with the appearance of the person.

For further information contact the Home Office Immigration and Nationality Directorate:

Employers' Helpline: 0845 010 6677

www.ind.homeoffice.gov.uk

5.3.5 Criminal record checks

Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act is aimed at helping people who have been convicted of a criminal offence, and who have not re-offended, to become ‘rehabilitated’. It applies to anyone who has been convicted of an offence and received a custodial sentence of not more than 2 ½ years. If the person does not re-offend again during a specified time period (which varies according to the original sentence imposed) then their conviction becomes ‘spent’.

Once a conviction is ‘spent’, it does not, in most circumstances, have to be disclosed by a job applicant and cannot be used as a reason to reject an applicant.

However, there are exceptions, in particular where a person applies to work with children or vulnerable adults. In such cases, employers are entitled to ask about any criminal convictions and applicants are required to reveal all convictions, both spent and unspent.

Employers are able to check a person’s criminal records through the Criminal Records Bureau.

Criminal Records Bureau (CRB)

In March 2002 the Criminal Records Bureau (CRB) was set up as an executive agency of the Home Office. It aims to support safer recruitment practices to protect children and vulnerable adults through providing wider access to criminal record information.

The CRB holds information from the Police National Computer; Department of Health; Department for Education and Skills (DFES); and local police records.

It provides information to employers through the "Disclosure" scheme. This allows employers to conduct criminal record checks before employing a member of staff.

Organisations using the service can apply for one of two types of check – Standard and Enhanced Disclosures. The type of check required will depend upon the nature of the position.

- **Standard Disclosures** are primarily available to anyone involved in working with children or vulnerable adults (as well as certain other occupations). Standard Disclosures show current and spent convictions, cautions, reprimands and warnings held on the Police National Computer. The following may also be searched:
 - Protection of Children Act (POCA) List
 - Protection of Vulnerable Adults (POVA) List
 - Information held under Section 142 of the Education Act 2002 (formerly known as List 99)
- **Enhanced Disclosure** is the highest level of check available to anyone involved in regularly caring for, training, supervising or being in sole charge of children and vulnerable adults. Enhanced Disclosures contain the same information as the Standard Disclosure but with the addition of any relevant information held by the local police forces.

Clearly, the information involved is of a sensitive nature. Therefore, in order to use the Disclosure service, organisations must register with the CRB and agree to comply with their *Code of Practice*. They must also nominate a person within the organisation who will be the organisation's signatory when using the scheme.

Organisations which have registered with the CRB have the following role in the process:

1. Provide the applicant with the CRB application form and check and validate the information provided by the applicant on the application form.
2. Establish the true identity of the applicant, through the examination of a range of documents using guidance provided by the CRB.
3. The organisation's signatory countersigns the application form and sends it to CRB for processing.
4. Once processed, a copy of the disclosure is sent to the job applicant and a copy is sent to the registered organisation.

The CRB issues guidance to help employers consider how to use the information contained in Disclosures. Ultimately, it is the responsibility of the employer to decide whether to offer the applicant a position.

Fees

The Disclosure service aims to be self-financing. Therefore, there is a fee of £300 for your organisation to register to use the scheme and a further fee of £29 for each standard disclosure and £34 for each enhanced disclosure (the disclosure fees are usually paid by the employer organisation rather than the applicants).

Disclosures are free of charge to volunteers.

Smaller organisations and the use of Umbrella Bodies

Organisations registered with the CRB can also act as 'Umbrella Bodies' i.e. they can provide access to the CRB service for other organisations. Umbrella Bodies are typically larger organisations which have agreed to provide access to CRB services for smaller organisations. If you only require a small number of CRB checks per annum and do not wish to pay the CRB registration fee, then you should consider using an Umbrella Body. The CRB web site provides a database of Umbrella Bodies which can be contacted.

For further information contact:

Criminal Records Bureau (CRB) - Disclosure

Information Line: 0870 90 90 811

www.disclosure.gov.uk

5.3.6 Checking other references

References from previous employers are often used to confirm information about an individual. They are best restricted to checking verifiable facts e.g. confirming dates of employment or whether the individual has particular skills. They should not be relied upon to obtain subjective opinion about the individual's likely performance. Providers of references could potentially be biased, either in favour or against an individual.

Most references are obtained in writing, but they can also be obtained by telephone. Accurate records should be kept of any telephone reference obtained (including a record of the name and job title of the person providing the reference).

Do not approach a current employer unless the applicant has given express permission.

It is not advisable to make a job offer 'subject to satisfactory references'. Previous employers may fail to provide a reference (there is no legal obligation to do so). Alternatively, a previous employer may wrongly indicate that the person is unsuitable, in which case if the offer is withdrawn on those grounds the organisation could face legal action by the applicant.

If it is not possible to obtain a reference, an alternative course of action should be considered, such as offering the job subject to an initial probationary period.

5.3.7 Employing people who have experienced drug/alcohol treatment

People with experience of drug/alcohol use and treatment can be effective workers in drug/alcohol services, particularly when they have support and backup from their management. It should not be assumed, however, that because an individual has experienced drug/alcohol treatment they also have the competency to deliver it.

In common with any new member of staff, those with experience of drug/alcohol use and treatment should be assessed against the requirements of the person specification and job description.

The job description and person specification should make clear the scope of the job and the attributes required by the job holder. For example - a drug service seeking to engage with active drug users and provide them with harm reduction information and services, may particularly consider individuals with experience of drug use as potential employees. Conversely – a service that focuses on abstinence from drugs might feel that only non-users or ex-drug users with a commitment to abstinence themselves would be appropriate.

Once the decision has been taken to employ a new member of staff, those with experience of drug/alcohol use and treatment should be provided with the induction, training and supervision (according to individual needs) that would be good practice for any member of staff.

All treatment services should develop policies on drug and alcohol use in the workplace, so all staff know what is expected of them and what support will be available, should they experience problems with drugs or alcohol. They should also receive information on how to access this in confidence.

(Ref: Enhancing Drug Services, DrugScope 2003)

6. Contracts of employment

The contract of employment forms the basis of the employment relationship. A contract is made when a person accepts an employer's offer of work in return for wages. A number of legally binding rights and duties arise as soon as this happens.

Most employment contracts do not have to be in writing to be valid - a verbal agreement can be sufficient. However, it is always good practice to write down the terms of employment when a person is employed in order to minimise later disagreements. Most employers confirm the offer of employment by a letter to the new employee. The Employment Rights Act 1996 also requires employers to provide most employees, within two months of starting work, with a written statement of the main terms and conditions of service.

The written statement of terms and conditions must include the following:

- employer's name
- employee's name
- job title or brief job description
- date employment began
- place of work and address of employer
- amount of pay and interval between payments
- pension arrangements
- hours of work
- holiday entitlement
- sick pay arrangements
- notice periods
- any collective (e.g. trade union) agreements which directly effect the terms and conditions.

The Department of Trade and Industry (DTI) provide a pro-forma "*Written Statement of Employment Particulars*" (Form PL700A) which can be downloaded from: www.dti.gov.uk/publications

Under the Employment Act 2002, the written statement of terms and conditions must also include:

- a description of the organisation's grievance and disciplinary rules, or an indication of where the employee can find out about them
- details of who would deal with any staff grievance and disciplinary issues.

(see Section 18 Disciplinary procedures and Section 19 Grievance procedures).

6.1 Express Terms

The above terms and conditions of employment are known as express terms – in other words they are stated explicitly, normally in writing.

6.2 Implied Terms

In addition to express terms, some terms of employment are implied. Legally, all employment contracts have the following terms between employer and employee, whether explicitly agreed or not:

- to maintain trust and confidence through co-operation
- to act in good faith towards each other
- to take reasonable care to ensure safety and health in the workplace.

Implied terms can also become recognised as part of a contract through:

- custom and practice of the organisation
- reference to other documents such as organisational handbooks (particularly if the employee has been made aware of them and given access to them)
- collective agreements with trade unions.

6.3 Statutory Rights

All employees (full and part-time) are also entitled to a wide range of statutory rights, imposed by law. These are rarely stated explicitly in employment contracts, but include the following:

- not to be discriminated against on grounds of race, religion, gender, marriage, sexual orientation, disability or age
- equal pay (for males and females doing work of equal value)
- an itemised pay statement
- the national minimum wage
- maternity benefits/rights and parental leave
- time off to deal with an emergency involving a dependent
- a safe system of work
- statutory sick pay
- protected employment rights
- grievance and disciplinary procedures
- written reasons for dismissal on request (after one year's service)

- redundancy pay (after two years' service)
- notice of termination of employment (i.e. at least one week's notice after one months service, two weeks after two years and an additional week's notice for each complete year of employment up to 12 weeks for 12 years service).

Most employees who believe they have been unfairly dismissed can complain to an Employment Tribunal within three months of their dismissal, provided they have at least one year of continuous service (this in effect gives the employer the opportunity to operate a probationary period of up to one year). However, no service period is required if the dismissal was because:

- the employee sought or asserted a statutory right (see above)
- for trade union activities
- for taking action on health & safety grounds
- pregnancy or child birth.

6.4 How can a contract be altered?

Most changes to an employment contract require the consent of employer and employee. They can be agreed:

- either verbally or in writing (although preferably in writing as this can avoid future disagreements)
- through collective bargaining
- when the employee works in accordance with the new terms without objecting to the changes.

6.5 How can a contract be ended?

Normally a contract is ended by either the employer or employee giving the required notice of termination. If the employer fails to give required notice, the employee can make a claim to the courts for damages for wrongful dismissal, or make a claim to the Employment Tribunal.

If the employee leaves without giving the required notice, the employer may have rights to claims for damages. No notice is required where dismissal is for gross misconduct.

(Adapted from *Advisory Handbook: Employing People*, ACAS)

Further information

Some employment relationships are described as 'self-employment' to gain advantages in flexibility and for tax/national insurance purposes. However, whether a person is 'employed' or 'self-employed' is not always easy to define, particularly if a 'self-employed' person works mainly or exclusively for one organisation and makes use of that organisation's resources.

Other contracts are arranged as 'fixed term contracts', with a defined length and a specified termination date. However, people on fixed term contracts are increasingly entitled to rights similar to permanent employees, and in most cases, people with four years or more continuous service will automatically be regarded as having converted to a permanent contract.

Clearly, even a 'permanent' contract can be brought to an end if the job becomes redundant, or the employee is dismissed through the disciplinary procedure (see Section 18: Disciplinary procedures).

If in any doubt, it is important to seek further guidance - an authoritative statement of employment law can only be made with reference to particular circumstances that apply. The following bodies provide free, impartial information and guidance on employment issues:

- Advisory, Conciliation and Arbitration Service (ACAS)
National Helpline: 08457 47 47 47
www.acas.org.uk
- Department of Trade and Industry (DTI)
Tel: 020 7215 5000
www.dti.gov.uk

7. Induction

The aim of induction is to introduce a new postholder to all issues, other services, people and procedures that may be relevant to their job. It is often forgotten that an employee who changes role within the organisation will also need to be inducted into their new post.

7.1 Why is induction important?

Induction should help new employees to settle into their new job and to become effective in their work as quickly as possible.

Failure to induct new employees can lead to slow progress, and potentially dangerous or expensive mistakes that put the standard of service at risk. It may even result in a new employee leaving (or being dismissed) after a relatively short period of service. This will then require the entire cost of another recruitment and selection process to replace them.

7.2 When should induction take place?

In effect, the induction has already started during the recruitment and selection process when candidates are learning about the organisation and the job.

Most importantly, provide a good reception to the new employee and a feeling of 'welcome' on day one.

Remember that there is only so much information that any new employee can absorb in one go. Therefore, ensure that essential information (such as health and safety, introduction to colleagues) is provided immediately and that further information is spread over a period of time.

Ensure that new employees receive any relevant written material such as the terms and conditions of employment (see Section 6, Contracts of employment).

It is useful to use a checklist of the main points to be covered in an induction. This has the following benefits:

- It makes clear to the new employee what their induction will include.
- It assists in co-ordinating the induction, especially if a number of people will be involved.
- Finally, it is a document that can be signed as a record that the induction was completed. The signed induction checklist should be placed in the new employee's personnel records.

See Induction checklist – Form 6

7.3 What standards should new staff meet?

7.3.1 Skills for Care Common Induction Standards 2005

It is important to be clear about any standards that new members of staff are required to meet during their induction period. For example, Skills for Care, the Sector Skills Council for the adult social care workforce in England has developed a new set of Common Induction Standards (CIS).

The standards are designed for people entering employment in social care, and those changing roles or employers within adult social care. They are designed to be met within a 12 week period and were developed to reflect recent changes in NVQ requirements and the General Social Care Council Code of Practice.

This 12 week induction period is designed to enable care workers to give high quality care and support, provide recognition of their work, and prepare them for entry onto NVQ Health and Social Care programmes.

