



PEVENSEY
PARISH COUNCIL

Employee Handbook

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Introduction

This Handbook contains information, rules, policies and procedures concerning your employment and should be read in conjunction with your Statement of Main Terms of Employment ('Statement') which should have been provided to you. Additional, new or revised rules, policies and procedures may be issued at any time separate to this Handbook and it is your responsibility to observe and adhere to these.

Unless contained within your contract of employment or stated otherwise, the content of this Handbook is non contractual in its nature and may be varied from time to time without reference to you.

If you have any queries or have not been provided with a Statement for any reason, you should have no hesitation in raising this matter with the Chairman.

Working Hours

Your normal hours of work are detailed in your Statement; it is your responsibility to ensure that you attend punctually for work and follow all timekeeping and absence procedures. In order to help us to maintain optimum service levels, you may be required to work additional hours from time to time. Further details are contained in your Statement.

If you are unable to attend work for any reason or are going to be late you are required to telephone the Chairman as soon as reasonably practicable, stating why you are absent or late and when you expect to attend work.

If you have a need to leave work prior to your normal finishing time or to have time away during the normal working period, you must not leave without first obtaining permission. In such circumstances, you must report to the Chairman upon returning to work.

Persistent lateness, unacceptable levels of absence and/or unauthorised absence may result in a disciplinary warning or dismissal, depending on the circumstances.

TIME OFF IN LIEU (TOIL)

The Council has in place a time off in lieu system. Time off in lieu is time off that is taken instead of overtime payments for additional hours worked in excess of your normal contractual hours of work provided the additional hours were expressly authorised in advance by the Chairman.

Time off in lieu accrued is equal to time actually worked. The Council reserves the right at its absolute discretion to vary time off in lieu rates at any time.

The minimum time which can be worked and counted towards time off in lieu is 15 minutes. If less than 15 minutes is worked in addition to your normal hours of work on a particular day, there is no time off in lieu given for this short period.

No more than 10 hours of time off in lieu may be accumulated in any one calendar month. If you have already accrued this amount of time off in lieu in a particular calendar month and you are then asked to work additional hours, you should inform the Chairman and discuss the appropriate action.

You must take time off in lieu within two months of accrual and you cannot carry forward time off in lieu beyond this period without the prior agreement of the Chairman. Any entitlement that has not been taken within two months of accrual, or within such longer period as previously agreed with the Chairman, will be lost.

Lieu time is to be taken at times agreed in advance with the Chairman and must be taken in minimum blocks of 2 hours, unless by agreement with the Chairman. Your request to redeem time off in lieu will be granted at the discretion of the Chairman, taking into account the operational requirements of the Council. It may not always be possible for you to take the time off when you have requested it. At least 2 hours of time off in lieu must be accrued before it can be redeemed. If you want to extend an agreed annual leave period by using time off in lieu, you must make a request to the Chairman, who will consider any reasonable request.

You must keep a record of all time off in lieu accrued on your timesheet and when taken on a time off this should be countersigned the Chairman each time that time off in lieu is either accrued or approved to be taken. Any time off in lieu accrued or taken that is not countersigned by the Chairman will not be accepted.

On the termination of your employment for whatever reason, you will not be paid in lieu under any circumstances for any additional hours that you have accrued but have not yet taken as time off in lieu as at the date of termination of your employment. Any entitlement that has not been taken as at the date of termination of your employment will be lost.

The Council reserves the right to notify you of when time off in lieu must be taken.

Providing false or inaccurate time off in lieu hours may result in a disciplinary warning or dismissal, depending on the circumstances.

Pay and Review

The methods of pay and payment intervals are set out in your Statement. An itemised pay statement will be issued to you at each pay period. If at any time you have any queries you should raise them with management.

Any change in your pay will be notified to you; the Council cannot guarantee that there will be an annual pay increase.

On termination of employment, your final payment may be made in a different form to that stated in your Statement.

Personal Details

At the commencement of your employment you will have provided us with various personal details. You must notify the Council immediately in writing of any change, e.g. name, address, telephone number, next of kin, bank details etc.

It is in your interest to notify us of any such changes. The Council will not be responsible for any issues arising out of your failure to notify changes in your personal details.

Holidays

The full time annual leave entitlement is 5.6 weeks in the complete holiday year. If you work part time then your annual leave entitlement will be calculated on a pro-rata basis.

The holiday year runs from 1st January to 31st December.

Your annual leave entitlement is inclusive of all bank and public holidays.

Given the nature of the business, it will sometimes be necessary for you to work on bank/public holidays, and you will receive time off in lieu or payment at your normal rate for those hours worked.

New starters will accrue annual holidays on the basis of 1/12th of the annual entitlement for each month of service in the holiday year.

Payment for holidays will be at your normal rate of pay.

All annual holidays must have prior approval and authorisation. The Council will respond as soon as possible to your request for holiday. No responsibility will be accepted for monies lost as a consequence of your failure to follow this procedure.

Requests for holidays should be submitted to the Chairman using Simplify at least 4 weeks prior to the start of the required holiday period. A shorter notice period may be accepted at the complete discretion of the Chairman.

Generally, you will only be permitted to take a maximum of 2 weeks holiday at any one time. A longer period may be permitted at the complete discretion of the Chairman.

Where too many employees require the same holiday period, which if granted would impair the efficiency of the business, holidays will be granted on the basis of first request, first granted.

Unused holiday entitlement can only be carried forward into the next holiday year due to exceptional circumstances and at the complete discretion of the Chairman.

Should you fall sick prior to or during pre-booked annual holidays there is no entitlement to take those holidays on another occasion unless the sickness notification procedure has been followed, a Statement of Fitness for Work or a Medical Certificate is provided and specific permission is obtained.

Employees accrue holiday entitlement during maternity/adoption/paternity/shared parental/parental leave periods.

Upon termination of your employment, payment will normally be made for all unused accrued holiday entitlement. If you have taken more annual holiday entitlement than you have accrued during the holiday year, the balance will be deducted from any outstanding pay. Payment for holidays in these circumstances will be made on a pro-rata basis to your normal working days and your service in the current holiday year.

Where termination of your employment is due to gross misconduct or where the full contractual notice period is not served and worked, unused holiday pay will not be paid, apart from any payment required to meet the statutory minimum holiday obligations.

During your notice period, the Council reserves the right to decide on the dates on which some or all of your outstanding holiday entitlement may be taken.

The content of these clauses does not affect your statutory holiday entitlement under the Working Time Regulations 1998 (as amended).

Unpaid Leave

It is the Council's policy to grant unpaid leave to employees wishing to travel abroad to visit friends or families, or for other appropriate reasons, whenever reasonable and at the complete discretion of the Council.

PROCEDURE

All unpaid leave must have prior approval and authorisation. Requests for unpaid leave should be submitted in writing to the Chairman.

At least 4 weeks' notice should be given for all unpaid leave requests.

The Chairman will consider your request having regard to the needs of the Council and the rules on unpaid leave set out below.

During your period of unpaid leave you will remain under contract and you will continue to accrue continuous service.

You shall be provided with details as to which contractual benefits shall continue to accrue and which benefits will cease to accrue during your period of unpaid leave.

You are entitled to return to the job you were in before your unpaid leave provided you return on or before the agreed return to work date.

If you fail to return to work on the date agreed you may be subject to action under the disciplinary procedure, which could include dismissal.

UNPAID LEAVE RULES

The granting of unpaid leave will be dependent on:

- the operational requirements of the Council
- the acceptability of the reasons for wanting the unpaid leave
- your absence record

- any previous failure on your part to return on time from holiday or unpaid leave in the past
- any other relevant factors

Unpaid leave will only be granted where the full entitlement to annual holiday has already been taken or booked, or will have been booked if the leave requested is outside of the current leave year.

Where employees submit conflicting unpaid leave requests, which if granted, would impair the efficiency of the business, unpaid leave will be granted on the basis of first request, first granted.

Where a request for unpaid leave is granted you will be required to sign a document setting out: the conditions under which the leave has been approved, the date on which you are required to return, and the fact that failure to return on the due date may, depending on the circumstances, result in action under the disciplinary procedure, which could include dismissal.

If, for any reason, you know that you will be late returning from leave you must contact the Chairman stating why you are absent and when you expect to return. If the reason for the late return is illness, you will be required to provide a medical certificate covering any period of absence in excess of your unpaid leave. You should forward certificates and any correspondence to the Chairman.

Sickness

NOTIFICATION PROCEDURE

You are required to telephone the Chairman on the first day of sickness absence, stating why you are absent, and when you expect to return. If your absence continues, you must contact the Chairman regularly to update on your continuing absence.

You must provide the appropriate documents as referred to below at the relevant times, and complete any absence recording documentation as required on your return to work.

Please note that personal contact is required at all times when contacting the Council. The sending of text messages or email will not be accepted as notification.

Failure to notify the Council as set out may result in the Disciplinary Procedure being used against you.

Notification of Infectious Diseases

You must notify the Council if you are suffering from or have symptoms of a notifiable infectious disease, e.g. mumps, measles, or food poisoning, or where you have been in close contact with someone with such an illness. Where you have been off work with this type of illness, you must contact the Council and your doctor prior to returning to work to ensure that it is safe to do so.

DOCUMENTING PERIODS OF ABSENCE

You should produce the following written evidence of absence and ensure that appropriate documents are provided for the whole of your absence.

Self-Certificate

- for absence of up to and including 7 calendar days

Statement of Fitness for Work

- for absence of more than 7 calendar days, or
- when requested, where more than 3 periods of self-certificated absence occur in any 12 month period (this may have to be obtained at your own expense), or
- for absence before or following an annual or bank/public holiday

You should forward the relevant documents and any correspondence to the Chairman as soon as possible. Failure to do so may result in sick pay being delayed or withheld, and action under the disciplinary procedure being taken.

Where your GP/Medical advisor has issued a Statement of Fitness for Work indicating you may be fit for some work, you must notify the Chairman at the earliest opportunity so that a return to work may be considered.

The Council reserves the right to require you to undertake a medical examination by a medical practitioner and/or specialist of the Council's choice, and/or to seek a report from your Doctor.

Where the Council wishes to seek a report from your Doctor, you have rights under legislation. A summary of these rights is included later in this Handbook (under 'Access to Medical Reports').

STATUTORY SICK PAY

Statutory Sick Pay (SSP) will be paid when you are absent from work due to sickness, provided that you have complied with the requirements and conditions attached to its payment.

When SSP is payable

SSP cannot be paid for the first 3 days of sickness. Therefore payment usually starts on the 4th day of absence and continues for as long as you are absent, up to a maximum of 28 weeks in any one period of sickness.

SSP is paid in exactly the same way as normal earnings.

When SSP is not payable

SSP is not payable in certain circumstances, the principal ones being:

- if your average weekly earnings are less than the figure set by the Government for the payment of National Insurance Contributions
- for absence of less than 4 days
- if you have failed to follow the Sickness Notification Procedure
- if your employment has terminated
- where Statutory Maternity/Adoption/Paternity/Shared Parental Pay is being paid to you
- for days on which you do not normally work (e.g. if you work Monday to Friday and not at weekends, SSP will normally apply to those 5 days only)

The rules on SSP are very complex and you should not hesitate to raise any query you may have with the Council.

OTHER PAYMENT DURING SICKNESS ABSENCE

Your Statement details the remuneration to which you may be entitled during periods of sickness.

In determining eligibility for payment, any periods of paid absence occurring during the twelve months immediately preceding the first day of a further period of absence will be taken into account.

All payments made include SSP.

As with SSP, the notification procedure must be followed in order to qualify for payment.