The six Common Induction Standards are:

- Understanding principles of care
- Understanding the organisation and role of the worker
- Maintaining safety at work
- Communicating effectively
- Recognising and responding to abuse and neglect
- Developing as a worker

Each standard contains a number of areas of knowledge that care workers need to know about before they can work unsupervised. Managers are best placed to ensure that induction of new staff is carried out properly and that new staff know enough to meet the required outcomes in each knowledge area.

Further information on the Skills for Care Common Induction Standards , including how to obtain copies of the standards and log books, can be found on the Skills for Care web site: www.topssengland.net

Induction of existing employees

Induction does not only apply to new employees - individuals moving to a new job within their organisation may also need an induction to their new role. Most importantly, there may be training and development needs to be identified and addressed before the individual can perform all aspects of their new role to the standards required.

7.4 Probationary period

In appointing new members of staff, a further safeguard is to offer the position subject to successful completion of a probationary period. The length of the probationary period will vary according to each organisation's policy. It is useful to link successful completion of the probationary period with the monitoring and evaluation of induction training (e.g. during the first 12 weeks).

It would normally be inappropriate for a probationary period to last longer than six months. It is also good practice to formalise successful completion of the probationary period in writing to the employee.

8. Training and development

The primary aim of training and development is to ensure that staff develop the skills, knowledge and attitudes to fulfil their job descriptions and deliver quality services.

The appropriateness of any training and development activity should be considered and clear expectations of improvement in performance should be identified and measured.

Clearly, the training needs of individual members of staff will vary - from the new trainee requiring training and development in all areas of service delivery, to the experienced staff member who needs to keep up-to-date with current practice. In all cases, however, training and development provision must be properly managed to ensure that the service objectives of the organisation are met.

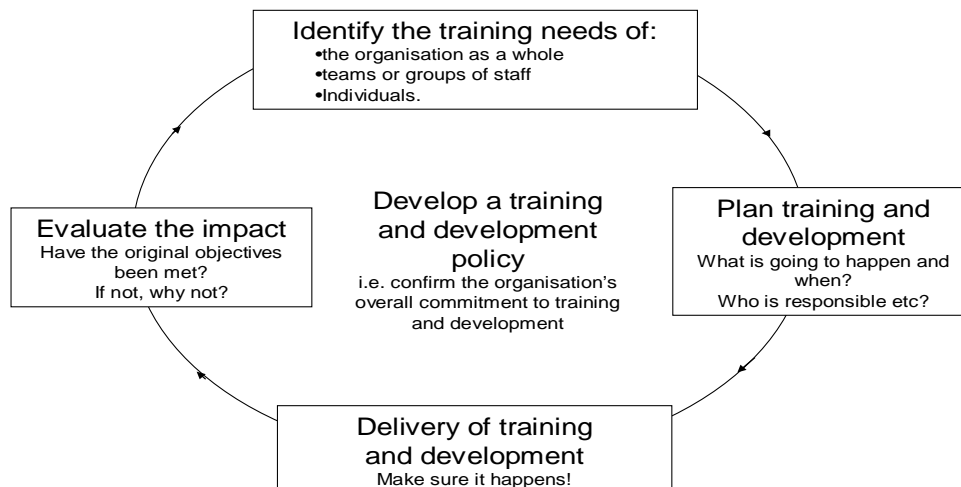
The management of training and development is typically approached in four stages (which in practice are inter-related and continuous):

- identify the training needs of staff
- plan training and development activities
- deliver training and development activities
- evaluate the impact of training and development.

All the above takes place within the context of the organisation's overall objectives, usually defined in the organisation's training and development policy.

There is no doubt that training and development activity will be most successful when it takes place within a 'learning organisation'. That is, an organisation where managers recognise the importance of creating and sustaining a positive attitude to training and development

Diagram 3: Management of training and development



8.1 Training and development policy

The philosophy and values of an organisation towards the training and development of its employees are reflected in its training and development policy (Ref: *A handbook of training tools*, SCODA).

A training and development policy is not necessarily a written document – it may be implicit in the organisation's attitude towards staff development.

However, a written training and development policy is good practice:

- It confirms the commitment of senior managers to the training and development of employees.
- It specifies the priorities, standards and scope of its training activities.
- It provides operational guidelines for managers and employees.
- It demonstrates a commitment to providing quality services.

The training and development policy is best devised through consultation between managers and staff. It should be reviewed and, if necessary, revised annually.

See Training and development policy template – Form 7

8.2 Training needs analysis (TNA)

Training needs analysis (TNA) is the process by which training and development needs are identified.

TNAs seek to identify the gap between the current skills and knowledge of staff, and the skills and knowledge required to achieve the objectives of the organisation. They can be carried out with individuals and with groups of staff.

Once any 'skills gaps' are identified, plans can then be made to fill these gaps (e.g. planning appropriate training and development activities).

No organisation has unlimited resources (time or money) to provide training and development. Therefore, conducting TNAs are important as a means of prioritising training and development activities.

This not only helps to make the best use of time and money. It is also demoralising for employees to be trained in an area where they are already competent, or conversely not to receive the training they need to undertake their roles with confidence.

8.2.1 Conducting training needs analysis

TNAs seek to answer two key questions:

1. *What skills and knowledge do staff need in order to achieve the objectives of the organisation, now and in the future?*

To answer this question, you will need to be familiar with your organisation's business plan. The business plan should describe the aims and objectives of the organisation – training and development activities need to focus on achieving the objectives of the

organisation (including looking ahead to future needs). It is also helpful to consult up-to-date job descriptions.

2. *What skills and knowledge do staff currently possess?*

You will need to collect information about the current skills and knowledge of staff e.g. through observation of work, formal or informal interviewing of staff and/or completion of questionnaires.

National Occupational Standards

If staff have already achieved units from relevant National Occupational Standards, this should confirm that they are currently competent in that area.

8.2.2 Conducting a TNA with an individual member of staff

Step 1

Identify the functions of the individual's job and the standards to which it must be performed (remember also to include any new and emerging functions).

National Occupational Standards

A job description, based on National Occupational Standards will provide a description of the functions of the job, i.e. a list of unit titles will identify the key functions. Within each unit, the standards of performance and knowledge required will be described.

Step 2

Assess the existing skills and knowledge of job holders against the requirements of the job. This will highlight any areas where training and development may be required.

National Occupational Standards

Each individual employee should examine the units applicable to their job (i.e. from the job description) and assess where they are already competent and where they may need further training and development.

This process is usually carried out during a discussion between the individual and their line-manager. The individual should be provided with copies of the units relevant to their job prior to the discussion.

It is helpful to use a questionnaire to assist in identifying where the individual is competent or not yet competent. The questionnaire would usually be completed during a discussion between the individual and their line manager (e.g. during regular supervision meetings or the appraisal process).

See TNA questionnaire template – Form 8

There are also various IT tools now available to support the TNA process. For example, see the implementation tools on the Skills for Health web site:

www.skillsforhealth.org.uk/implementation_tools.php

8.2.3 Team and organisational TNAs

TNAs conducted with individuals should be scrutinised to identify where there are common training and development needs across a number of individuals. This is likely to be the case, particularly where staff members work in the same team or have the same job role.

There are also many occasions when changes affecting the organisation will result in training and development needs for all employees (or groups of employees).

For example:

- the organisation plans to deliver services to a new client group, or expand existing services
- the organisation introduces new procedures (e.g. a new appraisal or finance system)
- changes in legislation (e.g. equal opportunities, health and safety, child protection, drug classifications)
- the computer system is up-dated.

These are cases where the need to develop new skills or knowledge will be applicable to many staff - provision can therefore be planned for the relevant groups or teams.

In conducting a TNA, it is important to remember that training and development will not be the answer to every problem! Be sure to consider other solutions which may be more appropriate (e.g. re-organisation of job roles). The achievement of business objectives may require interventions that are beyond the remit of training and development.

Finally, a TNA must not be regarded as a one off, occasional exercise. Typically, TNAs are part of an on-going process, and a key part of conducting appraisal and supervision (see Sections 14 and 15).

8.3 Planning to meet training needs

Training needs analysis will have highlighted where training needs exist.

It should also have identified where there are urgent needs to be addressed (e.g. if there were skills gaps in areas which affect the safety of service users).

It is then necessary to plan training and development activities, taking account of the organisation's training and development policy, resources available and priorities to be met.

8.3.1 Individual training and development plan

Each member of staff should have an individual training and development plan, recording training and development needs identified and action to be taken. This can be up-dated at regular intervals during the individual's employment (e.g. as part of supervision), to keep track of all training and development activities undertaken.

See Individual training and development plan – Form 9

8.3.2 Organisational training and development plan

In order to co-ordinate all training and development activity (and to monitor the training budget), it is also useful to maintain a central training and development plan. This provides a summary of all training and development activity.

A typical training and development plan for an organisation describes:

- training planned in relation to specific jobs or roles
- aims and objectives for each training activity
- performance standards to be achieved
- person/s responsible for implementation
- priority given to each training need
- methods to be used
- resources required
- target dates for completion of activities
- methods to be used in evaluating the training.

(Adapted from: *A Handbook of Training Tools*, SCODA)

See Organisational training and development plan – Form 10

National Occupational Standards

Increasingly, training and development delivery is being cross-referenced to units from National Occupational Standards.

National occupational standards specify the standards of performance and related knowledge and skills necessary for competent performance. Therefore, they can be used to support the development of training and learning programmes and materials.

8.4 Training and development methods

In planning training and development activity to meet identified needs, there are numerous options available (see Table 2). The most appropriate method of training and development will depend upon the preferences of individuals, cost, availability etc.

In all cases, training and development will be most effective when line managers are closely involved in supporting their staff to apply new skills and knowledge in the workplace.

Table 2: Some of the main training and development methods

| Method | Comment |
|----------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| External training courses | Appropriate for meeting knowledge and skills requirements which are not specific to the organisation. This may also have the benefit of bringing staff into contact with people from other organisations. |
| Internal training courses (sometimes delivered by an external facilitator) | Most cost effective when a group of staff require the same training. Allows training content to be tailored to the specific needs of the organisation. |
| Working alongside more experienced colleagues | Informal but often a very effective way of learning (staff may benefit from training in coaching or instruction skills). |
| Open and flexible learning programmes e.g. videos, books, CD-ROMs etc | Useful because the person can work at a time and pace to suit them. Often helpful as an addition to other learning methods, although some people miss the interaction with trainers and other learners if too much emphasis is given to open learning resources. |
| e-learning | Internet based learning such as "Learndirect" (see Sources of further information). |
| Mentoring | A more experienced member of staff (other than the individual's line manager) is allocated to meet routinely with the individual to provide advice and support. |
| Action learning | Groups of colleagues working together over a period of time to solve a specific problem. |
| Job rotations and secondments | Useful to broaden an individual's skills and knowledge and possibly to enhance understanding between different work areas within an organisation. |
| Project work | Giving an individual responsibility for a specific piece of work, normally with specific objectives to be achieved within a set time. This may require the individual to conduct their own research. |
| Attendance at conferences or seminars | Useful for keeping up-to-date with new developments and networking/sharing experience with colleagues from other organisations. |

8.5 Evaluation of training and development

Evaluation of any training and development activity is important to assess its impact. Effective evaluation relies on the training and development activity having clear objectives in the first place. This reflects the truism *'if you don't know where you're going, how will you know when you've arrived?'*

The main reasons for conducting evaluation are as follows:

- to identify whether the training and development has achieved its original objectives and whether any further training and development needs to be planned
- to find out what worked well or not so well, so future provision can be enhanced and improved - this includes providing feedback to trainers
- to help learners reflect on what they have achieved and plan next steps in their personal development
- to measure the effectiveness of the investment of time and resources and so justify any further expenditure.

8.5.1 Evaluation methods

Most training events will make use of evaluation forms to record the learners' immediate reaction to the training they have received. Some trainers also use end of course discussions or feedback sessions.

Such 'end-of-day' evaluations can be collated and reviewed to obtain a picture of the learners' reaction to the training. This may, for example, provide some indication of how future events can be improved.

However, such 'end of day' evaluation often tell you more about how much the individuals enjoyed the activity rather than how effective the activity was in achieving learning objectives.

Therefore, in addition to the immediate post-event evaluation forms or discussions, it is also valuable to consider the extent to which new skills and knowledge will be applied in the workplace.

A recommended approach would be for a line manager and the learner to review the impact of any training and development activity within about two weeks of the activity taking place and then again after at least three months. In both cases, the evaluation needs to focus on:

- how well the activity met the original objectives
- how similar activities in the future can be improved
- are the skills and/or knowledge from the training still being used?
- what further training and development may be required.

Such an 'impact assessment' provides a realistic indication of the benefits for service users and is useful to inform planning of future training and development activity. The impact assessment can usually be included as part of regular supervision meetings or the appraisal process.

See Training and development impact assessment – Form 11

9. National Vocational Qualifications (NVQs)

NVQs are work-based qualifications which provide recognition of a person's competence.

Competence can be defined as:

'The application of skills and knowledge necessary to perform to an agreed **standard**'.

An NVQ is achieved when a person's occupational skills and knowledge are formally assessed and found to meet the National Occupational Standard (as defined by Sector Skills Councils - see Section 2).

9.1 NVQ units

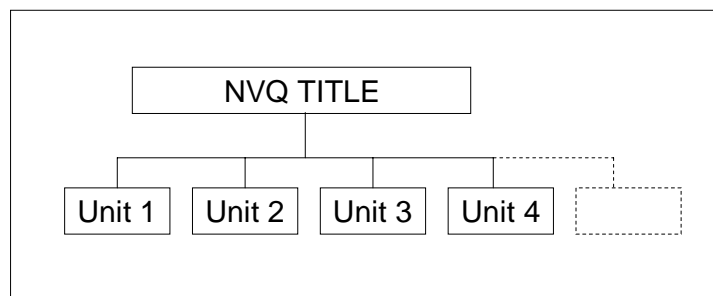
NVQs are made up of a number of units (derived from the National Occupational Standard).

A full NVQ is achieved when all the mandatory units and the specified number of optional units have been completed (some of the units are usually chosen from a list of options, enabling the NVQ to be tailored to specific job roles).

Smaller awards (e.g. 'Development Awards') made up of a smaller number of units may also provide credit towards a full NVQ.

It is also possible to gain a certificate of unit credit for individual units.

Diagram 4: The structure of an NVQ



9.2 NVQ levels

NVQs are awarded at five levels, ranging from straightforward and routine roles (Level 1) to senior management and professional roles (Level 5).

The complexity and level of responsibility of the role determines the appropriate NVQ level.

Not all NVQs are available at all five levels. For example the Health and Social Care NVQ is available at levels 2, 3 and 4:

Health and Social Care level 2

Candidates will usually be working in support of, and under the direction of, a colleague who is accountable in the area of practice

Health and Social Care level 3

Candidates will have a degree of responsibility and autonomy, and will be required to make decisions within boundaries and limits agreed with their team.

Health and Social Care level 4

Candidates may often be working as managers and supervisors of other workers.

9.3 Benefits of NVQs

9.3.1 The organisation

- can encourage and motivate people through formal recognition of their skills and knowledge
- can demonstrate to service users and funders that the organisation provides quality services
- can integrate the achievement of qualifications with other uses of National Occupational Standards (e.g. job descriptions, identification of training needs, appraisals etc).

9.3.2 The individual

- gains formal recognition of their ability to do their job to a national standard
- gains credit for existing skills, knowledge and experience
- has a clear framework for developing skills and knowledge to help them in their job and/or to progress in their career.

9.4 Assessment of an NVQ

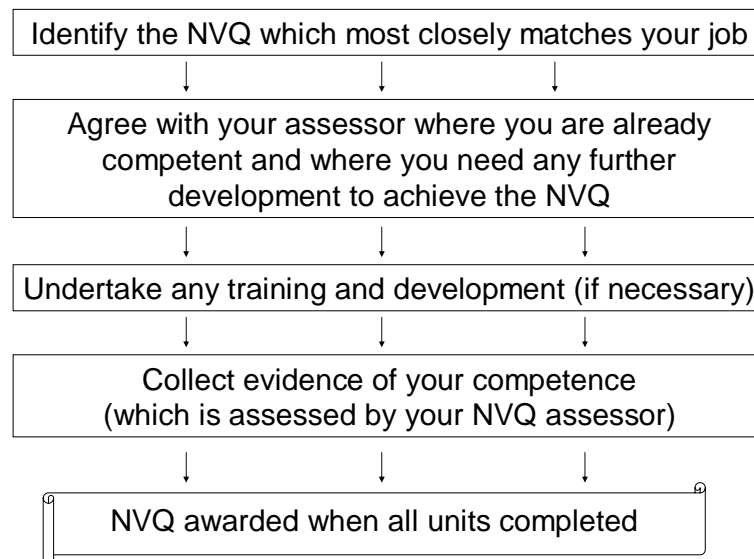
Since NVQs are based on work, the assessment system is also work-based. Those working towards the NVQ (usually called the 'candidates') produce evidence from their work to show that they are able to meet the required standards consistently in a range of different situations. Candidates work with an assessor whose role is to support the candidate in collecting the most appropriate evidence and to make a judgement on when the standards have been met.

There are various types of evidence that can be used, but some of the most important are:

- observation of the candidates' normal work by an assessor
- questions (oral or written) asked by the assessor
- examples of documents, records, reports etc produced in the workplace by the candidate
- statements from witnesses (usually colleagues or managers) who have observed the candidate's performance
- feedback from service users.

All the evidence is presented in a file (the 'portfolio') as proof of the candidate's ability to meet the National Occupational Standard (see Section 11: Portfolio Building)

Diagram 5: The candidate's route towards an NVQ



9.5 Who's who in the NVQ system?

9.5.1 The Qualifications and Curriculum Authority (QCA)

The QCA oversees the NVQ system, ensuring that NVQ qualifications meet particular criteria and are broadly comparable across different sectors. The QCA formally approves NVQs and quality assures the activities of awarding bodies.

9.5.2 Awarding bodies

NVQs are awarded by awarding bodies, which are usually organisations which have been awarding vocational qualifications for many years.

For example, the awarding bodies offering Health and Social Care NVQs include:

- Edexcel/BTEC
- Education Development International (EDI)
- City and Guilds
- Oxford Cambridge & RSA (OCR)
- The Open University.

(Regardless of the awarding body selected, all Health and Social Care NVQ candidates would be working towards exactly the same National Occupational Standards).

Approved NVQ centres

NVQs are actually delivered through approved NVQ centres, which are organisations that have been approved by an awarding body to deliver NVQs.

Approved NVQ centres include further education colleges, private training providers and employer organisations. In fact, any organisation that meets the conditions set by an NVQ awarding body can become an approved NVQ centre. To become an approved NVQ centre, an organisation must demonstrate that it has sufficient resources and staff to successfully deliver NVQs.

9.5.4 The people involved:

External verifiers

Representatives of the awarding body, responsible for visiting approved NVQ centres to ensure that the assessments carried out within all centres are to a consistent standard.

Internal verifiers

Responsible for quality assurance of the assessment process within the approved NVQ centre.

NVQ assessors

Responsible for planning and carrying out NVQ assessments.

Expert witnesses

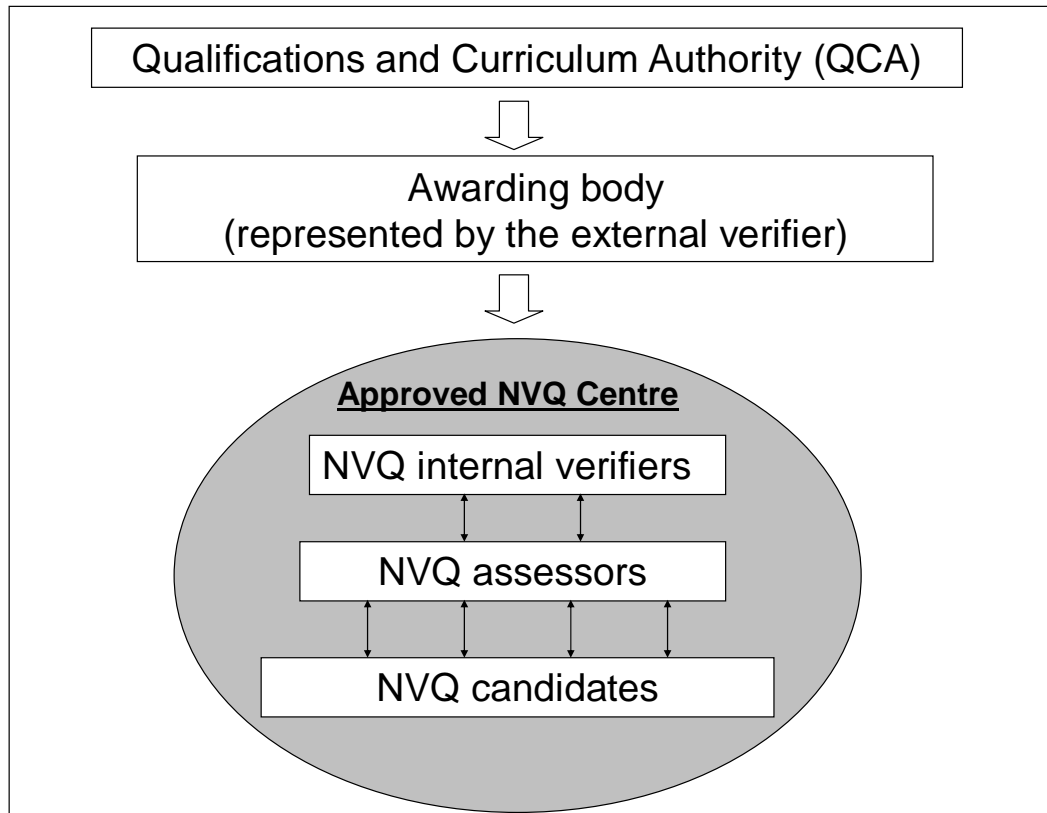
Responsible for providing a record of the candidate's performance when a qualified assessor is not available.

NVQ candidates

Responsible for collecting evidence of their competence.

Diagram 6: NVQs – the people and organisations involved

The shaded area in the diagram represents an approved NVQ centre, which will require internal verifiers, assessors and candidates to function. All approved NVQ centres will be monitored by one or more NVQ Awarding Bodies. The QCA oversees the NVQ system.



9.5.5 Who can be an NVQ assessor?

An NVQ assessor must be experienced in the relevant occupational area and hold the NVQ assessor award.

Often, supervisors or managers train to become NVQ assessors so they can assess their own staff. This makes sense, as they are often the people who know the candidate's work the best and are already responsible for the routine monitoring of staff performance.

Supervisors and managers who are not trained assessors can still help their staff to achieve their NVQs by:

- providing statements to confirm a candidate's competence (i.e. acting as Expert Witnesses)
- providing the candidate with time and opportunities to collect evidence
- providing support and encouragement.

The NVQ assessor award

The NVQ assessors are required to achieve one of two units taken from the training and development NVQ:

Unit A1 Assess candidates using a range of methods.

or

Unit A2 Assess candidates' performance through observation.

In order to achieve an assessor award, trainee assessors must produce evidence from actual assessments of NVQ candidates over a period of time. Realistically, the minimum time taken to achieve an NVQ assessors award is about three months, although it can take longer depending upon the trainee assessor's motivation and time available for carrying out assessments.

Assessors who gained their awards before July 2002 may still refer to the earlier versions of the assessment units:

D32 Assess candidate performance

D33 Assess candidate using differing sources of evidence.

These are still recognised as assessor's awards although as time passes, assessors will increasingly need to show they have met the requirements of the new A1 or A2 units to be considered currently competent.

9.6 The component parts of an NVQ unit

Within each NVQ unit, the required standards of performance and knowledge are described in detail. Guidance is also provided regarding the amount and types of evidence to be presented.

Table 3: The component parts of an NVQ:

| | |
|------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Unit | A major function performed in a job: e.g. "Unit HSC35: Promote choice, wellbeing and the protection of all individuals". |
| Element | A smaller task or role (part of a unit): e.g. "Element HSC35a: Develop supportive relationships that promote choice and independence". |
| Scope / Range | Guidance on possible areas to be covered by the unit: e.g. "Key people include: family; friends; carers; others with whom the individual has a supportive relationship". |
| Key words and concepts | Explanations and definitions of the key words and concepts used in the unit: e.g. "Danger: The possibility of harm and abuse happening". |
| Performance criteria | The standard to which the task must be completed: e.g. "1. You develop and maintain relationships that promote the views, preferences and independence of individuals and key people". |
| Knowledge and understanding | What a competent person would need to know and understand in order carry out the function: e.g. "1. Legal and organisational requirements on equality, diversity, discrimination, rights, confidentiality and sharing of information". |
| Evidence requirements | The evidence candidates must show to prove they have met the required standard: e.g. "Your assessor must observe you in real work activities...". |

Example taken from Health and Social Care Unit 35 (DANOS Unit AA6): Promote choice, wellbeing and the protection of all individuals.

9.7 How can you deliver NVQs for your staff?

Providing NVQs for your staff can be achieved in a number of ways, ranging from becoming your own approved NVQ centre (delivering the entire programme in-house), to buying in a full NVQ assessment service from an external organisation.

There is no right or wrong approach – the most appropriate way to deliver NVQs will vary according to each organisation's circumstances.