The Council reserves the right at its discretion at any time to withdraw or amend this benefit if your absence, or that of employees generally, is excessive and to take disciplinary action where appropriate.

Where payable, sickness or industrial injury benefit must be claimed from the appropriate Government Agency and any benefit received must be notified to the Council; such benefits will be deducted from the above payments.

If you are absent from work due to injury or illness caused by a third party, any payments made by the Council as sickness payment will be classed as a loan. This will be repayable to the Council by you if compensation for loss of earnings is recovered from the third party.

If you are absent due to sickness during the course of disciplinary proceedings or during investigations into alleged breaches of rules, procedures or contractual obligations, you will not be entitled to sickness payment from the Council other than SSP.

If you are on paid suspension and become unfit for work or unable to attend any necessary meetings due to sickness, your suspension may be lifted. If your suspension is lifted, you may no longer be entitled to full pay or sickness payment from the Council other than SSP.

Important

If you have been absent due to sickness and are found not to have been genuinely ill, you may be subject to action under the Disciplinary Procedure, which could include dismissal.

RETURN TO WORK INTERVIEWS

Having regard to its duty of care to its employees the Council may complete a return to work interview after any sickness absence. This will ensure that you are fit for work and whether you anticipate any further absence relating to your illness. This will also give you an opportunity to discuss any concerns you may have regarding your illness with the Chairman.

APPOINTMENTS

You are normally expected to ensure that appointments to visit the doctor, dentist, hospital, etc. are made in your own time and outside normal working hours. In the event that this is not reasonably practicable, time off work will be permitted to attend such appointments, providing that the appointment is substantiated with an appointment card (if requested), and the timing of the appointment causes as little disruption as possible, i.e. at the beginning or end of the working day.

You will be paid for all reasonable time off.

Access to Medical Reports

In certain circumstances it may be necessary for the Council to obtain a Medical Report from your Doctor/Specialist/Occupational Health in order to establish:

- the reason for and likely duration of absence
- when you will be able to return to work, and whether the problem will recur
- what, if any, treatment is being prescribed
- whether you can carry out all the duties of the job, and
- what, if any, reasonable adjustments are recommended

This will enable the Council to plan workloads. It is in the interests of both yourself and the Council to establish, with the benefit of expert medical opinion, your ability to work. You have certain rights under the Access to Medical Reports Act 1988.

Your Doctor/Specialist/Occupational Health cannot submit the report to the Council without your consent. You may withhold consent to the report being sought or can request to see the report prior to it being forwarded to the Council.

If you indicate that you wish to see the report in advance, the Council will inform you when the Doctor/Specialist/Occupational Health has been written to, and the Doctor/Specialist/Occupational Health will also be notified that you wish to see the report. You then have 21 days to contact the Doctor/Specialist/Occupational Health regarding arrangements to see the report.

Should you indicate that you do not wish to see the report before the Council, you still have the right to write to the Doctor/Specialist/Occupational Health if the report has not been provided to the Council, and you have 21 days to contact the Doctor/Specialist/Occupational Health regarding arrangements to see the report. You have the right to ask the Doctor/Specialist/Occupational Health for a copy of the report for up to 6 months after it has been supplied. (There may be a charge for this.)

You may ask the Doctor/Specialist/Occupational Health to amend any part of the report which you consider to be incorrect or misleading. If the Doctor/Specialist/Occupational Health is not in agreement, you may attach a statement of your views with the report. If the Doctor/Specialist/Occupational Health thinks that you or others would be harmed by the report, or any part of the report, it can be withheld from you.

No decision will be made that could affect your employment without careful consideration of all the circumstances.

Where the Council wishes to obtain a medical report, you will be asked for your written consent. Should you withhold such consent the Council will take a decision regarding your continuing employment without the benefit of medical opinion.

Pregnancy and Maternity Rights

You have certain statutory rights if you are pregnant. These are addressed below.

The rules on pregnancy and maternity are very complex and any query should be raised with the Council.

ANTE-NATAL CARE

You are entitled to reasonable time off work with pay to attend ante-natal appointments made on the advice of a registered medical practitioner, registered midwife or registered health worker. If requested, you must provide a certificate of pregnancy and an appointment card.

MATERNITY RISK ASSESSMENT

The Management of Health and Safety at Work Regulations 1999 (MHSWR) require employers to carry out suitable and sufficient risk assessments when considering the health and safety of all employees at work, and then to take steps to ensure that those risks are avoided. However, there are more specific regulations that need to be taken into account for new or expectant mothers. The purpose of an initial assessment is to identify:

- the presence of any females of potential child-bearing age (these females will usually be employees but may also be visitors, contractors (e.g. cleaners) or volunteers)
- which work activities and/or areas of the workplace may pose a risk of harm to female employees and therefore warrant a full risk assessment

These activities, and any actions taken, should be recorded.

Employers are only required to take action specifically to protect a pregnant worker when they have been advised in writing of the employee's condition (i.e. that she is pregnant), has given birth in the last six months, or is breastfeeding.

HOLIDAYS

Holiday entitlement will be accrued throughout your maternity leave at your normal rate. If you return to work after maternity leave, your holiday entitlement will continue to accrue as normal.

Annual leave can be taken either before maternity leave starts, at the end of your maternity leave, or within the annual leave year once you have returned to work (wherever possible).

You must have prior approval and authorisation for when these holidays can be taken.

STATUTORY MATERNITY PAY (SMP)

If you stop work and meet all of the following conditions you are entitled to receive SMP. You must therefore:

- have been continuously employed for at least 26 weeks ending with the 15th week before the Expected Week of Childbirth (EWC)

- have average weekly earnings of not less than the figure set by the Government for the payment of National Insurance contributions
- still be pregnant at the 11th week before the EWC or have given birth by that time
- give at least 28 days' notice in writing of the date that you intend to stop work
- provide medical evidence of the EWC

For the first six weeks SMP is payable at the earnings related rate (equivalent to 90% of earnings), and for the remaining 33 weeks at the statutory rate as set by the Government, (or 90% of average weekly earnings if this is less than the standard rate).

MATERNITY LEAVE

If you stop work no earlier than the 11th week before the EWC, and you meet the following conditions, you are entitled to 52 weeks' maternity leave. To comply, you must notify the Council in writing as soon as possible or by the 15th week before the EWC, unless that is not reasonably practicable, of the following:

- that you are pregnant (preferably by submitting a MAT B1 form)
- the EWC
- the date on which you intend your ordinary maternity leave to start, and
- if requested, provide medical evidence of the EWC

The Council will confirm to you in writing the date upon which your 52 week maternity leave period will end.

You are legally prohibited from working during the two weeks immediately after the birth. This is known as the 'compulsory maternity leave period' and is considered part of the maternity leave period.

If you give birth before your intended maternity leave start date, your maternity leave will start automatically on the day after the birth of the child.

During the 52 week maternity leave period all contractual benefits except for your pay will be maintained as if you were not absent.

If you wish to return to work before the end of the 52 week period of maternity leave you must give at least 8 weeks' notice of your intended date of return.

If you decide to return to work early, and this is at the end of the first 26 week period known as 'ordinary maternity leave', you are entitled to return to the job you were in before your absence. If you return to work either during or at the end of the second period of 26 weeks' known as 'additional maternity leave', you may be able to return to your original job (or another job which is suitable and appropriate).

The above information is given for guidance purposes only and confers no extra rights to you beyond those provided by statute.

Right to Time off to Accompany a Pregnant Woman

If you have a qualifying relationship with an expectant mother or her expected child, you may be entitled to unpaid time off to accompany her to an antenatal appointment on up to 2 occasions.

For further details please refer to the Chairman.

Time off to accompany a pregnant woman to an antenatal appointment is unpaid.

The Council may allow additional time off work to attend further appointments at its absolute discretion. You will not receive payment for this time off.

Paternity Leave/Pay

If you are eligible you may be entitled to choose to take either one week or two consecutive weeks' ordinary paternity leave (not odd days) if you:

- have been continuously employed for at least 26 weeks by the 15th week before the Expected Week of Childbirth (EWC) or by the week in which an approved adoption agency matches you with a child
- have given notice of your intention to take the leave in or before the 15th week before the EWC specifying the EWC, length of period you have chosen to take and the date you have chosen the leave to begin, and
- take the leave within 56 days after the birth (or the date on which the child is placed for adoption) or if the child is born early, within a period from the actual date of birth up to 56 days after the first day of the expected week of birth

You will be paid for this leave at the current statutory rate.

The above information is given for guidance purposes only and confers no extra rights to you beyond those provided by statute.

Adoption Leave/Pay

APPOINTMENTS

If you have been notified by an approved adoption agency that a child is being or is expected to be placed with you for adoption, you may take paid time off work to attend up to 5 adoption appointments, arranged/requested by the agency ahead of the placement of the child.

If you are jointly adopting a child, the primary/main adopter (i.e. the employee electing to take adoption leave) may take paid time off work to attend up to 5 appointments and the secondary adopter may take unpaid time off work to attend up to 2 appointments.

The purpose of the appointment must be to have contact with the child or for any other purpose connected to the adoption.

The maximum time off work permitted per appointment is 6.5 hours.

The Council may allow additional time off work to attend further appointments at its absolute discretion. You will not receive payment for this time off.

If requested you must provide a declaration confirming the appointment is in connection with the adoption and has been arranged/requested by the adoption agency, as well as an appointment card.

ADOPTION LEAVE

If you are adopting a child and you meet certain qualifying conditions you have the right to take 52 weeks' adoption leave.

Employees may be eligible for adoption leave if they:

- have been notified by an approved adoption agency that they have been matched with a child and have confirmed the placement with the agency, or
- are or expect to be the parent of a child under a parental order, or
- are local authority parents who are prospective adopters

You must notify the Council of your intention to take adoption leave within 7 days of being notified that you have been matched with a child for adoption. Your notification should include the date on which the child is expected to be placed with you for adoption and when you wish your adoption leave to start. You may be asked to provide documentary evidence of the match from the adoption agency.

You may commence your adoption leave from the date of the placement of the child or at any time within 14 days prior to the placement. You can change the start date by giving 28 days' notice prior to the original commencement date. Adoption leave cannot start after the date on which the child is placed with you for adoption.

The qualifying conditions are slightly different if you are adopting a child from abroad. If you are considering adopting a child from abroad please seek further information from the Chairman.

During the 52 week adoption leave period all contractual benefits except for your pay will be maintained as if you were not absent.

If you wish to return to work before the end of the 52 week period of adoption leave you must give at least 8 weeks' notice of your intended date of return.

If you decide to return to work early and this is at the end of the first 26 week period known as "ordinary adoption leave" you are entitled to return to the job you were in before your absence. If you return to work either during or at the end of the second period of 26 weeks known as 'additional adoption leave', you may be able to return to your original job (or another job which is suitable and appropriate).

STATUTORY ADOPTION PAY

Statutory Adoption Pay (SAP) is payable for up to 39 weeks if you meet the qualifying criteria. For the first six weeks SAP is payable at the earnings related rate (equivalent to 90% of earnings) and for the remaining 33 weeks at the statutory rate as set by the Government, (or 90% of average weekly earnings if this is less than the standard rate).

The above information is given for guidance purposes only and confers no extra rights to you beyond those provided by statute.

Shared Parental Leave/Pay

You and your spouse/partner/child's other parent may be eligible to share up to 50 weeks' shared parental leave (SPL) provided you both meet certain eligibility criteria.

SPL allows working parents to take up to 50 weeks leave between them in order to care for their child. They may take leave at the same or different times, once the mother/primary adopter has notified his/her employer of his/her intention to end his/her maternity/adoption leave period.

Leave can be taken in a continuous block or over a number of discontinuous periods.