9.7.1 Becoming an approved NVQ centre

In order to become an approved NVQ centre, you will need to apply to one of the awarding bodies which awards the NVQ you wish to deliver.

The awarding body will send you an application pack to complete. You will need to show that you have the staff and resources available to:

- administer the NVQ programme
- provide opportunities and resources for workplace assessment
- provide sufficient NVQ assessors
- provide sufficient NVQ internal verifiers.

NVQ assessors will be expected to meet with each other and the internal verifier/s to standardise their assessment decisions. Assessors and internal verifiers will also be required to meet with external verifiers when they visit from the awarding body (about every six months).

Becoming an approved NVQ centre therefore requires a significant investment in time and resources.

Normally, only an organisation with an on-going need for a large number of staff to achieve NVQs would benefit from becoming an approved NVQ centre. Otherwise, the investment in time and money needed would not be cost effective.

9.7.2 Working with an approved NVQ centre

An alternative to becoming an approved NVQ centre is to work with an existing approved NVQ centre. This has a number of benefits. The approved NVQ centre will provide:

- all NVQ documentation and induction of candidates
- assessment
- internal verification
- liaison with the awarding body
- administration of the programme (e.g. registering candidates and applying for certification).

For example, staff may enrol on an NVQ programme at a local college, or with a local training provider. In these situations, much of the assessment will still take place in the workplace, but the assessor will visit from the approved NVQ centre.

Normally, the approved NVQ centre will charge a fee per candidate, based upon the time and other resources required to deliver the programme.

9.7.3 Working in partnership with an approved NVQ centre

For many organisations, a third way is a practical option. Staff in your own organisation can be trained as NVQ assessors, but their assessments are quality assured by an external approved NVQ centre. The external approved NVQ centre is then responsible for administering the programme and liaising with the awarding body.

The proportion of assessment and training delivered in-house by your own staff or by the approved NVQ centre can be negotiated. This approach will reduce the costs paid to the approved NVQ centre and keeps your staff closely involved in the process.

When negotiating such an arrangement, remember:

- assessment is required by all NVQ candidates
- some candidates will be able to achieve the NVQ without additional training and will be ready for immediate assessment
- where NVQ candidates do require training, you may wish to deliver all or some of that training in-house (i.e. training is not part of the assessment process).

9.7.4 Joining an NVQ consortium

Some approved NVQ centres are set up and run by a consortium of organisations. By working together, a number of organisations can spread the costs of running an NVQ centre and share expertise.

Useful contacts for Health and Social Care NVQ consortia

- Skills for Care – which has established nine Regional Committees to promote the use of National Occupational Standards and NVQs across all the English regions.

Skills for Care

Tel: 0113 245 1716

Web site: www.topssengland.net

- The Association for Care Training and Assessment Networks (ACTAN) - which aims to promote and develop best practice in the use of occupational standards across health, care and education. This includes supporting networking activity across the UK.

ACTAN (Association for Care Training and Assessment Networks)

Tel/fax: 0845 129 8745

Web site: www.actan.org.uk

9.8 Delivering NVQs – getting started

To find out which awarding bodies offer a particular NVQ, contact the Qualifications and Curriculum Authority (QCA).

QCA provide a database of accredited qualifications and the related awarding bodies. You can search the database at: www.openquals.org.uk

Alternatively, call the QCA enquiry line on 020 7509 5556.

You then have two main choices:

1. To become an approved NVQ centre

Phone the awarding bodies that award the NVQ you are interested in and ask them to send you details of how to apply to become one of their approved NVQ centres.

2. To work with an approved NVQ centre (or an NVQ consortium)

- (a) Phone the awarding bodies that award the NVQ you are interested in and ask for a list of their approved NVQ centres in your region.
- (b) Phone your local approved NVQ centres to discuss your requirements.

Table 4: NVQs - important points

| | |
|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Access is open to all | There are no entry qualifications required for NVQs. People work towards the NVQ which most closely matches their job role. |
| NVQs recognise competence regardless of how competence has been achieved | Some people will have many years' experience in their work and already be working to the standards specified in the NVQ. Such people achieve the NVQ by presenting evidence of their competence. |
| NVQs are not training courses | NVQs provide a standard against which people can be assessed. Training can be designed to meet NVQ requirements, but not all candidates will need training to achieve the NVQ. |
| There are no exams | Candidates collect and present evidence of what they know and can do. |
| There is no pass or fail | Candidates are found to be either competent or not yet competent. If they are not yet competent they would usually undertake further training or gain more experience before being re-assessed. |
| Organisations and candidates set targets for completion of NVQ units | Units can be achieved in any order and at a pace to suit the individual and the needs of the organisation. |

10. Continuous Professional Development (CPD)

The Chartered Institute for Personnel and Development (CIPD) defines CPD as follows:

“CPD is the conscious updating of professional knowledge and the improvement of personal competence throughout working life. ‘Conscious’ implies that CPD is a state of mind, more than a set of rules or a programme of study. CPD is a commitment to being professional, keeping up to date and continuously seeking to improve. It is the key to optimising career opportunities, both today and for the future” (CIPD).

The key principles of CPD are:

- professional development is a continuous process that applies throughout a practitioners working life
- individuals are responsible for controlling and managing their own development
- individuals should decide for themselves their learning needs and how to fulfil them
- learning targets should be clearly articulated and should reflect the needs of employer’s and clients, as well as the practitioners’ individual goals
- learning is most effective when it is acknowledged as an integral part of all work activity rather than an additional burden.

The CIPD relates the importance of CPD to the changing attitude towards training and development and the work environment e.g.

- Traditional training tended to treat the trainee as the passive recipient of material delivered by the pro-active trainer. That concept is now being reversed by encouraging people to take responsibility for their own learning and development. The ‘trainer’ now provides support to the active learner.
- Employability, rather than secure employment with one employer, is today’s career target. This is largely dependant on self-directed development (*Ref: CIPD, Continuing Professional Development: The CIPD Policy, 2000*).

10.1 How to approach CPD

CPD is most effective when approached systematically. Typical steps an individual should follow are:

1. undertake an audit of current know-how and competence (possibly by self assessment against the relevant national occupational standards)
2. set objectives to be achieved (e.g. keeping up to date in current role and/or planning for new or challenging issues)
3. identify the knowledge and skills required to achieve targeted objectives. It may be helpful to prioritise i.e. to distinguish between knowledge and skills which are critical in the short term and those which can be achieved in the longer term.
4. match current knowledge and skills against those required, thus identifying the gaps between current and targeted position. These gaps will form the basis of a *development plan*.

5. Produce a **development plan** i.e. 'what you need to learn and how you plan to learn it'. This may be paper-based (see Form 9: Individual training and development plan) or on a computer-based system. A CPD plan would typically incorporate:
 - Development objectives (possibly divided into short and long term needs)
 - Proposed actions (including target dates)
 - Allocation of resources required (e.g. time, money, people)
 - A schedule of progress reviews (e.g. what went well, what did not go well?)
6. Keep a **record of achievements** - this includes keeping evidence of achievements (see Section 11: Portfolio Building).

The above approach is recommended both by the CIPD and The Professional Associations Research Network (PARN) which has been conducting research into CPD within professional associations since 1998.

Both CIPD and PARN emphasise that the choice of development activities selected as part of a CPD plan will depend on the individual's preferred learning style. Individuals should reflect on their own preferred learning style through:

- reviewing past experience and assessing the types of events or processes which were most effective
- asking for the views of colleagues or mentors
- using learning style/ personality questionnaires.

In particular, it is recommended that individuals understand the basic ideas about the learning process:

- **the learning cycle** i.e. the four linked stages of
 - having an experience
 - reviewing the experience
 - concluding from the experience
 - planning the next steps
- **the main learning styles** (e.g. from the research by David Kolb, Alan Mumford, Peter Honey and others)
 - activists
 - reflectors
 - theorists
 - pragmatists.

Finally, it is important that individuals consider all the possible methods of learning when planning their CPD. There will be a very wide range of potential learning activities, which are likely to include:

- professional work based activities

- personal activities outside work
- courses, seminars and conferences
- self-directed and informal learning.

11. Portfolio building

In essence, a portfolio is a record of a person's achievements - including their learning, practical experiences and development over a period of time.

Portfolios are used to present evidence of a person's competence in the workplace. This is typically a combination of:

- text i.e. descriptions which 'tell the person's story' and,
- examples from the person's actual work.

There is no prescribed or 'correct' format for a portfolio. However, it is important that a portfolio is structured in a systematic way so that it is easy to follow and understand.

11.1 What is a portfolio for?

Developing a portfolio is useful because it provides:

- a record of achievements e.g. qualifications, learning and development activities, practical experience, employment history etc
- a structured approach to help a person think about their own learning and development e.g. identifying development needs and planning actions to address those needs
- evidence to current and future employers of a person's ability to perform competently in the workplace.

The process of planning and compiling a portfolio is developmental in itself. It prompts a person to reflect on what they have already learnt and achieved - and to consider future goals and aspirations.

11.2 Who should compile a portfolio?

Anyone can begin the process of compiling a portfolio.

Portfolios have become more relevant as people are increasingly encouraged to take ownership of their development. There is a general recognition of the importance of maintaining and developing knowledge and skills throughout working life.

This is particularly relevant to people developing a record of their Continuous Professional Development (see section 10) and those working towards competence-based qualifications.

Candidates for competence based qualifications and awards

A portfolio is particularly important to people who are working towards a competence based qualification or award (e.g. NVQs) – or who aim to do so in the future.

This is because the compilation of evidence in a portfolio is the accepted method for those working towards competence based qualifications to prove their competence. In this case, the evidence collected will be judged by an assessor to check that it meets the requirements of the qualification/award. The assessor will also work with the candidate to support the collection and presentation of appropriate evidence.

If an individual has already begun the process of compiling a portfolio before starting the qualification/award, then the assessor will be able to start the assessment planning process by reviewing the evidence already available. Further assessment can then be focused on 'filling the gaps'.

11.3 Types of evidence that can be included in a portfolio

It is most important to **plan** the collection of evidence. A haphazard collection of items will only result in a portfolio which is confusing and hard to follow.

A large quantity of evidence is *not* the aim – and usually becomes counter-productive. It results in a portfolio which is dense and where it is impossible 'to find the wood for the trees'.

The best approach is to identify high quality items of evidence i.e. items which show competence over a number of Units / situations.

Remember; quality of evidence is far more important than quantity.

As a general rule, only material produced by, or specifically about, the person compiling the portfolio should be included.

The main source of evidence will normally be a person's current work (because the aim is to prove *current* competence). This can include:

- Examples of documents produced in the workplace e.g. care plans, records of meetings, emails, letters, reports, records of assessments, action plans etc.
- Statements/testimonials from people who have witnessed the person's performance at work (usually managers or colleagues, but potentially also feedback from service users). If using statements/testimonials from service users it is preferable for this to be naturally occurring (e.g. a letter of thanks, rather than a direct request for a statement, which could compromise the client/staff relationship).
- In addition to providing written statements/testimonials, it is also possible to ask witnesses to endorse a particular piece of work eg by signing and dating it (and possibly by adding a brief statement at the bottom). This may help to testify that the evidence is the person's own work and to confirm what actually happened.

However, there may be some areas which are more difficult to prove from current work. Therefore it is also possible to include:

- Evidence of achievements in the past - but remember, the portfolio is really intended to demonstrate *current* competence – therefore, evidence from the past should not normally be more than 2 years old.
- Evidence from activities outside the workplace (e.g. voluntary work).

11.4 Issues of confidentiality

Due to issues of confidentiality or data protection, it may not always be possible to include certain documents in the portfolio. If it is not possible to identify alternative items of evidence, then consider the following:

- delete any personal information on the document/s
- leave the document in the workplace, but provide a written statement which describes how the required standard was met and where the relevant document can be located.

Candidates for competence based qualifications and awards

Candidates for competence based qualifications or awards (e.g. NVQs), will be allocated an assessor who will support the process of collecting evidence by providing records from

- observations at work
- questioning and discussion

Overall, the evidence needs to show that all the requirements of the Units (national occupational standards) have been consistently met over a period of time.

If witness statements/testimonials are used, the assessor may need to check the validity of the witness statements. Therefore, it is good practice to include a list of the witnesses used with a brief description of their:

- association with the candidate (e.g. are they a manager, colleague etc)
- contact details
- example signature.

Candidates working towards a competence based qualification will need to register with an Awarding Body. Awarding Bodies normally provide their own guidance and example forms to support the process of portfolio building - or your organisation may have developed their own documentation in line with the awarding body requirements.

11.5 How to compile evidence in a portfolio

Most people gather their evidence in a lever arch file, separated into sections using file dividers.

- Collect existing background documents e.g. Job Description, CV, qualification certificates, training records.
- Obtain copies of any occupational standards to be achieved in the workplace e.g. relevant Units from national occupational standards (a list of these should be in the person's Job Description and/or Role Profile).
- Identify the evidence which provides good examples of how the requirements of the job have been met (e.g. how the person meets the requirements of the relevant national occupational standards)
- Gather the evidence and reference it to show how it meets the required standards.

Many people put key documents in plastic pockets. However, it is not necessary to put every document in a plastic pocket – some things are more easy to read if they are inserted 'loose leaf'.

11.6 E-portfolios

It is now possible to compile an e-portfolio i.e. a digital record of achievements. This does have some advantages:

- Items of evidence can be stored in a database, and readily cross-referenced to standards
- Items of evidence (including documents, sound and visual images) can be captured digitally, reducing the physical bulk of the portfolio, and potentially meaning it can be shared with others via web sites, email etc.

In the future, this method of compiling a portfolio is likely to become increasingly commonplace. However, at present the vast majority of people are still using the 'traditional' collection of evidence in a file. In part this is because there is less general awareness of how to compile an e-portfolio than the traditional approach. Other factors are:

- Compiling an e-portfolio is only likely to appeal to those who are very IT literate
- Cost of the necessary IT hardware and software may be prohibitive
- Some people simply prefer a portfolio they can pick-up and look through.

Candidates for competence based qualifications and awards

NVQ candidates will work with their assessor to agree the most appropriate evidence to collect and the best way to present it.

In this case, the portfolio should also contain Action/Assessment Plans developed with the assessor. It is a good idea to keep these in the portfolio as they show how the portfolio was developed over a period of time.

11.7 Key points for effective portfolio building

When selecting appropriate evidence, check that it is:

- | | |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|
| Valid | evidence must show the person's own work – or if derived from a team effort, then it must be clear what your own contribution was. |
| Sufficient | there must be enough evidence to show competence (i.e. consistent performance to the required standards) |
| Current | the evidence must show the person is currently competent |
| Relevant | evidence must be clearly relevant to the requirements of the standards. If it is not clear what an item of evidence proves, it should not be included. |

Finally, some golden rules for presenting evidence in a portfolio are:

- quality is more important than quantity i.e. it is better to have fewer high quality items of evidence. Remember that a good quality item of evidence can be referenced as many times as needed i.e. it can count towards many Units.
- keep referencing simple (e.g. give each item of evidence a consecutive number starting 1, 2, 3 etc)
- never include duplicate copies of evidence – include one copy and refer to it as many times as necessary
- make sure it is clear what each item of evidence proves (i.e. clearly show which units it relates to)
- if it is not clear what an item of evidence proves, it can probably be taken out.

See Structure of a portfolio - Form 12

12. Drug and Alcohol qualifications and awards

There is now a wide range of qualifications relevant to drug and alcohol workers including:

- **Academic qualifications** (e.g. certificates, diplomas, first degrees or masters) related to substance misuse, addiction, counselling etc.
- **Professional qualifications** related to health, social care, justice etc
- **Competence-based qualifications and awards** e.g. National Vocational Qualifications (NVQs) and related Awards.

The development of DANOS has been very significant for this framework of qualifications. In particular, DANOS describes the standards of performance and the knowledge required for the achievement of competence-based qualifications in the drugs and alcohol sector. This is resulting in the development of new competence-based qualifications, particularly aimed at individuals who do not have a relevant academic or professional qualification. It has also resulted in the development of competence-based awards made up of smaller clusters of units (Development Awards) which are particularly relevant for the continuing professional development of all practitioners.

At the same time as new competence based qualifications and awards have been developed, many academic and professional qualifications have been mapped to DANOS to make clear which aspects of the knowledge and skills from DANOS are covered.

DANOS and qualifications

It is important to be clear that DANOS is a set of standards. DANOS is not in itself a qualification, award, or training course. However, DANOS can and should provide a framework for the development of qualifications, awards and learning and development activities.

12.1 Competence-based qualifications and awards

12.1.1 Health and Social Care National Vocational Qualification (NVQ) Level 3

The Health and Social Care NVQ Level 3 consists of eight units, four of which are core for all staff involved in direct service provision in the health and social care sectors. These are:

- Promote choice, wellbeing and the protection of all individuals
- Reflect on and develop your practice
- Promote, monitor and maintain health, safety and security in the working environment
- Promote effective communication for and about individuals.

All staff undertaking the Health and Social Care S/NVQ Level 3 have to demonstrate competence in these four core units irrespective of the sector or client group they are working with. The further four units in the Health and Social Care S/NVQ Level 3 are selected from a large number of optional units. The choice of units is guided by the specific role the worker fulfils. DANOS units are available as options within the Health and Social Care S/NVQ Level 3.

12.1.2 Development Awards

The DANOS units can also be used as the basis for other qualifications such as Development Awards. These awards are open to staff who have achieved the level of competence laid out in the Health and Social Care S/NVQ Level 3 or have professional qualifications. Development Awards consist of a number of units grouped thematically in a way which addresses a specific area of practice. They will provide a qualification for staff who are either developing their role or moving into a new role after having achieved a minimum level of competence.

12.1.3 Professional Certification

A further step on the route through qualifications is using evidence of competence for professional registration. The Federation of Drug and Alcohol Professionals (FDAP) has developed the Drug & Alcohol Professional Certification scheme. This is based on DANOS units and provides a route for competence-based certification for workers in the drug and alcohol sector. Workers can be certified as either Registered or Accredited Drug and Alcohol Professionals if they can provide evidence of competence in a 'core' set of 9 preset DANOS units plus one further unit from a list 14 specialist units, resulting in evidence of competence in 10 units in total. To be registered, a worker needs their employer to assess and verify their competence in the 10 units. To become an accredited practitioner, this evidence has to be supported by a recognised competence-based qualification.

12.2 Routes to Competence

The basic level of competence to work in the substance misuse field is competent performance in the four core DANOS units plus four relevant non-core DANOS units.

This can be demonstrated through:

- either the Health and Social Care S/NVQ Level 3 with relevant DANOS options
- or a relevant health, social care or justice professional qualification plus the demonstration of competence in four relevant non-core DANOS units through competence-based Development Awards, supervision or performance management.

Staff who have achieved this minimum would then be expected to maintain their Continuing Professional Development (CPD).

See the route map to Competence and Qualifications – Form 13.

This illustrates:

- the Basic Level of Competence staff need in order to practice safely and how they can develop and demonstrate this competence
- how staff can continue to develop and demonstrate their competence in their current jobs or as they prepare for new roles, and achieve an Enhanced Level of Competence.

Ref: *DANOS Guidance on Competence and Qualifications*, Skills for Health (2006)

12.3 The future

Further research is taking place to establish whether there is a need for Level 4 qualifications for advanced practitioners in the drugs and alcohol field and if so, how such qualifications should be structured.

Further information

Skills for Health provides further guidance and up-to-date information on training, qualifications and awards in the drug and alcohol sector at:

www.skillsforhealth.org.uk/danos

Skills for Justice has produced a “Guide to the Continuing Development Award for Drugs Workers” available at:

www.skillsforjustice.net/page.php?ID=481

13. Funding of training and qualifications

13.1 Learning and Skills Council (LSC)

The LSC is responsible for funding and planning education and training for over 16 year-olds in England (other than in universities). Its remit includes:

- Further education
- Work-based training and young people
- Workforce development
- Education-business links

The LSC's national office is based in Coventry, with 47 local LSCs across England. The local LSCs are responsible for setting local plans within the national framework.

To find your local LSC:

Call the LSC Helpline:

0870 900 6800

Or visit the LSC web site:

www.lsc.gov.uk

13.1.1 Apprenticeships

Apprenticeships are the main initiative through which the LSC funds learning and qualifications in the workplace.

Until 2004, Modern Apprenticeships were only for young people aged between 16 and 24. Since 2004 the Apprenticeships system has been extended, allowing people over the age of 25 to be Apprentices.

There are two levels available:

- An Apprenticeship, which leads to the achievement of an NVQ Level 2 and a technical certificate. An Apprenticeship normally takes at least one year to complete.
- An Advanced Apprenticeship, which leads to the achievement of an NVQ Level 3 and a technical certificate. The Advanced Apprenticeship usually takes at least two years to complete.

Apprentices also work towards key skills in:

- communication
- application of number
- information technology
- problem solving

- improving own learning
- working with others.

Apprentices spend the majority of their time in the workplace, but will attend a training provider or further education (FE) college on a regular basis (funded by the LSC). The time spent at the training provider or FE College will be negotiable – typically one day every two or three weeks.

There are now more than 180 Apprenticeships available across more than 80 industry sectors. Of most relevance to drug and alcohol workers are:

- Health and Social Care Apprenticeship
- Community Justice Apprenticeship.

If you wish to take on a young person as a new member of staff, or wish to put a current employee on an Apprenticeship programme, contact your local LSC for further information. They will send you a list of training providers and FE colleges in your region that are funded to run Apprenticeship programmes.

Skills for Justice has produced a Good Practice Guide for Advanced Apprenticeships in Community Justice – available from: <http://www.skillsforjustice.com/category.php?ID=78>

13.2 European Social Fund (ESF)

The ESF is an important source of funding for activities to develop employability and human resources.

The aims of the ESF are to:

- help unemployed and inactive people enter work
- provide opportunities for people at a disadvantage in the labour market
- promote lifelong learning
- develop the skills of employed people
- improve women's participation in the labour market.

In England, ESF funding is managed by the regional Government Offices.

Contact your local Government Office for information on ESF and any other regional funds available in your area.

For further information about the ESF, including contact details for the Government Offices, visit the ESF web site: www.esf.gov.uk

The ESF normally provides 45% of the costs of a project – the rest, which is known as 'match funding' has to come from other sources. The majority of ESF funds are now channelled through 'co-financing

organisations'. These are organisations that have successfully applied to their local Government Office to run ESF projects and to provide the 55% match funding required.

Learning and Skills Councils (LSCs) will usually be approved co-financing organisations – therefore, contacting your local LSC is often be the most straightforward way of accessing ESF funding.

13.3 A franchise arrangement with your local Further Education (FE) college

Some FE colleges will enter into franchise agreements with local organisations. This can sometimes be used to subsidise the cost of staff training and accreditation.

Under a franchise agreement the college enters into a contract arrangement with an employer whereby the college agrees to pay some or all of the costs of delivering a programme leading to the achievement of recognised qualifications. In order to provide this funding, the college registers the candidates as students of the college and claims funding from the LSC for the number of 'guided learning hours' delivered and qualifications achieved.

The policy on franchise arrangements will vary according to the college involved, but it may be worth making enquiries. Most FE colleges have a department that specialises in delivering services for local employers (usually called the 'Business Development Unit' or 'Enterprise Unit').

14. Appraisal

An appraisal is an in-depth and recorded discussion of an employees' performance. It is also an opportunity to discuss any development needs and to set future objectives, related to the needs of the organisation.

Individuals, managers and the organisation benefit from an effective appraisal scheme:

Individual: an appraisal gives job holders the opportunity to discuss all aspects of their role, in an in-depth way. It should clarify how people can contribute to the objectives of their team/department and the organisation. It also provides an opportunity for successes to be acknowledged and areas for development to be identified and remedied.

Manager: the appraisal provides an opportunity for managers to clarify their expectations of individuals. It creates a forum for an exploration of new ideas and helps them to recognise any problem areas or difficulties. It may serve to strengthen the relationship between managers and their staff.

Organisation: an appraisal system is a visible commitment that the organisation values its people. An organisation can use the appraisal system to clarify and reinforce its objectives and strategy, making sure that an individual's performance priorities support these objectives.

(Ref: *Managing Best Practice: Appraisal*, The Industrial Society)

There is no 'right method' of running an appraisal scheme. However, some factors to consider are:

- The appraisal scheme should be visibly supported by top management.
- Managers and staff will be more committed to the scheme if they are consulted in its development and introduction.
- Paperwork should be simple and jargon free.
- Appraisers and appraisees need time to prepare for the appraisal interview (usually about a week). Interview forms can be used to help prepare for the appraisal interview.
- Appraisal interviews may vary in length from about 30 minutes to two hours.
- Staff need a named person they can contact who deals with any questions or concerns.
- The greater the participation and input of the appraisee, the more successful the process is likely to be.
- Training of both appraisers and appraisees is strongly recommended if appraisals are to be effective. Appraisal training for managers may include:
 - effective interviewing (e.g. structuring questions, awareness of body language, listening skills)
 - how to give constructive feedback
 - how to handle disagreement.

Performance management

Performance management is a process through which individuals in an organisation are monitored, motivated and supported. This includes agreeing individual goals and responsibilities, linked to the objectives of the organisation as a whole.

Performance management is most commonly addressed through the processes of appraisal and supervision.