You may also be eligible to receive shared parental pay for the remainder of the maternity/adoption pay period to a maximum of 37 weeks provided you meet the qualifying criteria.

The rules on shared parental leave are very complex. If you are considering requesting shared parental leave you should discuss this with the Chairman in order for the rules on eligibility, notification and your entitlements to be discussed in more detail.

The above information is given for guidance purposes only and confers no extra rights to you beyond those provided by statute.

Keeping in Touch Days

During maternity leave, adoption leave and shared parental leave, the Council may offer you the opportunity of taking 'Keeping in Touch Days'; up to 10 days for maternity and adoption leave and up to 20 days for shared parental leave (referred to as 'shared parental leave in touch' or SPLIT days). These are days when you may work for the Council without bringing your maternity leave, adoption leave or shared parental leave to an end. Work can be any work under your contract of employment and may include any training or activity undertaken with the purpose of keeping in touch in the workplace. Any payment for these days will depend on the type of work, training or activity and will be agreed between you and the Council.

For further details please refer to the Chairman.

Parental Leave/Pay

If you are the parent/adoptive parent of a child or have or expect to have parental responsibility for a child, provided you have 1 year's continuous service with the Council, you are entitled to take up to 18 weeks unpaid ordinary parental leave for the purpose of caring for a child, up to the child's 18th birthday.

Leave must be taken in a minimum of 1 week blocks (except for where a child is disabled, then leave may be taken as single days or multiples of 1 day) and is limited to a maximum of 4 weeks in any year for each child.

At least 21 days' notice must be provided and leave may be postponed apart from leave taken immediately after the birth or adoption, depending on the needs of the Council.

The above information is given for guidance purposes only and confers no extra rights to you beyond those provided by statute.

Time Off for Dependants

You are entitled to reasonable time off, without pay, for urgent or unexpected incidents of real need involving a dependant, who is a member of your immediate family, or someone who reasonably relies on you for help when they are ill or injured, or for making arrangements for them to be cared for in the event of illness or injury.

The entitlement to time off in such circumstances is limited to what is reasonable for you to deal with the immediate problem and to organise any longer term arrangements.

If you are unable to attend work due to unforeseen family circumstances such as the death of a dependant, breakdown of childcare arrangements, or illness of a dependant, you may be entitled to reasonable time off work.

Parental Bereavement Leave Policy

INTRODUCTION

The purpose of this policy is to set out the Company's stance on employee entitlements to Parental Bereavement Leave which are effective from 6th April 2020. The Company acknowledges that the death of a child, or a stillbirth, can be one of the most harrowing experiences of someone's life. This policy explains the rights to time off, pay during time off and other support offered.

ELIGIBILITY

Parental Bereavement Leave is available from day one of employment. It is available to employees on the death of a child under the age of 18. You may take Parental Bereavement Leave if you fall into any one of the following categories:

- a 'natural' parent;

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

In addition, parents who suffer a stillbirth after 24 weeks of pregnancy are entitled to take parental bereavement leave.

TAKING LEAVE

A total of two weeks may be taken as Parental Bereavement Leave and you may choose to take leave as:

- a single block of one week;
- a single block of two weeks;
- two separate blocks of one week.

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

If you have suffered a stillbirth after 24 weeks of pregnancy, you are still entitled to take your full entitlement to Maternity and Paternity Leave, provided you were eligible to take Maternity or Paternity Leave in the first place, in addition to Parental Bereavement Leave. Parental Bereavement Leave cannot be taken at the same time as Maternity or Paternity Leave.

Where more than one child dies or is stillborn, you are entitled to two weeks of Parental Bereavement Leave in relation to each child.

NOTIFICATION REQUIREMENTS

LEAVE TO BE TAKEN WITHIN THE FIRST 56 DAYS OF THE DEATH

You do not need to give any advance notice of taking Parental Bereavement Leave. The Company asks that you contact your manager by telephone the time you were due to start work on the day you wish leave to begin, or if this is not possible, as soon as is reasonably practicable, giving the date of the death, the date on which leave will start and whether one or two weeks is to be taken.

LEAVE TO BE TAKEN LATER THAN THE FIRST 56 DAYS SINCE THE DEATH

You need to give one week's advance notice of taking Parental Bereavement Leave to your manager by telephone giving the date of the death, the date on which leave will start and whether one or two weeks is to be taken.

CANCELLING OR CHANGES DATES OF LEAVE

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

To cancel leave which was to begin later than 56 days after the death, you should let us know no later than one week prior to the intended start date.

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

PAYMENT DURING LEAVE

You will qualify for Statutory Parental Bereavement Pay during leave if you meet the following criteria:

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

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

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

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

TERM AND CONDITIONS DURING LEAVE

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

RIGHT TO RETURN

Upon your return to work, you are entitled to return to the same job, with the same terms and conditions, in which you were employed before your absence unless:

- the period of leave you have taken is more than 26 weeks when added to any other period of statutory leave including Maternity, Paternity, Adoption Leave etc. in relation to the same child; and,
- it is not reasonably practicable for you to return to the same job.

On your first day back to work, your manager will set time aside to hold an informal meeting with you to discuss any arrangements regarding your return to work and any additional support we may be able to offer you.

EMPLOYEE ASSISTANCE PROGRAMME

We would like to remind you that you have access to a 24 hour telephone counselling service and we would like to encourage you to use it if you feel like you would like to talk to someone about your loss.

Flexible Working

Providing you are an employee and have a minimum of 26 weeks' continuous service at the time of application you are entitled to request a flexible working arrangement. A request could, for example, relate to the total number of hours worked, the times at which you work, or the place of work.

All requests for flexible working will be seriously considered but there is no automatic right to be granted a request.

Your application must be made in writing specifying that it is a statutory request. The request must be signed and dated and you should state whether you have made any previous request and, if so, when. You are limited to one statutory request in any 12 month period. You should provide details of the flexible working arrangement you are proposing, when you would like the change to take effect, and how you think any impact on the Council, your job and/or work colleagues may be dealt with.

Your request should be sent to the Chairman.

You will be contacted to discuss your request as soon as is reasonably practicable. If there is likely to be an undue delay, you will be notified of this in writing.

If you are unable to make the initial date for discussion, a further date and time will be arranged. If you fail to engage in discussion on both occasions without good reason, the Council will consider your application as withdrawn.

You should be aware that if your request is accepted this will normally mean a permanent change to your terms and conditions of employment and there is no automatic right to revert to your original working arrangements at a later date. Alternatively, if the Council is unsure about the impact of your request and/or whether this may be sustainable, a temporary or trial period may be agreed.

The Council's decision in relation to your request will be confirmed in writing.

A request will only be refused for one of the following business reasons:

- burden of additional costs
- inability to reorganise work among existing staff
- inability to recruit additional staff
- detrimental impact on quality
- detrimental impact on performance
- detrimental effect on ability to meet the public demand
- insufficient work for the periods you are proposing to work
- planned structural change to the business

If your request is refused, you may appeal against the decision; your appeal must be made in writing.

You are entitled to be accompanied by a work colleague at any discussion, meeting or appeal hearing in relation to your request. Please note that the consideration period for dealing with flexible working requests, including any appeal, can take up to 3 months. Where necessary, this timeframe may be extended, by mutual agreement.

Requests will be considered in the order in which they are received. Each case will be considered on its own merits taking into consideration the business case, possible impact, and the current business context.

Other Absence

BEREAVEMENT LEAVE

In the event of the death or funeral of a relative, civil partner or close friend, you may be granted appropriate time off work and payment at the discretion of the Council after careful and sympathetic consideration has been given to the circumstances surrounding the bereavement.

COMPASSIONATE LEAVE

In the event that a member of your immediate family falls seriously ill, or is injured, you may be granted paid compassionate leave at the discretion of the Council.

The Council will give careful and sympathetic consideration to the circumstances surrounding each case, taking into account the needs of the employee and the Council.

JURY SERVICE

You are entitled to time off work to fulfil your obligations with regard to jury service. In the event of you being summoned to attend for jury service, you must notify management immediately on receipt of the jury summons, giving details of the dates you are required to attend court.

You may be requested to apply to the court for your jury service to be either postponed or delayed if it is considered that your absence will cause substantial injury to the business. A failure or refusal to make such an application when requested may lead to action being taken under the Disciplinary Procedure, which may include dismissal.

If you are retained on jury service for a prolonged period you have an obligation to notify the Council and must keep in regular contact throughout this time. You must return to normal working immediately following your release from jury duties.

You are reminded to ensure that an expenses claim is submitted to the court in accordance with the available allowances for travelling, subsistence, and your financial loss.

You must give the Council a Certificate of Loss of Earnings which we will complete and return to you.

Although you are not entitled to payment for this time off, the Council will consider requests to make up any difference between the financial loss allowance and basic earnings, provided that the maximum amount has been claimed from the court.

PUBLIC DUTIES

You are entitled to reasonable time off during working hours to perform the duties associated with the positions listed below. There is no statutory entitlement to payment for this time off. The public positions which qualify are:

- magistrate
- member of a local authority
- school governor
- member of a statutory tribunal
- members of a police authority
- member of the managing or governing body of an educational establishment
- member of a health authority
- member of the General Teaching Councils for England and Wales
- members of the Environment Agency
- member of the prison independent monitoring boards
- trade union member (for trade union duties)
- member of the Service Authority for the National Criminal Intelligence Service, or the Service Authority for the National Crime Squad

Although you are not entitled to payment for this time, the Council will consider payment at its absolute discretion.

RESERVE FORCES DUTIES

If you are a reservist or become a reservist you must tell us.

You must let us know as soon as possible if you are called up (mobilised).

The Council may ask you to delay or cancel this if your absence would seriously harm the business.

You must write to the Council as soon as you know when you can return to work. This must be no later than the third Monday after your last day of service.

You are entitled to return to the same type of job you were doing before you were mobilised, on the same terms and conditions. If the job no longer exists, you are entitled to a reasonable alternative.

If you have up to 13 weeks' service before mobilisation you have the right to be employed for at least 13 weeks after your return.

If you have at least 13 weeks' but less than 52 weeks' service before mobilisation you have the right to be employed for at least 26 weeks after your return.

If you have at least 52 weeks' service before mobilisation you have the right to be employed for at least 52 weeks after your return.

The Council will not pay you for this time off as you can claim financial support from the Ministry of Defence during this time.

Training and Development

INTRODUCTION

The Council recognises that training and development for staff and Councillors is a major investment in its ability to deliver effective services, and will seek to create a culture of continuing development.

The Council will comply with the principles of the National Training Strategy for Town and Parish Councils and will subscribe to the Sussex and Surrey Association of Local Councils and Society of Local Council Clerks to ensure staff and Councillors may attend their training.

POLICY COMMITMENTS

The Council commits to ensuring staff and Councillors are trained to the highest standard and are kept up to date with new legislation.

To support this commitment, funds will be allocated in the annual budget to enable staff and Councillors to attend appropriate training and conferences relevant to their office.

TRAINING PLAN

The Council will be responsible for determining, meeting and monitoring the training needs of staff and Councillors, and managing the allocated budget.

Records of all training of staff and Councillors will be kept by the Clerk.

A training schedule will be drawn up by the Clerk for approval by Council for all to ensure all training is relevant, fit for purpose and is carried out in a cost effective manner. This schedule will be informed by training needs of staff identified through the staff appraisal system. Particular consideration will be given to carrying out training locally possibly in liaison with other local Councils.

All new Councillors will receive an induction pack prepared by the Clerk and invited to attend an induction meeting with the Clerk and Chairman of Council following the parish elections every four years, where basic information relating to the Council's organisation and responsibilities will be provided. Re-elected Councillors will be invited to this meeting.