14.1 Clarifying the purpose of the appraisal

It is vital that all those involved in the appraisal process are clear about its objectives. Recommended objectives are:

- providing feedback on past and current performance
- identifying training and development needs
- setting objectives/targets for the future.

Some organisations will use appraisals to collect information for salary reviews (or to assess potential for promotion). A direct link between appraisals and salary review/promotion is not recommended. A person is unlikely to participate openly and honestly in a discussion of their development needs if they know that their salary review depends upon the outcomes of the discussion.

14.2 Appraisal – the paperwork

The paperwork should be kept to a minimum. This toolkit contains two suggested forms:

Self appraisal record – Form 14

Used by the appraisee to collect their thoughts in advance of the appraisal discussion (the headings on the form can be used as an agenda for the discussion).

Appraisal record – Form 15

Used to record any agreed actions as a result of the discussion.

It will also be necessary to refer to other documentation such as the appraisee's job description and relevant National Occupational Standards.

The appraisal is an ideal time to discuss an individual's training needs. Therefore, records of any previously agreed training needs and action plans should also be to hand.

14.3 Preparing for the appraisal discussion

Hand the appraisee the self appraisal form – check that the appraisee is clear about their role in the appraisal interview.

Agree an appropriate date (normally about one week later) and a location where you will be comfortable and away from interruptions. Allow about two hours for the meeting – it may well take less time, but far better to finish early than to feel hurried.

Before the appraisal interview, ensure the appraisee has filled in the self appraisal form – the discussion will be structured around the headings on the self appraisal form.

Some organisations expect the appraisee to hand their self appraisal form to the appraiser in advance of the meeting. However, it is not actually essential for the appraisee to show you what they have written on their self appraisal form – it is primarily to help them prepare for the discussion.

If you do not receive the self appraisal form in advance, prepare for the discussion by looking through the headings and deciding

- (a) what you expect to see, and
- (b) any issues you wish to raise in each section.

14.4 The appraisal discussion

Start by putting the appraisee at ease.

Use the self appraisal form as an agenda, and work through its headings.

For each of the sections discussed, allow the appraisee first to put forward their own views i.e. expanding on their comments written on the self appraisal form. Once the individual has had the opportunity to put their view, add your own comments and discuss the issues generally.

Make sure you both consider the whole period under review, not just the recent past.

It is a good idea to start by checking that you and the appraisee share the same view of what the job entails. Refer to the job description and note any changes since the job description was last reviewed.

Look back at the objectives set at the last appraisal. Objectives that have been achieved should be acknowledged. Where objectives are only partially or not met they should be reviewed to decide if they are still valid, and if so, what needs to happen to support the appraisee in achieving them.

The appraisee's own objectives for the year ahead and any changes they wish to see should be discussed taking full account of the organisation's or departmental objectives. As far as possible, the aim is to satisfy the individual's aspirations as well as meeting the organisation's objectives.

14.4.1 Positive feedback

Give full praise and recognition for things done well - be specific and give examples. It is particularly helpful to express appreciation of tasks which did not come easily to the individual, perhaps requiring real effort or persistence.

14.4.2 Tackling performance weaknesses

If an appraisee identifies their own areas for improvement:

- commend the individual for their frankness in suggesting areas for improvement
- discuss them constructively - if possible get the appraisee to make their own suggestions for how they can overcome problems.

Some people will be their own harshest critics. If the appraisee feels they have not performed to the required standard, but you feel that their work is perfectly satisfactory, then reassure them that this is the case.

The more difficult situation is where you perceive weaknesses that the appraisee has not recognised. In these situations:

- Be specific – be prepared to give actual examples to back up your comments. Avoid vague and unsupported assertions.
- Keep positive – focus on what can be done to improve the situation. The aim is to improve performance, not to de-motivate the individual.
- Do not tackle more than two areas of weakness in any depth. This is as much as most people can take before becoming defensive.
- Confine your comments to behaviour that can be changed. Your aim is to help people be more effective at work, not to change their personalities!

(Ref: Appraisal, Fletcher C.)

14.4.3 Agreeing objectives

Action to be taken must be realistic and practical. As far as possible the appraisee should take responsibility for action rather than projecting it onto someone else.

Objectives set by the appraisee will need to be discussed and possibly modified to ensure that they relate to the objectives of the organisation.

Effective objectives must be SMART:

| | |
|-------------------|-------------------------------------------------------------|
| Specific | i.e. detailed |
| Measurable | i.e. will it be clear when the objective has been achieved? |
| Agreed | i.e. mutually agreed rather than imposed |
| Realistic | i.e. achievable |
| Time bound | i.e. set a date for completion or review. |

14.4.4 Training needs analysis (TNA)

The discussion of job role, strengths, areas for improvement and objectives to be met can then be used to focus on where further training and development is needed. The TNA should relate to the current and emerging demands of the job and needs of the organisation (see Section 8).

14.4.5 Concluding the appraisal discussion

Conclude the discussion by checking if the appraisee has anything further they want to add.

Summarise the main points, in particular each person should summarise any action they have agreed to take. Try to end on a positive note!

Appraisal should not be viewed as a one off event, but be part of ongoing supervision and support. Set dates for interim supervision meetings to discuss progress and difficulties.

Complete the appraisal record form - this may be completed in the interview itself, or very shortly afterwards. Both appraiser and appraisee sign and date the form and keep a copy.

15. Supervision

Supervision is the process of managing, negotiating and monitoring the performance of staff while providing guidance and support, such as identifying and addressing training needs.

The support provided through supervision should help staff to meet the needs of service users, without the demands of the work adversely affecting their own health and well-being.

“Staff should not have to take home the unresolved anxieties and problems from work and try to deal with them in isolation” (Ref. *The good management guide for the voluntary sector*, Harris J.).

All staff will benefit from regular ‘managerial’ supervision and some staff in specialist roles additionally require ‘specialist’ supervision which allows them to develop their professional role through reflection on their work.

The provision of regular supervision is most effective when integrated with the annual appraisal system.

Supervision sessions provide the ongoing support and guidance between annual appraisals. Regular supervision sessions mean that appraisals are seen as part of a continuous process, not an isolated annual event (and should certainly help to reduce anxieties that appraisals will produce any nasty surprises!).

Any objectives or training and development activities agreed during the annual appraisal should be monitored and reviewed during supervision.

The approach to supervision should be similar to that of appraisals - both should be:

- supportive and developmental
- separate from any assessment of pay or promotion.

15.1 Functions of managerial supervision

The principle functions of managerial supervision can be identified as follows:

15.1.1 Managing workload

- ensuring policies and practices of the organisation are being carried out
- prioritising and allocating work
- reviewing objectives and standards to be achieved
- clarifying responsibilities and task boundaries.

15.1.2 Training and Development

- planning training and development activities (e.g. up-dating the individual's training plan)
- evaluating training and development that has taken place (e.g. completing the impact assessment form).

15.1.3 Being supportive

- enabling people to cope with stress
- developing sensitivity to crises in individuals and teams
- being prepared to step in when people are under stress
- actively listening
- if necessary, representing staff needs to higher management

(Adapted from *Supervision in the Helping Professions*, Hawkins & Shohet).

15.2 Conducting supervision meetings

Ensure managerial supervision is provided for all staff on an equal basis (do not be tempted to avoid dealing with people who appear to present most difficulties – this will only aggravate any problems).

Reflect on your own preferences – some people are more comfortable talking about task based issues, while others may prefer dealing with emotional aspects of the work. Try to cover all aspects (work allocation, training and development, and support), even if your instinctive reaction is to focus on one area more than another.

15.2.1 Preparing for the supervision meeting

Although a regular supervision meeting may appear less formal than the annual appraisal, it is still important to plan ahead:

- agree a date and time in advance (usually about a week)
- allow sufficient time (set aside about one hour)
- choose a location that is comfortable, private and will be free from interruptions
- ensure any relevant documents are available (e.g. most recent appraisal record, individual training plan, training and development impact assessments).

15.2.2 The supervision meeting

Take time to 'warm up' - establish rapport and put the individual at ease.

At the end of the supervision meeting, summarise the main points discussed, noting any actions to be taken. Try to end on a positive note and always set a date for the next supervision meeting.

In conducting a supervision meeting, you will certainly be providing feedback, and possibly tackling performance weaknesses. Good practice in these areas is described in Section 10 - Appraisals.

See Supervision record – Form 16

15.3 Professional/clinical supervision

In addition to the managerial supervision provided for all staff, some staff will require professional supervision. For example, this would apply to staff with a counselling role. In the counselling context, “supervision is concerned with:

- (a) the relationship between the counsellor and service user, to enhance its therapeutic effectiveness
- (b) monitoring and supporting the counsellor in the counselling role
- (c) the relationship between the counsellor and the supervisor, in order to enable the counsellor to develop his/her professional identity through reflection on the work, in the context of this relationship, which will be both critical and supportive
- (d) clarifying the relationships between counsellor, client, supervisors and (if any) the organisation(s) involved
- (e) ensuring that ethical standards are maintained throughout the counselling work”.

(Ref: *Training volunteer alcohol counsellors: the minimum standards*, Alcohol Concern).

The Federation of Drug and Alcohol Professionals (FDAP) provides a code of conduct for drug and alcohol professionals, which states “all practitioners should have regular professional supervision, focusing on reviewing, guiding and supporting their practice”.

16. Personnel records

In any organisation, large or small, it is important to maintain up-to-date information on employees i.e. personnel records. This can be as simple as a card index system, although increasingly computerised records are used.

Personnel records provide information to support effective decision making and forward planning. For example, up-to-date personnel records will show the size and composition of the workforce, enabling you to monitor;

- equal opportunities e.g. are recruitment and promotion procedures fair and consistent?
- the skills mix – does the workforce have the mix of skills required to deliver services?
- changes in the workforce e.g. are any key people approaching retirement?

16.1 What information should be kept on Personnel Records?

Personnel records should contain the following information:

- personal details e.g. name, address, date of birth, emergency contact details, tax code, national insurance number
- employment details e.g. date employment began, date present job started, job title
- terms and conditions e.g. salary, hours of work, holiday entitlement
- absence details e.g. sickness, holidays, maternity leave, lateness
- details of any accidents, disciplinary actions.

To avoid duplication, any other relevant documents could make up part of an individual's personnel records, such as;

- application form (showing qualifications and previous employment)
- job description
- induction checklist
- individual training plan
- appraisal and supervision record forms.

The use of an application form in the recruitment and selection process (see section 5: Recruitment and selection) will provide a standardised record of personal details for all new staff, including previous experience and qualifications.

On termination of employment, any relevant documents (such as resignation/dismissal letter and exit interview questionnaire) should be added to the individual's personnel records.

16.2 Statutory Records

Some personnel records are required to fulfil legal requirements, such as those covering employees' tax, national insurance and statutory sick pay.

For most employees it is advisable to keep records of individual hours worked (and holidays) to enable averaging over a period of time to meet the requirements of the Working Time Regulations 1998.

Records of pay rates are also required to meet the requirements of the Minimum Wage Act 1998.

Further Guidance

The Advisory, Conciliation and Arbitration Service (ACAS) National Helpline provides answers to all employment questions in a confidential phone service:

Tel: 08457 47 47 47

Advisory booklets, leaflets and codes of practice are available from ACAS publications at www.acas.org.uk

16.3 Data Protection Act 1998

The Data Protection Act 1998 came into force on March 1st 2000. Under the Act, staff are entitled to access virtually all personnel records relating to them, whether held as computerised or manual records. Newly appointed staff should be told what information will be held about them, how it will be used, and to whom it can be disclosed.

The information held on any individual must never be passed to those with no legitimate interest, and the information held on any individual must be objective and accurate.

Employees may seek compensation in the courts for damage because of inaccuracy or unauthorised disclosure. The Data Protection Act also stipulates that personal data must not be kept for longer than is necessary for a particular purpose. This will vary according to the nature of the information, but procedures for up-dating personnel records must include removing records that are no longer required. It is good practice for staff to up-date their own personal details each year.

There are eight data protection principles that are central to the Act. In brief, they say that personal data must be;

1. processed fairly and lawfully
2. processed for limited purposes and not in any manner incompatible with those purposes
3. adequate, relevant and not excessive
4. accurate
5. not kept for longer than is necessary
6. processed in line with data subjects' rights
7. secure
8. not transferred to countries that don't protect personal data adequately.

Implementation of the Data Protection Act in your organisation will be the responsibility of the “Data Controller”. In most cases, the organisation itself is legally the data controller. Often, organisations allocate data protection responsibility to an individual or department but this does not transfer legal liability onto individual employees.

Most organisations will need to notify the Information Commissioner of their processing of personal data. A record of the organisation as a ‘data controller’ is then included on a public register which can be inspected at any time by visiting the data protection register website.