PROFESSIONAL QUALIFICATIONS

All staff members will be required to pursue professional qualifications, such as the Certificate in Local Council Administration (CiLCA) or equivalent. It will be a requirement of the Clerk role for the job holders to hold the qualification, or commit to achieving it within 24 months of appointment.

The Council will meet the financial cost of registering for and submitting the CiLCA portfolio. If a candidate is unsuccessful, the candidate will be responsible for the cost of any re-submission.

Additional higher level qualifications or specific qualifications relevant to the role will be discussed as part of the annual appraisal. The Council may agree to meet the cost, or part thereof, of a qualification which will be of mutual benefit to both the Council and staff member.

STAFF PERSONAL DEVELOPMENT

The Council recognises that training and development for staff often provides continuous professional development for the staff member, while enhancing specific skills. Training courses for personal development are motivational for staff members and consistently leads to improved performance in their current role. Equally, the Council acknowledges that such personal development will occasionally lead staff members to seek alternative employment to maximise their new or improved skills.

Where there is clear benefit to the Council, payment for any personal development training will be made by the Council, and the staff member will be expected to use their new or improved skills in their existing role within the Council.

Where the cost of the personal development training course exceeds £2000 the staff member will repay to the Council the full cost of the training if they leave the employment of the Council within 12 months of completion of the training. Agreement to this condition will be recorded in the staff member's file.

Where the cost of the personal development training course exceeds £2000, the staff member will repay to the Council the full cost of the training if they leave the employment of the Council within 12 months of completion of the training, and 50% of the cost of the training if they leave the employment of the Council after 12 months, but within 24 months of the completion of the training. Agreement to this condition will be recorded in the staff member's file.

The provisions above do not apply to any training course deemed compulsory for the staff member to carry out their existing role, for example due to a change of regulations or insistence on particular qualifications.

Performance Management Policy

PURPOSE OF THE SCHEME

The Council recognises the benefits of regular and constructive performance review and is committed to ensuring that staff members are provided with support to enable them to work as effectively as possible.

One of the ways in which such support can be provided is through the performance management scheme, which provides a systematic opportunity to:

- recognise the achievements of staff over the previous year
- identify ways in which performance can be improved to the benefit of both the individual and the Council
- agree performance objectives and targets for the coming year
- identify development/training needs and prepare a personal development plan

Individual performance will be reviewed on at least an annual basis, plus an interim review carried out six months after the main review.

THE PERFORMANCE REVIEW YEAR

Performance will be reviewed at the end of the municipal year i.e. during April. Objectives will be set following the election of the Council in May annually. The follow up review will take place during October, with twice yearly reports to the Council.

All appraisal documents should be signed and it is the signed copy only that is accepted. The Clerk objectives only will be reported to the Council and not the whole appraisal document.

WHO REVIEWS

The review will normally be carried out by the Chairman.

The role of the Chairman is to ensure that a robust review process has taken place for the Clerk, to monitor consistency of approach and serve as a point of reference and, if necessary, deal with an appeal if there are any concerns at the outcome of the appraisal review.

PREPARATION FOR THE REVIEW

For performance review to be successful and effective it is essential that both the reviewer and the employee prepare. A date should be set for the review meeting at least 2 weeks prior to the discussion taking place. The supporting paper work including the record from the previous year's review, the part year review and the objectives must be provided to the employee when setting the date.

THE JOB DESCRIPTION

The job description will be reviewed as part of this process, in order to ensure it is a clear reflection of the role, and may be changed by mutual agreement if there are substantial, material and permanent changes to the role.

GENERAL JOB PERFORMANCE

It is recognised that all jobs are formed of both a number of specific objectives and general job performance such as planning and prioritising the workload, communicating appropriately, working collaboratively with others and being flexible and adaptable. All aspects of the job will be reviewed.

PERSONAL DEVELOPMENT

In order to carry out their role and to meet new objectives it is recognised that from time to time employees will need further personal development. Personal development is not simply about attending training courses. Development and training opportunities can be provided by a variety of means, but they should be realistic for both the individual and the Council, whilst taking into account operational requirements. Opportunities may include:

- on or off job coaching
- mentoring
- shadowing other staff
- taking on new responsibilities
- undertaking project work or contributing to working parties
- professional updating
- attending conferences, seminars and symposia
- training courses and workshops
- guided reading
- networking
- e-learning

CONFIDENTIALITY

The content of the review will normally be confidential between the Chairman and the Clerk.

RESPONSIBILITY FOR THE SCHEME

The Chairman is responsible for preparing and carrying out reviews and setting objectives in a timely and consistent manner. They are also responsible for following up agreed action.

Responsibility for monitoring the process and ensuring it is carried out consistently, rests with the Chairman who will monitor progress to ensure all review discussions and mini-reviews are carried out at the appropriate times and that agreed personal development is carried out.

Adverse Weather and Public Transport Disruption

The Council recognises that there are occasions when you may have difficulty in travelling to work due to severe weather conditions or disruptions to public transport.

While the Council expects employees to make every effort to come to work, you should under no circumstances travel if it is dangerous to do so and you should have due regard for your health and safety.

PROCEDURE

Severe weather or disruptions to public transport may make travelling to work slower or more difficult. Where you find that your journey to work is delayed you should, where possible, contact the Chairman at the earliest opportunity.

You are expected to make every effort to arrive for work on time.

If poor weather conditions or disruptions to public transport result in you arriving for work late, you are expected to make up the time lost.

On occasions, for example in the event of road closures due to severe weather, or the total shut down of public transport, it may be impossible for you to attend work. On such occasions you will normally be required to take annual leave in respect of that day. If you have exhausted your annual leave entitlement, the time away from work will be unpaid.

If unexpected weather conditions that will make travel difficult occur during the working day, employees will, at management discretion, be allowed to leave work early in order to travel home.

Certain employees may be able to work from home in such circumstances. You may only work from home if authorised to do so in advance by contact the Chairman.

Employees who abuse the above procedure may be subject to action under the Disciplinary Procedure.

This policy will be applied in a spirit of common sense and reasonableness, balancing the needs of the business, its public, and the safety of employees.

Dress Code

During the course of your employment you may come into contact with members of the public and/or visitors to the premises. It is important that you present a professional image having regard to appearance and standards of dress. It is a requirement of the Council that you wear clothes and footwear that are appropriate for the work that you perform and which present a neat, clean and professional appearance.

The requirements of particular faiths to wear specific types of clothing or to dress modestly will be respected so long as the item of clothing does not pose a hazard to the health and safety of employees, does not contravene any reasonable and legitimate requirements of the Council, and does not have a negative impact on any other person.

If you have been issued with a uniform, overalls or any attire by the Council this must be worn at all times, as appropriate.

If you have any queries regarding the dress code, you should seek advice from contact the Chairman.

Wastage

We maintain a policy of "minimum waste" which is essential to the cost-effective and efficient running of our organisation.

You are able to promote this policy by taking extra care during your normal duties by avoiding unnecessary or extravagant use of services, time, energy, etc. The following points are illustrations of this:

- a) handle machines, equipment and stock with care;
- b) turn off any unnecessary lighting and heating. Keep doors closed whenever possible;
- c) ask for other work if your job has come to a standstill; and
- d) start with the minimum of delay after arriving for work and after breaks.

Anti-Bribery

The Council is committed to the prevention of bribery by those employed and associated with it and is committed to carrying out business fairly, honestly and openly, with zero-tolerance towards bribery.

The Council expressly prohibits employees from offering, promising, giving, or requesting, agreeing to receive or receiving any financial or other advantage to another person or business with the intention of gaining an improper financial or other advantage.

All employees have a responsibility to prevent, detect and report all instances of bribery.

If you are offered any gift or hospitality you should not accept it without approval from the Chairman.

In your employment with the Council you should never offer a gift or hospitality to a member of the public, supplier or other person with the intention of gaining a business advantage. Any business gifts or invitations to hospitality events that are issued must always be agreed in advance.

Acts of bribery and/or corruption will always be taken seriously and has severe consequences for you and the Council. You have a duty to disclose any concerns about bribery (or any other unlawful activity) whether in relation to other staff members, contractors or yourself. You should report your concerns in confidence, to the Council as soon as practicable.

If you are found to have accepted or given any bribe, this may result in disciplinary action up to and including dismissal. This may also lead to criminal investigation and potential prison sentence and fine for those found guilty of bribery in addition to potential fines for the Council.

Anti-facilitation of Tax Evasion

INTRODUCTION

Integrity and transparency are of utmost importance to us and so we conduct our business to the highest legal and ethical standards. We are aware of the laws in place relating to tax evasion, including the Criminal Finances Act 2017, and take our responsibilities seriously. We understand that failure to prevent the facilitation of tax evasion undertaken by representatives of the Council renders the Council liable to criminal sanctions including an unlimited fine.

This policy applies to our entire direct workforce and also those who work on behalf of us or provide services to our business including employees, directors, workers including agency workers, volunteers, contractors, consultants and any other party with whom the Council does business.

WHAT IS TAX EVASION?

Tax evasion is the practice of using illegal methods to avoid paying tax. It involves deliberate and dishonest conduct and is not the same as tax avoidance. It frequently involves contrived, artificial transactions that serve no purpose other than to reduce tax liability.

Indicators of tax evasion are (non-exhaustive list):

- request for payment by cash;
- overly-complex payment mechanisms;
- transactions involving overly complex supply chains;
- transactions involving private banking facilities;
- incomplete or non-standard invoices or other records relating to the payment of tax;
- making false statements in relation to the payment of tax or failure to register with relevant bodies tasked with ensuring tax compliance;
- failure to register for VAT;
- any individual or supplier asking to be paid gross when they should be paid net

OUR STANCE ON THE FACILITATION ON TAX EVASION

Tax evasion and facilitating the evasion of tax are criminal offences. Both acts will damage our reputation and the confidence of our public, suppliers and business partners.

We will not be party to tax evasion or the facilitation of tax evasion of any form. We take a zero-tolerance approach to the facilitation tax evasion. We are committed to:

- rejecting the facilitation of tax evasion; and
- not recommending the services of others who do not have reasonable prevention procedures in place

YOUR RESPONSIBILITIES

It is strictly prohibited for any employee or person working on our behalf or in connection with us to take part in any activity, directly or indirectly, relating to tax evasion or its facilitation.

You must not:

- undertake any action which facilitates tax evasion
- aid or abet any action of tax evasion

You are required to report any behaviour which reasonably leads you to believe that tax evasion or the facilitation of tax evasion is occurring in any way which is connected to the Council.

If we have reason to believe that you have breached any obligation placed upon you by this policy, action will be taken which is appropriate to our relationship with you. This includes the instigation of a disciplinary procedure, or the termination of our business arrangement with you.

REPORTING CONCERNS

You must notify contact the Chairman at the earliest stage if you suspect that tax evasion or the facilitation of tax evasion may be occurring. The failure to report a suspicion, of itself, may constitute an offence of facilitation of tax evasion and therefore we strongly encourage the reporting of concerns.

Any concerns should be reported to contact the Chairman. An investigation will then be carried out and you may need to give an account of your suspicions including names, dates and any other pertinent information.

You may also report a concern via the Council's Whistleblowing policy which is available in the Employee Handbook, or upon request.

DETRIMENT

No individual who reports a concern relating of tax evasion under this policy, or the Whistleblowing policy, will be subject to detriment because of their actions.

Additionally, no individual will be subject to detriment because they have refused to take part in any behaviour which is prohibited by this policy.

TRAINING AND REVIEW

The Council will ensure that it gives all relevant training for staff in relation to financial crime detection and prevention, it will ensure it monitors and enforces compliance with the prevention procedures and regularly review the effectiveness of prevention procedures.

The Council reserves the right to make amendments to this policy at any time without notice.

Right of Search

The Council wants to safeguard you and our property and equipment. To achieve this, the Council may carry out searches on its premises if it has reasonable grounds for suspecting that you or another individual may have committed a criminal offence, or any serious breach of contract/Council rules. The Council, with consent, shall:

- search any employee (outer clothes only)
- search employee property
- search the contents of parcels entering or leaving the premises
- search any vehicle used by an employee in the course of their employment
- search lockers
- search workstations including desk drawers

Searches will be conducted in the presence of at least one witness chosen by you and the Council.

Searches of employees shall be carried out in private.

You can refuse to give consent. However, an unreasonable refusal to consent when requested may be viewed as misconduct and may lead to disciplinary action (up to and including dismissal) being taken against you.

If you refuse to be searched you will be required to remain in the presence of a Councillor whilst awaiting the Police.

The Council reserves the right to search your work space without prior notice to you where it has reasonable grounds to suspect you have committed a criminal offence or a breach of contract or any of its rules.

Any employee found with property that does not belong to them, and for which he or she cannot satisfactorily account, may be subject to the disciplinary action (up to and including dismissal). "Property" will be deemed to include confidential information, such as business plans, operating procedures and visitor and employee details.

Expenses

INTRODUCTION

This policy applies to all employees of the Council.

The policy provides a framework to show how an employee can claim and be reimbursed for reasonable and authorised expenses that are incurred during their normal course of work.

EXPECTATIONS

Employees are expected to:

- Behave honestly, responsibly and within the guidelines of this policy
- Submit expenses claims within reasonable timescales, on approved forms and provide enough information to explain the need for the expense
- Keep all receipts and provide VAT receipts (where appropriate) to allow the Council to reclaim the VAT

The Council will:

- Check claimed expenses are authorised in line with this policy
- Approve and pay legitimate claims promptly

If an employee fails to comply with this policy, this may delay reimbursement or cause claims to be rejected. Persistent or deliberate non-compliance may result in disciplinary action.

The Council will reimburse you for all pre-approved expenses wholly and necessarily incurred in the course of your work.

It is not the purpose of the payment for expenses to provide you with an incentive or reward for non-standard duties. The amount of any payment for expenses will be the additional costs incurred as a result of you undertaking a work assignment.

Expenses will be paid in accordance with the regulations and interpretation of HM Revenue & Customs or suspended, if necessary, at its instruction.

Any special ad hoc arrangements made to suit particular circumstances will not be considered to set any form of precedent.

You are expected to use the most cost effective transport, methods, and routes when travelling to carry out your duties.

TRAVEL RELATED CLAIMS

The Council has followed the guidance of HM Revenue & Customs in setting the following travel related expense rates:

- Private car mileage – 45p per mile (up to a maximum of 10,000 miles per annum, thereafter 25p per mile)
- Additional passenger mileage in a private car – 5p per mile per passenger
- Motorcycle mileage – 24p per mile
- Bicycle mileage – 20p per mile
- Rail or bus fare – reimbursement of cost (standard class) as shown on ticket
- Parking – reimbursement of cost as shown on ticket (only where no free parking is available within reasonable walking distance)

Mileage claims should only be claimed for distances in excess of normal travel to work. You cannot claim mileage for normal travel between work and home.

The Council will not, under any circumstances, reimburse employees for penalty fines incurred due to speeding, unsafe driving or any other motoring offence, or for parking fines.

OTHER EXPENSES CLAIMS

The following expenses are acceptable and Council employees will be reimbursed for:

- Overnight accommodation and sustenance where required for attendance at a work related event (where agreed in advance with the Chairman)
- Professional membership fees (where relevant and agreed in advance with the Chairman)
- Annual eye-testing fees for employees who regularly use Visual Display Units (VDU's)

CLAIMS PROCESS

Employees must fill out an approved expenses claim form promptly after incurring expenses (and no later than one month after the claim date), and submit to the Chairman for approval.

The Chairman is responsible for checking the claim complies with this policy, and includes receipts (where applicable). Once satisfied, the Chairman will sign the form, thereby authorising the payment to be made.

Payment will be made direct to the employee (not through payroll) either by cheque or direct credit to their nominated bank account.

Any employee unsure whether a claim is likely to be acceptable is advised to speak to the Chairman prior to incurring the expenses.

WARNING

Payment of your expense claims will be delayed or withheld if not properly substantiated. Fraudulent claims may result in your dismissal.

Shortage of Work

In the event that the Company is faced with a shortage of work, or is unable to provide you with work for any other reason, then you agree that the Company may temporarily:

- place you on short-time working, in which case you will be paid for those hours worked; or,
- lay you off from work, in which case you will be paid in accordance with the statutory guarantee pay provisions in place at that time; or,
- designate you as a furloughed (or similar) worker, in accordance with the terms of any Government furlough (or similar) scheme in place from time to time, in which case during such period, if required, you will cease to carry out any work for the Company. (For this purpose you agree that the Company may adjust your salary and benefits by an appropriate amount to ensure that it receives reimbursement of such salary and benefits under the said scheme to the fullest extent possible).

The entirety of this section entitled “Shortage of work” forms part of your contractual terms and conditions.

Data Protection

The Council is fully committed to compliance with the requirements of the Data Protection Act 2018 and all other data protection legislation currently in force. The Regulation applies to anyone processing personal data and sets out principles which should be followed and gives rights to those whose data is being processed.

To this end, the Council endorses fully and adheres to the Data Protection Principles listed below. When processing data we will ensure that it is:

- processed lawfully, fairly and in a transparent way (‘lawfulness, fairness and transparency’)
- processed no further than the legitimate purposes for which that data was collected (‘purpose limitation’)
- limited to what is necessary in relation to the purpose (‘data minimisation’)
- accurate and kept up to date (‘accuracy’)
- kept in a form which permits identification of the data subject for no longer than is necessary (‘storage limitation’)
- processed in a manner that ensures security of that personal data (‘integrity and confidentiality’)
- processed by a controller who can demonstrate compliance with the principles (‘accountability’)

These rights must be observed at all times when processing or using personal information. Therefore, through appropriate management and strict application of criteria and controls, the Council will:

- observe fully the conditions regarding having a lawful basis to process personal information
 - meet its legal obligations to specify the purposes for which information is used
 - collect and process appropriate information only to the extent that it is necessary to fulfil operational needs or to comply with any legal requirements
 - ensure the information held is accurate and up to date
 - ensure that the information is held for no longer than is necessary
 - ensure that the rights of people about whom information is held can be fully exercised under the Act (i.e. the right to be informed that processing is being undertaken, to access personal information on request; to prevent processing in certain circumstances, and to correct, rectify, block or erase information that is regarded as wrong information)
 - take appropriate technical and organisational security measures to safeguard personal information
-
- ensure that personal information is not transferred outside the EU, to other countries or international organisations without an adequate level of protection

EMPLOYEES PERSONAL INFORMATION

Throughout employment and for as long as is necessary after the termination of employment, the Council will need to process data about you. The kind of data that the Council will process includes:

- any references obtained during recruitment
- details of terms of employment
- payroll details
- tax and national insurance information
- details of job duties
- details of health and sickness absence records
- details of holiday records
- information about performance
- details of any disciplinary and grievance investigations and proceedings
- training records
- contact names and addresses
- correspondence with the Council and other information that you have given the Council

The Council believes that those records used are consistent with the employment relationship between the Council and yourself and with the data protection principles. The data the Council holds will be for management and administrative use only but the Council may, from time to time, need to disclose some data it holds about you to relevant third parties (e.g. where legally obliged to do so by HM Revenue & Customs, where requested to do so by yourself for the purpose of giving a reference or in relation to maintenance support and/or the hosting of data in relation to the provision of insurance).

In some cases the Council may hold sensitive data, which is defined by the legislation as special categories of personal data, about you. For example, this could be information about health, racial or ethnic origin, criminal convictions, trade union membership, or religious beliefs. This information may be processed not only to meet the Council's legal responsibilities but, for example, for purposes of personnel management and administration, suitability for employment, and to comply with equal opportunity legislation. Since this information is considered sensitive, the processing of which may cause concern or distress, you will be asked to give express consent for this information to be processed, unless the Council has a specific legal requirement to process such data.

ACCESS TO DATA

You may, within a period of one month of a written request, inspect and/or have a copy, subject to the requirements of the legislation, of information in your own personnel file and/or other specified personal data and, if necessary, require corrections should such records be faulty. If you wish to do so you must make a written request to the Chairman. The Council is entitled to change the above provisions at any time at its discretion.

DATA SECURITY

You are responsible for ensuring that any personal data that you hold and/or process as part of your job role is stored securely.

You must ensure that personal information is not disclosed either orally or in writing, or via web pages, or by any other means, accidentally or otherwise, to any unauthorised third party.

You should note that unauthorised disclosure may result in action under the disciplinary procedure, which may include dismissal for gross misconduct. Personal information should be kept in a locked filing cabinet, drawer, or safe. Electronic data should be coded, encrypted, or password protected both on a local hard drive and on a network drive that is regularly backed up. If a copy is kept on removable storage media, that media must itself be kept in a locked filing cabinet, drawer, or safe.

When travelling with a device containing personal data, you must ensure both the device and data is password protected. The device should be kept secure and where possible it should be locked away out of sight i.e. in the boot of a car. You should avoid travelling with hard copies of personal data where there is secure electronic storage available. When it is essential to travel with hard copies of personal data this should be kept securely in a bag and where possible locked away out of sight i.e. in the boot of a car.

NOTIFYING BREACHES

A personal data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or processed.

The following are examples of data breaches

- a) access by an unauthorised third party;
- b) deliberate or accidental action (or inaction) by a data controller or data processor;
- c) sending personal data to an incorrect recipient;
- d) computing devices containing personal data being lost or stolen;
- e) alteration of personal data without permission;
- f) loss of availability of personal data.

INVESTIGATION AND NOTIFICATION

In the event that we become aware of a breach, or a potential breach, an investigation will be carried out. This investigation will be carried out by a Councillor.

We will undertake to notify the Information Commissioner of a breach which is likely to pose a risk to people's rights and freedoms without undue delay and at the latest within 72 hours of discovery. If we are unable to report in full within this timescale, we will make an initial report to the Information Commissioner, and then provide a full report in more than one instalment if so required.

We will undertake to notify the individual whose data is the subject of a breach if there is a high risk to people's rights and freedoms without undue delay and may, dependent on the circumstances, be made before the supervisory authority is notified.

RECORD OF BREACHES

The Council records all personal data breaches regardless of whether they are notifiable or not as part of its general accountability requirement under the Data Protection Act 2018. It records the facts relating to the breach, its effects and the remedial action taken.

POLICY STATEMENT ON THE SECURE STORAGE, HANDLING, USE, RETENTION AND DISPOSAL OF DISCLOSURES AND DISCLOSURE INFORMATION

As an organisation using the Disclosure and Barring Service and/or Disclosure Scotland to help assess the suitability of applicants for positions of trust, we comply fully with the Disclosure and Barring Service/Disclosure Scotland Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information. We also comply fully with our obligations under the Data Protection Act 2018.

Disclosure information is never kept in an applicant's personnel file. It is always kept separately and securely in lockable, non-portable storage containers with access strictly controlled and limited to those who are authorised to see it as part of their duties in accordance with Section 124 of the Police Act 1997.

We maintain a record of all those to whom disclosures and disclosure information has been revealed and we recognise that it is a criminal offence to pass the information to anyone who is not entitled to receive it. Disclosure information is only used for the specific purpose for which it was requested.