There are some exemptions from the requirement to notify the Information Commissioner. These exemptions are likely to apply to very small organisations that have relatively simple data processing operations. However, all data controllers are required to comply with the data protection principles even where they are exempt from the requirement to notify (Ref: *The Employment Practices Data Protection Code*; The Information Commission).

Further information is available from the Information Commissioner’s Office, which enforces and oversees the Data Protection Act 1998 and the Freedom of Information Act 2000: www.ico.gov.uk

17. Dealing with poor performance

Employees have a contractual responsibility to achieve a satisfactory level of performance. Employers are responsible for setting the standard of work required - the standard of performance should be capable of objective measurement.

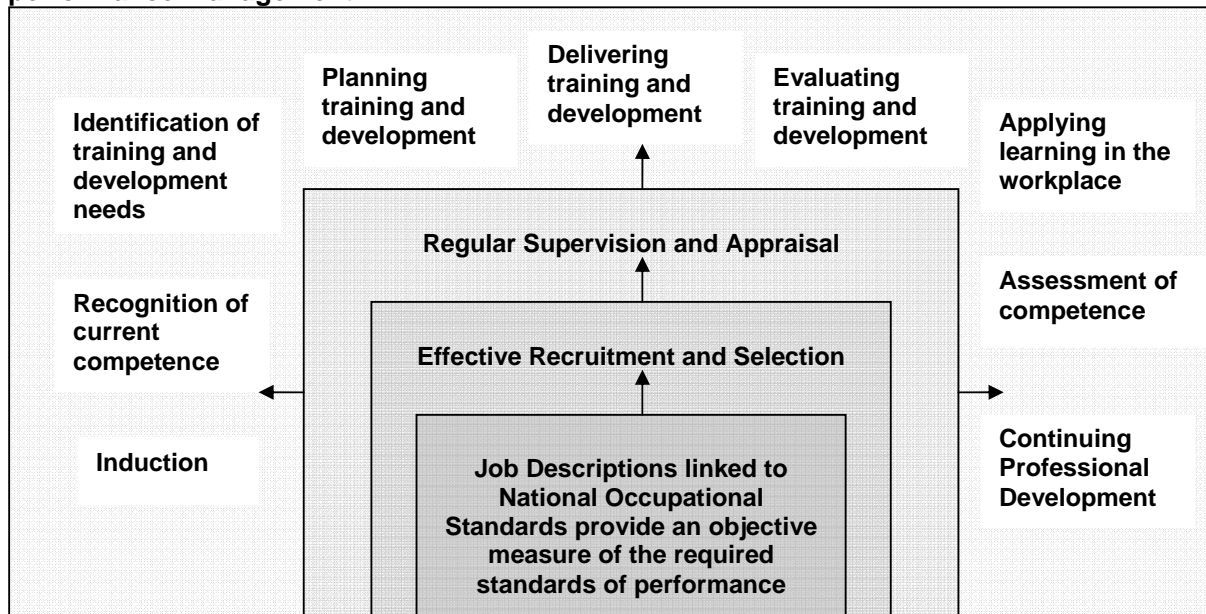
If an individual is not performing to the required standard, this should be pointed out to the individual concerned and they must be given every opportunity to improve. There may well be reasons for their poor performance such as a lack of appropriate induction, training or supervision. These issues must be thoroughly explored (See also Section 14.4.2 Tackling performance weaknesses).

The risk of sub-standard performance will be reduced by:

- Job descriptions which provide an accurate description of the key tasks and levels of responsibility involved. Reference to appropriate National Occupational Standards will provide an objective measure of the required standards of performance (see Section 4).
- A thorough recruitment and selection procedure (see Section 5).
- Regular supervision and appraisal to monitor the performance of staff while providing guidance and support, such as identifying training needs (see Sections 14 and 15).
- Induction procedures to introduce staff to new roles (see Section 7).
- Appropriate training and development to ensure that staff develop the skills and knowledge to fulfil their job descriptions (see Section 8).

If, despite support and encouragement, the individual continues to perform below the required standard, then the consequences must be explained. This would involve following your organisation's disciplinary procedure (see Section 18).

Required standards of performance which are clear and objective underpin effective performance management:



18. Disciplinary Procedures

Disciplinary procedures must be made known to all staff and should be written down to minimise any misunderstandings. The aim is to resolve problems quickly, before they become too serious, and to ensure that disciplinary matters are handled fairly and consistently within your organisation.

The disciplinary procedure is the means by which the rules at work are observed, standards of conduct maintained and employees' misconduct dealt with.

Each organisation will have its own rules according to its particular needs. Rules should be written down and should make clear what is considered acceptable or unacceptable conduct. The rules, and what action will be taken if the rules are broken, should be made known to all employees.

The organisation's rules should cover two types of unacceptable conduct:

Misconduct – requires disciplinary action other than dismissal (although if further misconduct occurs this could lead to dismissal) - e.g. persistent lateness, unauthorised absence, failure to meet known work standards.

Gross misconduct – conduct which may lead to dismissal without notice - e.g. working dangerously, stealing or physical violence (although much will depend on specific circumstances).

It is difficult to list all instances of misconduct and gross misconduct, but employers should give their employees enough examples to make sure they understand what is meant by each of them.

The organisation is likely to specify rules covering a number of issues such as:

- absence
- health and safety
- standards of work performance
- use of alcohol or drugs in the workplace
- use of organisation's facilities
- time keeping.

18.1 Disciplinary Action

The aim of disciplinary action is to try and improve future conduct. To avoid the need for disciplinary action, employees must first be made aware of the standards of performance and conduct expected of them. This can be reinforced, for example through the use of clear job descriptions, planned inductions, regular supervision and appraisal.

Some difficulties may be resolved informally by talking the problem through. If the cause of the problem can be found and the employee helped to resolve it, then this is preferable for all concerned. However, if an informal approach does not solve the problem then a more formal approach may be necessary.

Disciplinary action should not be taken until the case has been fully investigated. If it is necessary to suspend an employee during the investigation, then this should be with pay and for as short a period

as possible. The employer's approach must be consistent to all employees in similar cases to ensure employees are treated fairly. The disciplinary procedure should aim to establish the facts of the situation, and give both employer and employee a fair chance to prepare and present their case.

The Employment Act 2002 includes measures for the resolution of workplace disputes and provides a 'standard' dismissal and disciplinary procedure (see Diagram 7).

All employees must be informed of the disciplinary procedure - e.g. a written copy of the procedure must be readily accessible. It must also be made clear to whom employees can apply if they wish to appeal against any disciplinary decision. This person must be specified (by name or job title) in the written terms and conditions of service issued to employees.

At the disciplinary meeting, the employee has the legal right to be accompanied by a person of their choice, either a colleague or trade union official.

18.2 Potential disciplinary action:

The most appropriate decision of the disciplinary meeting will depend upon the nature of the offence. No employee should be dismissed for a first breach of discipline, except for gross misconduct. Typically disciplinary action to be taken may be:

- Formal oral warning – in the case of a minor offence.
- First written warning – for subsequent minor offences or a more serious offence. A first written warning will state the reason for the warning and note that if there is no improvement after a stated period of time, a final written warning will be given.
- Final written warning – for further misconduct, continued poor performance or if the misconduct is sufficiently serious to warrant only one written warning. The final written warning should make clear that any reoccurrence of the offence or other serious misconduct within a stated period of time will result in dismissal.
- Dismissal – with appropriate notice or with pay in lieu of notice.
- Summary dismissal without notice or pay in lieu of notice on grounds of gross misconduct.

You must ensure that all warnings are recorded in writing (oral warnings may be in the form of a note which can be disregarded after a specified period e.g. six months) and the employee must be provided with a copy of any written warning.

Employee conduct or performance should be reviewed at a specified later date with a view to 'wiping the slate clean' if employees behaviour is satisfactory (e.g. after 12 months).

18.3 Disciplinary meeting

In conducting a disciplinary meeting, the following are key points of good practice:

- Gather all relevant facts promptly, before memories fade (this can include taking statements and collecting documents).
- Find out if any similar problems have been dealt with in the past – this may help to ensure consistency in the treatment of individuals.
- Hold the meeting in private.

- Ensure the individual is aware of their right to be accompanied by a person of their choice.
- Arrange for a second manager to be present to take notes and to act as a witness to the proceedings (although not someone who might need to hear any appeal).
- Invite the individual to state their case – consider and question any explanations put forward.
- If new facts emerge, decide whether further investigation is needed and if so, adjourn the meeting until further investigation has been completed.
- Except in very simple cases, adjourn the meeting before making a decision to allow time to reflect on the facts presented.
- Reconvene the meeting to inform the individual of the decision.
- Explain the right of appeal and how it operates.
- Keep records detailing the nature of the disciplinary action. These must be stored securely and confidentially.
- Confirm the disciplinary action to the individual in writing, and ask the individual to acknowledge receipt of notification of any disciplinary penalty.
- Continue to monitor the individual's performance or conduct with the aim of encouraging improvement or resolution of the problem.

(Ref: *Discipline and Grievances at Work*, ACAS)

Diagram 7: The Standard Dismissal and Disciplinary Procedure (Employment Act 2002)

STEP ONE: *statement of grounds for action and invitation to meeting*

The employer must:

- set out in writing why he/she is thinking of dismissing or taking disciplinary action against the employee
- send a copy of the statement to the employee
- invite the employee to attend a meeting to discuss the matter

STEP TWO: *Meeting*

The meeting:

- must take place before any action is taken – except where the disciplinary action consists of suspension
- must not take place unless the employer has told the employee the basis for the 'grounds for action' contained in the statement and the employee has had the opportunity to consider his/her response

The employee must take all reasonable steps to attend the meeting

After the meeting, the employer must inform the employee of his/her decision and notify him/her of the right of appeal.

STEP THREE: *Appeal*

If the employee wishes to appeal, he/she must inform the employer – the employer must then invite him/her to attend a further meeting

The employee must take all reasonable steps to attend the appeal meeting

The appeal need not take place before the dismissal or disciplinary action takes effect

After the appeal meeting, the employer must inform the employee of his/her final decision.

(Ref: *Discipline and Grievances at Work*, ACAS)

18.4 Fair and Unfair Dismissal

Dismissal is normally the final step to be taken after all other options have been considered. An employee is dismissed when the employer terminates an employee's contract.

Resignation by an employee is normally considered to be termination by the employee (and therefore no dismissal has taken place). However, in certain circumstances an employee may resign because the employer has broken a significant term of the contract. This is known as constructive dismissal.

There is no law which prevents an employer from dismissing an employee. But employees have the right to apply to an Employment Tribunal if they believe they have been unfairly dismissed. A decision by a tribunal in an employee's favour could result in an award against the employer of substantial compensation.

A dismissal will normally be fair provided the employer had sufficient reason for the dismissal and followed a fair disciplinary procedure.

If you are contemplating dismissing an employee you should consider whether:

- there is sufficient reason for the dismissal
- reasonable alternatives to dismissal were considered
- the dismissal is consistent with previous action by your organisation
- the dismissal is fair, taking account of all relevant factors.

All employees with one years continuous service or more may request from their employer a written statement of the reasons for their dismissal, which the employer must provide within 14 days.

If an Employment Tribunal rules that a dismissal was unfair it will normally order that either:

- the employee is re-instated in the same job
- the employee is re-engaged in a different job
- the employer pays a sum of money to the employee in compensation.

A dismissal is likely to be unfair if you failed to follow a disciplinary procedure. The provisions of the Employment Act 2002 for statutory grievance and disciplinary procedures were implemented in 2004. At this time, the standard grievance and disciplinary procedures (Diagrams 7 and 8) became an implied term of every contract of employment. Employers are still able to have their own grievance and disciplinary procedures that have additional requirements as long as they are consistent with the minimum statutory standard procedure.

Further Information

In conducting disciplinary action, particularly where it is likely to lead to dismissal, it is vital to treat individuals fairly and consistently and to follow your organisation's disciplinary procedure. Fortunately, many managers rarely have to deal with disciplinary action leading to a dismissal, therefore when it does happen you may need reassurance that you are taking appropriate action that complies with current employment legislation. If in any doubt, do seek further advice. Two useful and impartial sources of guidance are:

The Advisory, Conciliation and Arbitration Service (ACAS) is “an independent organisation whose mission is to improve the performance and effectiveness of organisations by providing an independent and impartial service to prevent and resolve disputes and to build harmonious relationships at work.”

National Helpline: 08457 47 47 47

www.acas.org.uk

The Department of Trade and Industry (DTI) Employment Relations Directorate “is working to develop a framework for employers and employees which promotes a skilled and flexible labour market founded on principles of partnership. It deals with relationships between workers and their employers, including individual rights as well as collective arrangements.”