Once a recruitment (or other relevant) decision has been made, we do not keep disclosure information for any longer than is absolutely necessary in order to allow for the consideration and resolution of any disputes or complaints. Where appropriate, the Disclosure and Barring Service/Disclosure Scotland will be consulted and full consideration will be given to the data protection and human rights of the individual.

Once the retention period has elapsed, we will ensure that any disclosure information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, disclosure information will not be kept in any insecure receptacle (e.g. a waste bin or confidential waste sack). We will not keep any photocopy or other image of the disclosure or any copy or representation of the contents of the disclosure. However, we may keep a record of the date of issue of the disclosure, the name of the subject, the type of disclosure requested, the post for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment (or other relevant) decision taken.

Computer and Electronic Devices

The Council reserves the right to access and monitor use of all Council owned digital devices, including monitoring internet, telephone and e-mail use. The Council also monitors access to its networks via private devices.

You must take the appropriate steps to guard against unauthorised access to, alteration, accidental loss, disclosure or destruction of data.

Under no circumstances should you divulge your password to anyone else nor should you gain access or attempt to gain access to information stored electronically which is beyond the scope of your authorised access level.

You are responsible for any activity which occurs within your accounts.

Reasonable personal use of computer and telephone systems is permitted provided it does not impact on your performance.

Storage of personal files/images/software/Apps on the Council network or devices is not permitted.

You must not use the Council internet connections or devices to access content that is illegal, pornographic, or supports hate and/or discrimination.

You must not send communications via any Council or personal device that could be deemed to be offensive.

The use of any device to photograph or film fellow employees, members of the public, visitors, or any member of the public without their consent may breach an individual's right to privacy and could in certain circumstances constitute harassment.

This policy should be read in conjunction with all other Council policies and rules, including the Equal Opportunities and Positive Work Environment policies.

As with other written communication Email is a legally binding method of communication, other forms of communication via the internet may also be legally binding. All forms of communication whether verbal or written represent the Council and should therefore meet the standard and style expected of all communications.

Because of potential virus infection and consequent damage to the business, you must not download or load any software into any computer via any source, including memory sticks, flash drives, pen drives, any portable memory devices, or mobile phones without the prior approval of management. Approval will only be given after virus checking.

Downloading free software or Apps is permitted where there is a valid business reason and the software or App is considered to be from a reputable source.

You must not make 'pirate' copies of Council owned software for use by other persons either inside or outside the Council. This not only breaks Council rules, it is an illegal practice.

Council devices may contain tracking facilities. The Council may use these as follows:

- for the prevention and detection of theft of devices
- to protect the health and safety of our employees

- as a method of checking the accuracy of Council records, such as timesheets

You must not tamper with any tracking facility or device. Tampering with tracking may lead to action under the disciplinary procedure up to and including summary dismissal.

PERSONAL MOBILES

You are permitted reasonable use of your personal mobile phone providing this does not interfere with the performance of your duties or cause any disruption to others.

You are not permitted in any circumstance to use your phone for the taking, recording, or sharing of images.

You must not use mobile phones whilst undertaking any task where safety is a consideration and the use of the phone might interfere with the level of concentration required to undertake the task safely.

PERSONAL CONTACT DETAILS

When working out of the office you are required to provide a personal contact number which the Council can contact you on during working hours. It is your responsibility to ensure that your mobile phone is kept charged and switched on while you are working in order for the Council to contact you when necessary, in line with business needs.

Failure to comply with any aspect of this procedure may result in a disciplinary warning or dismissal, depending on the circumstances.

Social Media Policy

Social media used well has many benefits. The Council accepts that many of our employees use social networks, and that our members of the public and competitors are also using social media. You are therefore encouraged to use personal social media platforms to engage with and promote our brand, as well as sharing ideas and building relationships.

You are encouraged to share interesting content and take part in discussions. You should clearly identify any personal social media posts as your own personal views.

You must identify yourself as an employee of the Council when promoting our products or services.

You are encouraged to share ideas and engage in discussions on our internal social networks. It is useful to share information with colleagues on our social network as this makes content available to the entire Council (or your own groups, where these have been set up) and encourages collaboration and discussion.

The Council requires employees using social media sites to refrain from making any comments, or engaging in discussions which would adversely affect the Council or the Council's reputation, or that of our members of the public and suppliers. You must not breach discrimination legislation, or harass or bully an employee, or damage working relationships between fellow employees.

You must not share any confidential or sensitive Council information on social media.

If you make an error on social media, correct it immediately. If you are concerned then contact the Chairman for advice.

If you are contacted by a member of the public via social media you should respond in line with the normal comments and complaints procedures, if necessary with a simple "I will look into your comments and come back to you as soon as I can". Do not respond to complaints directly without taking advice from the appropriate person within the Council. Thank social media users who share positive comments with you or who share your content.

You are personally responsible for all content posted on your accounts. All passwords must remain secure and you must never leave accounts open whilst you are away from your device or computer.

You are reminded that regardless of the social network used, or privacy settings activated, everything posted onto the internet has the potential to become public and widespread. All social media posts should therefore be carefully considered to ensure they fit with the image you and the Council want to share online.

Any information posted on the internet may result in disciplinary action up to and including dismissal if it breaches this policy or any other expected levels of conduct. This includes posts on a personal account with inappropriate privacy settings, posts made outside of working hours, and those posts made not using the Council computers or equipment. You may also be required to remove content created or shared by you, if the Council consider such posts to be a breach of this policy.

If you leave the employment of the Council you must update your social network profiles to reflect the Council as a former employer.

All Council rules and policies apply in respect of social media posts. This policy should be read in conjunction with all other policies, in particular your attention is drawn to the Equal Opportunities and Positive Work Environment policies.

Driving

INFORMATION FOR VEHICLE DRIVERS

The following general rules apply if you drive on Council business.

This section should be read in conjunction with the Expenses policy.

You will need to produce your driving licence each year, or as otherwise requested, so that a copy can be kept on file. You are also required to comply with the Council's driving licence check process as and when requested, to enable the Council to check the details of your driver record held by the DVLA. You must inform the Council immediately if you are no longer entitled to drive for any reason.

The consumption of alcohol or illegal drugs prior to or during the course of driving is strictly prohibited and infringement of this rule may result in your summary dismissal.

You must ensure that the vehicle is kept in good condition. This includes keeping it clean and ensuring that the tyre pressure, lights, oil, water etc. are up to the required standard. You must not drive the vehicle in an unroadworthy condition.

Where any journey requires you to travel through any congestion or charge zone, you must ensure that the applicable charge has been paid prior to you travelling. You will be responsible for the payment of any charges not settled prior to travelling through a congestion or charge zone. If these sums remain unpaid the appropriate deductions may be made from your pay.

You and any passengers must wear seatbelts at all times when the vehicle is in motion.

If you incur any fines for parking or other motoring offences whilst on Council business you will be personally liable for the payment of such fines.

You must plan journeys sufficiently to ensure safe arrival. This means that enough time must be allocated for the journey, allowing for delays and rest-breaks on long journeys. You must ensure that you are fit to drive and that you are not tired before setting off on long journeys.

To make long journeys safer, you should not drive for more than two hours without a break. The use of overnight stays for long journeys may be permitted with prior management approval.

You should check weather forecasts and road traffic conditions before setting out on journeys. In the event of adverse weather or road conditions you should carry out all necessary driver checks, and adjust your journey times or routes, or reschedule your journey if necessary.

You must pay full attention to your driving at all times and avoid distractions, which can be caused by technology e.g. phones, satellite navigation devices, or audio equipment, eating or drinking, or others in the car. You should familiarise yourself with the rules regarding mobile phones within this handbook.

DRIVERS USING THEIR OWN VEHICLES

Where you are required to use your own vehicle on Council business you must ensure that you hold appropriate business insurance, a valid MOT certificate (where required), and that the vehicle is taxed. You will need to produce copies of your insurance, road tax, and MOT certificate (if applicable) each year or as otherwise requested, so a copy can be kept on file. You must inform the Council immediately if you cease to have valid cover in respect of MOT, tax or insurance.

Any travelling expenses incurred in undertaking Council duties in your own motor vehicle will be reimbursed by the Council according to the number of miles travelled.

USE OF MOBILE PHONES WHILST DRIVING

You must ensure that you have proper control of any vehicle that you are driving at all times.

It is an offence to use hand-held mobile phones whilst driving. You will be liable for prosecution if you are holding a mobile phone or any other type of hand-held device to send or receive any sort of data, be it voice, text or pictorial image. You are regarded to be driving if you are in charge of a vehicle with its engine running on a public road, even if the vehicle is stationary. It is therefore strictly forbidden for you to use hand-held mobile phones whilst driving.

A mobile phone may only be used where there is an in-coming call or an out-going voice activated call through a hands-free device that is activated without a need to hold the phone at any time. The call should be kept to the shortest possible time and only to effect essential communications. When you need to operate the mobile phone, or make or deal with a call through the hands-free device for longer than receiving or giving a short communication, before doing so you must stop and park the vehicle where it is safe and lawful to do so and with the engine switched off. Whilst driving, you must not use the text message facility on the mobile phone, or if available through such a phone, an image facility or the internet.

You are personally responsible for the payment of any fine or fixed penalty incurred whilst in charge of the vehicle. Any conviction for driving offences, any driving endorsements or any fines incurred must be reported immediately as this may affect the Council's insurance.

You are liable for payment of any fines or penalties incurred as a result of being caught misusing a mobile phone.

You should note carefully that a breach of the Council's rules on the use of a mobile phone whilst driving may render you liable to action under the disciplinary procedure, up to and including dismissal dependent upon the circumstances.

Grievance Procedure

Where you have a grievance relating to any aspect of your employment you should have no hesitation in raising the matter informally. Your Statement details with whom the grievance should be raised. If you wish to make a formal grievance it must be set out in writing.

It is the Council's intention to consider all grievances as soon as possible, and a meeting will be held usually within 5 working days of you raising the grievance. The meeting will enable you to give full details of your grievance.

You are entitled to be accompanied by a fellow employee or accredited trade union official at the grievance meeting. For the purposes of the Council this can include a Councillor, a friend or family member, but not a legally trained representative.

If your grievance is about the person detailed in your Statement you should raise it with a more senior member of management, or, if not possible, another member of management at the same level.

After the meeting the Manager will inform you of his or her decision in writing in response to the grievance. You have the right to appeal against this decision.

If you wish to appeal, you must inform the Council in writing within 5 working days. You will then be invited to attend another meeting, after which you will be informed of the final decision in writing.

It is not permissible to record, whether audio and/or visual, any meetings which take place as part of this procedure, without the express written authorisation of the Council.

Public Interest Disclosure (Whistleblowing)

The Council recognises that effective and honest communication is essential if concerns about breaches or failures are to be effectively dealt with and the Council's success ensured.

This policy is designed to provide guidance to all those who work with or within the Council, including casual and temporary staff, who may from time to time feel that they need to raise certain issues relating to the Council with someone in confidence.

Any person who in the public interest raises genuine concerns under this policy will not under any circumstances be subjected to any form of detriment or disadvantage as a result of having raised their concerns. The victimisation or harassment of an individual making a protected disclosure is a disciplinary offence.

This policy applies where you reasonably believe that one of the following sets of circumstances is occurring, has occurred, or may occur within the Council and that your disclosure is in the public interest:

- a criminal offence has been committed, is being committed or is likely to be committed
- a person has failed, is failing or is likely to fail to comply with any legal obligation to which he or she is subject
- a miscarriage of justice has occurred, is occurring or is likely to occur

- the health and safety of any individual has been, is being or is likely to be endangered
- the environment has been, is being or is likely to be damaged
- information tending to show any matter falling within any one of the preceding paragraphs has been, is being or is likely to be deliberately concealed

It is not necessary that you prove the breach or failure that you are alleging has occurred or is likely to occur, you may simply raise a reasonable suspicion. However, you should note that you will not be protected from the consequences of making such a disclosure if, by doing so, you commit a criminal offence.