Tel: 020 7215 5000

www.dti.gov.uk/er

19. Grievance Procedures

Grievance procedures must be made known to all staff and should be written down to minimise any misunderstandings. The aim is to resolve problems quickly, before they become too serious, and to ensure that grievances are handled fairly and consistently within your organisation.

An employee may sometimes feel that there is a need to complain about the actions of employers (or colleagues) affecting them. A grievance procedure provides a fair way for employees to make their complaints known, to have these complaints considered and for the organisation to decide whether to accept or reject the complaint.

It is often appropriate for complaints and grievances to be handled informally. Talking things through with an individual can often lead to a satisfactory resolution of the problem.

However, when informal resolution of a grievance is not possible or appropriate, then following a written grievance procedure provides the best way forward.

The Employment Act 2002 includes measures for the resolution of workplace disputes and provides a 'standard' grievance procedure (see Diagram 8).

All employees must be informed of the grievance procedure e.g. a written copy of the procedure must be readily accessible. It must also be made clear to employees which manager in the organisation deals with any staff grievance. This person must be specified (by name or job title) in the written terms and conditions of service issued to employees.

At any grievance hearing, the individual has the right to be accompanied by a person of their choice – either a colleague or a trade union official.

In conducting a grievance hearing, the following are key points of good practice:

- Hold the hearing in private.
- If the grievance concerns the individual's line manager, arrange for a third party to hear the complaint.
- Ensure the individual is aware of their right to be accompanied by a person of their choice.
- The manager conducting the hearing may find it useful to have someone to take notes and to act as a witness to the proceedings.
- Encourage an open discussion of the issue. Invite the individual to re-state their grievance and to put forward their own ideas on how it could be resolved. The grievance may have been developing over a period of time – allow the individual reasonable opportunity to 'let off steam'.
- Ensure any relevant facts have been obtained. Consider adjourning the meeting if further advice or information needs to be obtained.
- Find out how similar grievances have been dealt with in the past – this may help to ensure consistency in the treatment of similar issues.
- Don't make a snap decision – take time to reflect on the issue.
- Confirm when the individual can expect to hear a response.

- Keep records detailing the nature of the grievance and any action taken. These must be stored securely and confidentially. The individual concerned should be provided with copies of any meeting records.
- Arrive at a speedy resolution of any grievance – most organisations should aim to handle grievances within seven to ten days.

“Remember, a grievance hearing is not the same as a disciplinary hearing and is an occasion when discussion and dialogue may fruitfully produce the answer” (ACAS).

Although most grievances will be dealt with through the standard grievance procedure, some issues may not be resolved within the organisation. In such cases, employees do have the right to take their grievance to an Industrial Tribunal. However, to encourage resolution of disputes within the workplace, employees must first have raised the grievance in writing with their employer, and there is then a 28 day period before the grievance can be taken to an Industrial Tribunal.

Diagram 8: The Standard Grievance Procedure (Employment Act 2002)

STEP ONE: *Statement*

The employee must set out the grievance in writing and send a copy to the employer.

STEP TWO: *Meeting*

The employer must invite the employee to attend a meeting to discuss the grievance

The meeting must not take place unless the employee has told the employer the basis for the ‘grounds for grievance’ contained in the statement and the employer has had the opportunity to consider his/her response

The employee must take all reasonable steps to attend the meeting

After the meeting, the employer must inform the employee of his/her decision and notify him/her of the right of appeal

STEP THREE: *Appeal*

If the employee wishes to appeal, he/she must inform the employer – the employer must then invite him/her to attend a further meeting.

The employee must take all reasonable steps to attend the appeal meeting. After the appeal meeting, the employer must inform the employee of his/her final decision.

(Ref: Discipline and Grievances at Work, ACAS)

20. Exit interviews and questionnaires

Exit interviews and questionnaires are used to gather information from individuals who are about to leave the organisation. They aim to find out why the individual wants to leave and to collect feedback which might be useful, particularly in reducing future staff turnover.

The exit interview may be conducted either by the individual's line manager or by a personnel manager (if possible, give the individual the choice). They should be carried out as soon as possible after the individual announces their intention to leave.

The main purposes are to:

- understand why an individual is leaving and therefore identify any issues that need addressing
- obtain constructive feedback on the organisation's employment policies and processes
- gather information on how to improve service delivery.

Information collected can be used in planning improvements, for example in job design, supervision and work processes, or training and development opportunities. This can help to avoid repeating mistakes, and may in particular suggest ways to improve the induction of replacement members of staff.

Many individuals will welcome the opportunity to take part in an exit interview, perhaps appreciating the opportunity to reflect on and learn from their experiences. However, if an individual is leaving due to an unresolved grievance or with bad feeling, then you must be prepared to react appropriately. In this situation, you may need to further investigate any assertions made. Caution must be taken not to take everything at face value, particularly if the individual sees this as an opportunity to complain about colleagues or managers.

The individual should be reassured that the result of the interview will not affect any future references and will be treated in confidence. If however the individual provides information which requires further action by management, then they should be asked whether they are prepared to be identified as the source of the information.

The individual should be advised that the exit interview is voluntary. If an individual does not wish to take part in an exit interview, this should be respected. In these circumstances, the individual may prefer to complete and submit an exit questionnaire.

It is, in any case, good practice to use a questionnaire when conducting exit interviews. This provides a structure for the interview and assists with analysing the results of exit interviews to help identify any common trends in responses.

See Example Exit Interview – Form 17

Finally, the exit interview can be an opportunity to ensure the individual leaves the organisation on a positive note. It is an opportunity to wish the person well in their new role.

Glossary of terms / acronyms

| Term | Explanation |
|-----------------------|------------------------------------------------------------------------------------------------------------------------|
| ACAS | Advisory, Conciliation and Arbitration Service |
| ACTAN | Association for Care Training and Assessment Networks |
| Awarding body | Organisations approved to award qualifications (including NVQs) |
| Competence | The application of skills and knowledge necessary to perform to an agreed standard' |
| CIPD | Chartered Institute of Personnel and Development |
| CPD | Continuing Professional Development |
| CRB | Criminal Records Bureau |
| DANOS | Drugs and Alcohol National Occupational Standards |
| DfES | Department for Education and Skills |
| DTI | Department of Trade and Industry |
| ESF | European Social Fund |
| FDAP | Federation of Drug and Alcohol Professionals |
| FE | Further Education |
| GOQ | Genuine Occupational Qualification |
| Learndirect | A government initiative using information technology to widen access to learning, including on-line learning resources |
| LSC | Learning and Skills Council |
| NOS | National Occupational Standards |
| NVQ | National Vocational Qualification |
| QCA | Qualifications and Curriculum Authority |
| SSC | Sector Skills Council |
| SVQ | Scottish Vocational Qualification |
| TNA | Training needs analysis |
| Unit A1 and A2 | NVQ assessor awards |
| Unit V1 | NVQ internal verifier award |
| Unit V2 | NVQ external verifier award |

Sources of further information and support

Note: The following list of organisations is not exhaustive. For a full list of all:

- Awarding bodies - contact the Qualifications and Curriculum Authority (QCA)
- Sector Skills Councils - contact the Sector Skills Development Agency.

Advisory, Conciliation and Arbitration Service (ACAS)

Head Office, Brandon House, 180 Borough High Street, London, SE1 1LW

Tel: National Helpline 08457 47 47 47

www.acas.org.uk

Alcohol Concern

Waterbridge House, 32-36 Loman Street, London, SE1 0EE

Tel: 020 7928 7377

Email: contact@alcoholconcern.org.uk

www.alcoholconcern.org.uk

Association for Care Training and Assessment Networks (ACTAN)

PO Box 53, Crossgate, Llandrindod Wells, LD1 6WZ

Tel/fax: 0845 129 8745

Email: office@actan.org.uk

www.actan.org.uk

Chartered Institute of Personnel and Development (CIPD)

151 The Broadway, London, SW19 1JQ

Tel: 020 8612 6200

www.cipd.co.uk

City and Guilds

1 Giltspur Street, London, EC1A 9DD

Tel: 020 7294 2800

Email: enquiry@cityandguilds.com

www.cityandguilds.com

Commission for Racial Equality

St Dunstan's House, 201-211 Borough High Street, London, SE1 1GZ

Tel: 020 7939 0000

Email: info@cre.gov.uk

www.cre.gov.uk

Criminal Records Bureau

PO Box 110, Liverpool, L69 3EF

Tel: 0870 90 90 811 (General Enquiries)

0870 90 90 822 (Registration Information line)

www.disclosure.gov.uk

Drugs and Alcohol National Occupational Standards (DANOS) web site

www.skillsforhealth.org.uk/danos

Department of Trade and Industry (DTI)

DTI Enquiry Unit, 1 Victoria Street, London, SW1H 0ET

Tel: 020 7215 5000

Email: dti.enquiries@dti.gsi.gov.uk

www.dti.gov.uk

Disability Rights Commission

DRC Helpline, Freepost MID 02164, Stratford-upon-Avon, CV37 9BR

Tel: 08457 622 633

Textphone 08457 622 644

www.drc-gb.org

DrugScope

Waterbridge House, 32-36 Loman Street, London, SE1 0EE

Tel: 020 7928 1211

www.drugscope.org.uk

Edexcel

Edexcel, One90 High Holborn, London, WC1V 7BH

Tel: 0870 240 9800

www.edexcel.org.uk

Education Development International (EDI)

International House, Siskin Parkway East, Middlemarch Business Park, Coventry, CV3 4PE

Tel: 02476 516500

Email: info@ediplc.com

www.ediplc.com

European Association for the Treatment of Addiction (EATA)

Waterbridge House, 32-36 Loman Street, London, SE1 0EE

Tel: 020 7922 8753

Email: secretariat@eata.org.uk

www.eata.org.uk

Equal Opportunities Commission

Arndale House, Arndale Centre, Manchester, M4 3EQ

Tel: 0845 601 5901

Email: info@eoc.org.uk

www.eoc.org.uk

Federation of Drug and Alcohol Professionals

Unit 84, 95 Wilton Road, London, SW1V 1BZ

Tel: 0870 763 6139

Email: office@fdap.org.uk

www.fdap.org.uk

Information Commissioner

Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Tel: 01625 545 745

Email: mail@ico.gsi.gov.uk

www.ico.gov.uk

Learndirect

Tel: 0800 100 900

www.learndirect-advice.co.uk

Learning and Skills Council (national office)

Cheylesmore House, Quinton Road, Coventry, CV1 2WT

General Enquiries Helpline: 0870 900 6800

Email: info@lsc.gov.uk

www.lsc.gov.uk

Lifelong Learning UK

5th Floor, St Andrew's House, 18-20 St Andrew's Street, London, EC4A 3AY

Tel: 0870 757 7890

www.lifelonglearninguk.org

Management Standards Centre

3rd Floor, 17-18 Haywards Place, London, EC1R 0EQ

Tel: 020 7240 2826

Email: management.standards@managers.org.uk

www.management-standards.org

National Council for Voluntary Organisations (NCVO)

Regent's Wharf, 8 All Saints Street, London, N1 9RL

Tel: 020 7713 6161

Email: ncvo@ncvo-vol.org.uk

www.ncvo-vol.org.uk

National Treatment Agency

8th Floor, Hercules House, Hercules Road, London, SE1 7DU

Tel: 020 7261 8801

Email: nta.enquiries@nta-nhs.org.uk

www.nta.nhs.uk

Open University

PO Box 197, Milton Keynes, MK7 6BJ

Tel: 0870 333 4340

Email: general-enquiries@open.ac.uk

www.open.ac.uk

Oxford Cambridge and RSA Examinations (OCR)

1 Hills Road, Cambridge, CB1 2EU

Tel: 02476 851 509

Email: cib@ocr.org.uk

www.ocr.org.uk

Qualifications and Curriculum Authority (QCA)

83 Piccadilly, London, W1J 8QA

Tel: 020 7509 5556

www.qca.org.uk

Sector Skills Development Agency

3 Callflex Business Park, Golden Smithies Lane, Wath-upon-Deerne, South Yorkshire, S63 7ER

Tel: 01709 765444

Email: info@ssda.org.uk

www.ssda.org.uk

Skills for Care

Albion Court, 5 Albion Place, Leeds, LS1 6JL

Tel: 0113 245 1716

Email: info@skillsforcare.org.uk

www.topssengland.net

Skills for Justice

9 Riverside Court, Don Road, Sheffield, S9 2TJ

Tel: 0114 261 1499

www.skillsforjustice.com

Skills for Health

Goldsmiths House, Broad Plain, Bristol, BS2 0JP

Tel: 0117 922 1155

Email: office@skillsforhealth.org.uk

www.skillsforhealth.org.uk

UK Workforce Hub (voluntary sector skills)

Regents Wharf, 8 All Saints Street, London, N1 9RL

Tel: 020 7713 6161

Email: workforcehub@ncvo-vol.org.uk

www.voluntarysectorskills.org.uk

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