PROCEDURE

If you believe that any of the above practices are happening in the Council the following procedure should be followed:

First raise the issues with the Chairman, who will treat the matter in confidence.

If it is not appropriate to raise the issues with the Chairman, you should raise the issue with another Councillor.

It is likely that an investigation will be necessary and you may be required to attend an investigatory meeting as a witness.

At the investigation meeting you will need to explain fully the nature and extent of what you believe is the problem. You may bring a colleague to help you explain the situation more clearly if you wish.

Depending on the nature of your complaint, it may not be possible to find an immediate solution, but your concerns will be investigated as quickly as is reasonably possible, and, where possible, providing such disclosure does not breach confidentiality, you will be advised of the outcome of the investigation in due course. As a minimum you will be advised when any investigation has been completed and that appropriate action has been taken, although you may not be informed of the specific details of the action that has been taken.

Where it is necessary for your disclosure and the investigative meeting minutes to be supplied to an employee as part of the evidence supporting disciplinary action, appropriate steps will be taken to ensure that your working environment and/or working relationships are not prejudiced by the fact of the disclosure.

If you are dissatisfied with the outcome of this procedure you may raise the matter with the Chairman. If you remain dissatisfied with the outcome you have the right to express your concerns to the relevant Prescribed Person designated by the Public Interest Disclosure (Prescribed Persons) Order 2014, or any statute or statutory instrument which subsequently supersedes this legislation.

If you reasonably believe that the relevant failure as listed in any of the above practices relates wholly or mainly to the conduct of a person other than someone in the Council, or any other matter for which a person other than the Council has legal responsibility, then you should make that disclosure to that other person.

Also, you may make such a disclosure to Protect, the leading authority on public interest whistleblowing if you consider that it has an interest in the matter and, despite the best efforts of the Council, you believe that disclosure within the Council is inappropriate or as noted previously has been unsuccessful. Disclosures made to legal advisors in the course of obtaining legal advice will be protected.

If any disclosure concerns information which you do not substantially believe is true or is made in bad faith (for instance in order to cause disruption within the Council), or indeed if the disclosure is made for personal gain, then you may become subject to action under the disciplinary procedure, which could include dismissal.

While the Council hopes that such disclosures will never be necessary, it also recognises that it may find itself in circumstances which are new to it. Each case will be treated on its own facts.

Equality, Inclusion and Diversity

The Company is committed to the principle of equal opportunity in employment.

The terms equality, inclusion and diversity are at the heart of this policy. 'Equality' means ensuring everyone has the same opportunities to fulfil their potential free from discrimination. 'Inclusion' means ensuring everyone feels comfortable to be themselves at work and feels the worth of their contribution. 'Diversity' means the celebration of individual differences amongst the workforce. We will actively support diversity and inclusion and ensure that all our employees are valued and treated with dignity and respect. We want to encourage everyone in our business to reach their potential.

We value people as individuals with diverse opinions, cultures, lifestyles and circumstances. All job applicants, employees and workers (including agency workers) are covered by this policy and it applies to all areas of employment including recruitment, selection, training, career development, and promotion.

These areas are monitored and policies and practices are amended if necessary to ensure that no unfair or unlawful discrimination, intentional, unintentional, direct or indirect, overt or latent exists.

Equality of opportunity, valuing diversity and compliance with the law is to the benefit of all individuals in our Company as it seeks to develop the skills and abilities of its people. While specific responsibility for eliminating discrimination and providing equality of opportunity lies with managers and supervisors, individuals at all levels have a responsibility to treat others with dignity and respect.

The personal commitment of every employee to this policy and application of its principles are essential to eliminate discrimination and provide equality throughout the Company.

Management will ensure that recruitment, selection, training, development and promotion procedures result in no job applicant, employee, or worker receiving less favourable treatment because of a protected characteristic within the Equality Act 2010 which are race (including colour, nationality, ethnic or national origin and caste), religion or belief, disability, sex, sexual orientation, pregnancy or maternity, gender reassignment, marriage/civil partnership and age. In accordance with our overarching equal treatment ethos, we will also ensure that no-one is treated less favourably on account of their trade union membership or non-membership, or on the basis of being a part-time worker or fixed term employee. The Company's objective is to ensure that individuals are selected, promoted, and otherwise treated solely on the basis of their relevant aptitudes, skills and abilities.

We will ensure that the policy is circulated to any agencies responsible for our recruitment and a copy of the policy will be made available for all employees and made known to all applicants for employment.

The policy will be communicated to all private contractors reminding them of their responsibilities towards the equality of opportunity.

The policy will be implemented in accordance with the appropriate statutory requirements and full account will be taken of all available guidance and in particular any relevant Codes of Practice.

Management has the primary responsibility for successfully meeting these objectives by:

- not discriminating in the course of engagement against employees, workers or job applicants;
- not inducing or attempting to induce others to practise unlawful discrimination;
- bringing to the attention of our workforce that they may be subject to action under the disciplinary procedure, or other appropriate action, for unlawful discrimination of any kind.

You can contribute by:

- not discriminating against fellow employees, workers, customers, clients, suppliers or members of the public with whom you come into contact during the course of your duties;
- not inducing or attempting to induce others to practise unlawful discrimination;
- reporting any discriminatory action to the chairman.

The successful achievement of these objectives necessitates a contribution from everyone and you have an obligation to report any act of discrimination known to you.

If you consider that you are a victim of unlawful discrimination you may raise the issue through the grievance procedure.

Positive Work Environment

STATEMENT OF THE POLICY

The Council is committed to creating a harmonious and safe working environment, which is free from harassment and bullying and in which every employee is treated with respect and dignity. The Council strives to ensure that the different experiences, abilities and skills of each individual are valued by others. Inappropriate behaviour should be challenged. It is the Council's intention to encourage everyone to behave in a proper manner at all times.

Harassment or bullying causes stress, anxiety and unhappiness to individuals, creates an unpleasant environment in which to work and may be unlawful. This can reduce efficiency and may ultimately have an impact on the way in which services are delivered to the public. For these reasons it is important that the Council, as an employer, and individual employees strive to achieve a working environment which is free from this type of behaviour.

You may be an individual or part of a group that receives the unwanted attention. The harassment, bullying or victimisation may be a one-off incident or it may be a series of incidents. Your dignity at work can be affected by inappropriate behaviour, which causes offence, whether it is intentional, or not.

The Council is committed to ensuring that individuals do not feel apprehensive because of their religious belief, gender, political opinion, marital/civil partnership status, sexual orientation, race, age, disability or as a result of being subjected to any inappropriate behaviour.

All employees can expect to:

- be treated with dignity, respect and courtesy
- be able to work, free from unfair treatment, bullying, harassment or victimisation
- be valued for their skills, abilities and experiences

All employees are expected to:

- familiarise themselves with the content of this policy
- treat all employees with dignity, respect and courtesy
- contribute towards a positive working culture
- challenge or report unacceptable behaviour
- be mindful of others when expressing views
- co-operate with investigations into harassment and bullying

Breaches of this policy will be considered unacceptable behaviour and will be treated as misconduct, which may include gross misconduct warranting dismissal. All employees must comply with this policy.

The Council is committed to dealing with any issues quickly, positively and confidentially when and if they occur.

It is important to remember that while you may make comments outside of work, for example on social networking sites, the Council may use such evidence in investigations on bullying and harassment matters.

DEFINITION OF HARASSMENT

Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.

Harassment may take many forms. It can range from extreme forms such as violence to less obvious actions such as persistently ignoring someone. The following, though not an exhaustive list, may constitute harassment:

- physical contact ranging from touching to serious assault

- verbal and written harassment (including via email) through jokes, teasing or banter, offensive language, gossip and slander, or letters
- sharing inappropriate images or videos
- using racist slang, phrases or nicknames
- isolation or non-cooperation, or exclusion from social activities
- intrusion by pestering, spying, following etc.

Employees may also be subject to harassment from third parties such as clients, customers, suppliers, the general public etc. where interaction with those third parties is a part of their role.

DEFINITION OF BULLYING

Bullying is repeated inappropriate, offensive behaviour, which is often an abuse of power or position. It can be direct or indirect, either verbal, physical or otherwise, conducted by one or more persons against another or others in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work.

The following examples may constitute bullying:

- threats, abuse, teasing, gossip or practical jokes
- humiliation and ridicule either in private, at meetings or in front of members of the public
- name calling, banter, insults, devaluing with reference to age or physical appearance
- setting impossible deadlines
- imposing excessive workloads
- making unjustified criticisms
- excessive monitoring
- removing responsibilities
- allocating menial or pointless tasks
- withholding information
- refusing requests for leave, holiday or training

It should be noted that it is the impact of the behaviour which is relevant and not the motive or intent behind it.

EMPLOYEES RESPONSIBILITIES

All employees have a responsibility to help create and maintain a working environment that respects the dignity of employees. You should be aware of the serious and genuine problems which harassment and bullying can cause, and ensure that your behaviour is beyond question and could not be considered in any way to be harassment or bullying. No one should practice or encourage such behaviour and should make it clear to all concerned that you find it unacceptable. You should also support colleagues if they are experiencing harassment or bullying and are considering

making a complaint. You should alert the Chairman to any incidents to enable the Council to deal with the matter.

MANAGERIAL RESPONSIBILITY

Managers and supervisors have a responsibility to ensure that harassment or bullying does not occur in work areas for which they are responsible. They are committed to the elimination of bullying and harassment and must be vigilant in preventing acts wherever possible.

Managers and supervisors also have a particular duty to set a proper example by treating everyone with dignity and respect and ensure that their behaviour is beyond question.

Managers also have a responsibility to explain the Council's policy to their staff and take steps to promote it positively. They will be responsive and supportive to any member of staff who makes a complaint, provide full and clear advice on the procedure to be adopted, maintain confidentiality in all cases and ensure that there are no further problems or any victimisation after a complaint has been raised or resolved.

The Council will provide training to ensure that all managers, supervisors and other staff are fully aware of this policy and the procedures for dealing with harassment and bullying.

PROCEDURE FOR DEALING WITH ALLEGED HARASSMENT OR BULLYING

Complaints can be made both formally and informally. Whichever route you decide to take, (and the decision will always be yours) you will be offered guidance and assistance at every stage to help you resolve the problem as soon as possible and to stop the harassment.

If you are comfortable doing so, in the first instance, ask the person responsible to stop the behaviour, explaining that you feel uncomfortable in the way they are acting towards you. Speaking directly to the person at an early stage will often be sufficient to stop the behaviour.

If you feel unable to do this, you may be able to ask the Chairman or another Councillor to do this on your behalf.

If you decide to make a formal complaint you should do so through the grievance procedure as soon as possible after the incident has occurred. All complaints will be handled in a timely and confidential manner. You will be guaranteed a fair and impartial hearing and the matter will be investigated thoroughly. If the investigation reveals that your complaint is valid, prompt attention and action will be taken, designed to stop the behaviour immediately and prevent its recurrence.

In such circumstances, if relocation proves necessary, every effort will be made to relocate the harasser or bully rather than you as the victim, however, the Council will endeavour to relocate you if this is your preference.

You will be protected from intimidation, victimisation or discrimination for filing a complaint or assisting in an investigation. Retaliating against an employee for complaining about harassment or bullying is a disciplinary offence.

Whilst this procedure is designed to assist genuine victims of harassment or bullying, you should be aware that if you raise complaints which are proven to be deliberately vexatious, you may become subject to proceedings under the disciplinary procedure.

PROCEDURE FOR DEALING WITH ALLEGED HARASSMENT OR BULLYING FROM A THIRD PARTY

Any form of harassment towards you from third parties during your dealings with them will not be tolerated by the Council.

We appreciate that a decision to report harassment from a third party may be difficult, particularly if the third party is a valuable client/customer or has a long-standing business relationship with the Council. However, we encourage you to report any instance of harassment from a third party so that the Council can take appropriate action.

You should follow the procedure set out above if you experience harassment from a third party, after which a meeting with you will be arranged and an investigation undertaken.

Our action, where a complaint is substantiated, will depend on the circumstances of the case and may include:

- speaking with the harasser and warning them that any future occurrence of harassment will result in the Council withdrawing provision of its services to the harasser
- contacting the business for whom the harasser works and making a complaint against them. We will explicitly ask for this conduct to stop and we may require that the harasser is removed from our account
- refusing to continue to provide our services to the harasser
- reassigning the provision of the Council's services to harasser to another employee.

Employee Assistance Programme (EAP)

The Council recognises that employees may face and need help with a variety of issues throughout their lives, and as part of the commitment to employee wellbeing the Council provides an Employee Assistance Programme (EAP).

Support is available on a range of issues including legal, financial, emotional, health issues and work related concerns.

Specific details of how to access the service will be provided separately.

Health and Safety

The Council is committed to ensuring your health, safety and welfare whilst at work. If you become aware of any potential hazard or unsafe working conditions, you should have no hesitation raising them with the Council.

You are required to take all reasonable steps to safeguard your health and safety, and that of any other person who may be affected by your actions, and to observe at all times published health, safety and fire rules and procedures.

All accidents must be reported to management and entered into the Accident Book as necessary.

Personal Protective Equipment (PPE)

Where required, the Council will provide you with PPE, which you must wear at all appropriate times whilst carrying out working duties. This equipment is issued for your own protection.

You are responsible for the safekeeping and proper use of the PPE.

If you become aware that the equipment may be faulty, it is your responsibility to immediately notify the Council in order that it may be replaced.

The Council will replace equipment damaged due to normal wear and tear free of charge and will ensure that it meets current safety standards. However, you will be responsible for the cost of replacement should replacement be necessary as a result of your own negligence.

You agree that on termination of your employment, should you not return your PPE or should your PPE be returned in an unsatisfactory condition, the cost of replacement or a proportionate amount of this, as decided by the Council, will be deducted from any final monies owing to you, or you will otherwise reimburse the Council.

Failure to follow these procedures may also, after formal investigation, lead to the Council taking action against you under the disciplinary procedure.

Smoke-Free Workplace

It is the Council's policy that all of its workplaces are smoke-free and that you have the right to work in a smoke-free environment.

Smoking, including the use of electronic cigarettes (e-cigarettes) or electronic nicotine delivery systems (ENDS), is prohibited throughout the entire workplace with no exceptions.

Failure to adhere to this policy may result in formal disciplinary action being taken against you, as set out in the Council's Disciplinary Procedure.

You should be aware that enforcement authorities can issue penalties and fines if you are found guilty of smoking in a smoke-free place. You will be personally liable for any fine or fixed penalty imposed for non-compliance.

Lone Worker Policy

POLICY STATEMENT

This policy sets out the Council's provisions on lone working. The Council accepts that the post requires lone working both in the work place and at home and wishes to protect the employee to work alone where reasonably practicable. Where lone working is necessary, whether on an occasional or regular basis, the Council will take reasonable steps to ensure the health, safety and welfare of employees working alone. The Council will also ensure that a health and safety risk assessment is carried out to identify the hazards and risks of lone working and to devise and implement safe working arrangements so that the risks are eliminated or adequately controlled, thus enabling lone workers to carry out their work in a safe environment.

PROCEDURE

Lone working can be perfectly safe provided you take the following basic precautionary steps:

- Ensure that someone else, preferably your Chairman, is aware you are working alone, where you are, what you are doing and what time you expect to finish. This is particularly important when you are out on Council business, This can be done by phone call, text or email.
- Make sure you have some means of communication with someone in the event of an emergency, such as a mobile phone or two-way radio.
- Ensure you have access to appropriate first aid equipment.
- Know where your nearest emergency exit is and the Council's emergency evacuation procedures.
- Make sure intruders cannot access the premises by checking that all windows and external doors are securely locked.
- Comply with any arrangements or follow any guidance provided by your Chairman or the Council for lone working.
- Take all reasonable steps to ensure your own safety and welfare.
- Inform your Chairman as soon as possible of any incidents, accidents or safety concerns.

The Chairman should ensure that:

- Lone working without a contact is avoided as far as is reasonably practicable.

- Arrangements are in place so that someone is aware of a lone worker's whereabouts at all times.
- A check is carried out at the end of the lone working period.
- Emergency procedures are in place so that lone workers can obtain advice and assistance if required.
- Lone workers are provided with adequate information and training to understand the risks and the safe working procedures associated with working alone.
- The job can be done safely by one person.
- Any employee working alone is capable of undertaking the work on their own.

Remote and Home Working Policy

POLICY STATEMENT

It is the Council's view that the promotion of remote, at home, working arrangements, whether full time or on a part time basis, increases staff motivation, reduces employee stress, improves employee performance and productivity and encourages staff retention.

The benefits of remote working for the Council include:

- Control of office space requirements and containment of overhead costs
- Staff retention, attraction and performance/productivity
- Promotion of the Council as forward thinking and innovative
- Maintenance of operational flexibility

The benefits of remote working for employees include:

- Promotion of a good work/life balance
- Job satisfaction
- Flexibility
- Saving of travel costs and commuting time
- Reduced stress

This policy sets out the Council's provisions on remote working. The remote working scheme is subject to ongoing monitoring and evaluation, to ensure that it continues to work effectively both in the interests of the Council and the employee.

DEFINITION AND SCOPE

Remote workers are employees who, in whole or in part, and with the agreement of the Council, are based partly at their home for the purpose of carrying out their job duties. The Council recognises that part of the job of the Clerk can be worked from home, by agreement and the scheme has been determined in accordance with business needs and requirements.

STATED CRITERIA

The success of remote working depends on the remote worker holding the right personal qualities and skills to work from home and on appropriate monitoring and support systems being in place.

In order to work remotely, the Council will consider the following objective criteria:

- Whether the employee has a disability or serious medical condition
- Relevant knowledge and skills
- Relevant qualifications
- Level of reliability and self-motivation
- Job performance
- Achievement of targets
- Disciplinary record for misconduct/poor performance
- Attendance record (excluding absences related to maternity leave, other family-friendly statutory leave, pregnancy-related illness and disabilities within the meaning of the Equality Act 2010)
- Timekeeping record
- Length of service with the Council
- Commuting time and cost
- Other operational issues during employment

The above criteria will also be used to monitor and review the continued viability of remote working where it has been granted to an employee.

The Council reserves the right to amend the stated criteria at any stage as the operational needs of the business dictate.

REMOTE WORKING AGREEMENT

Where remote working is granted to an employee, the following provisions will apply:

Caring Commitments

Remote workers must separate domestic and work activities/commitments as far as is reasonably possible. Employees with caring responsibilities will be required to demonstrate to the Council's satisfaction that the care arrangements for the dependant person do not conflict with their job duties during their normal working hours. The remote worker must inform the Chairman as soon as possible of any changes to caring arrangements that have implications for the work being undertaken from home.

Remote workers should inform their friends and family about their remote working arrangements to ensure interruptions are kept to a minimum during the working day.

Health and Safety Risk Assessment

The employee must agree to a formal health and safety risk assessment being carried out at their home to identify any adjustments or equipment that may be necessary for them to carry out the work in a safe environment.

The work area at home needs to be suitable for working. Ideally, the employee should have a separate room or work area set aside for working that is sufficient in terms of accommodating all the necessary furniture and office equipment and with appropriate lighting, heating, etc. It is the responsibility of the employee to take reasonable care to maintain the working environment to the agreed health and safety standards.

Council Equipment

In order to enable the remote worker to work from home, the Council may provide them with designated items of office equipment. Office equipment may include computer hardware and software, laptop, printer, scanner, telephone, fax machine, answer machine, mobile phone, desk, chair, filing cabinet or any other item of office equipment. The employee agrees that they are responsible for ensuring the equipment is properly looked after and stored or otherwise kept safely and securely at all times. Failure to do so may result in remote working being withdrawn from the employee.

The Council reserves the right to require the employee to return the equipment at any time during their employment for any reason whatsoever, including, but not limited to, the termination of the remote working arrangement. In addition, on the termination of the employee's employment for any reason, they must promptly and without unreasonable delay return the equipment and, in any event, this must take place by no later than any date specified at the time by the Council. Any item of office equipment must be returned in the same condition as it was provided, subject to reasonable wear and tear. If an item of office equipment is damaged whilst under the employee's control, reasonable wear and tear excepted, they will be required to pay to the Council the cost of repairing the damage. In certain circumstances, this may include the replacement cost of the office equipment if it cannot in the Council's reasonable opinion be repaired.

Any office equipment is provided for the employee's exclusive use in connection with their employment with the Council. This is particularly important with respect to computer equipment due to the risk of introducing computer viruses. Use of the office equipment for personal and private purposes or for any use other than for the Council's business is prohibited. If an employee is discovered using the equipment for personal or private purposes, this is a disciplinary matter and it may also result in remote working being withdrawn. A deliberate, negligent or reckless failure to take proper care of an item of office equipment, resulting in it being lost, damaged or stolen, is also a disciplinary offence.

Employees will be asked sign an agreement with the Council identifying the equipment on loan to them.

No provision will be made by the Council for any costs to the employee including for heating, lighting, telephone or IT equipment costs to the home.

Confidentiality

Remote workers must ensure the security and safekeeping of any confidential information provided by the Council. Such information should not be accessible to family or visitors of the employee. Employees are reminded that whilst remote working, they are still bound by all the terms and conditions in their contract of employment, including terms related to confidentiality.

Insurance

Office equipment supplied by the Council to remote workers is covered under the Council's insurance policy against theft, fire and damage. All equipment should be secured in a locked room if an employee's home is left unoccupied at any time. If a locked room is not available, then the home must be locked when left unoccupied. Failure to do so may render the insurance cover invalid. Employees will be required to inform their own buildings and contents insurer that additional office equipment has been provided and that they are working from home. The Council will not be responsible, in any circumstances, for any additional premiums requested by the employee's insurance company as a result.

The Council's employers' liability insurance covers remote working provided there has been a health and safety risk assessment of the working environment.

There should be no change to an employee's Council tax or domestic rates. The domestic rate is only affected if the employee is carrying out a business from their home.

Termination of Remote Working

The Council reserves the right to terminate an employee's remote working arrangement at any time by serving one month's written notice of termination on the employee. This could happen because the employee is unable to maintain standards in accordance with the stated criteria or for business, technical or organisational reasons.

Where remote working arrangements are terminated, the employee's Chairman is responsible for making arrangements for the employee to resume their job duties within the workplace.

Alcohol and Substance Abuse

It has been proven that alcohol and substance misuse can have a detrimental effect upon your health, and can adversely influence your work performance and your relationships with colleagues and members of the public. It can also result in reduced efficiency and increased absenteeism.

The Council has a duty towards, and is concerned about the health and welfare of all employees. It is therefore Council policy to:

- promote a responsible attitude to the consumption of alcohol amongst employees
- offer assistance to those employees who require it
- treat alcohol and substance abuse as a health problem and arrange for employees to seek professional assistance

The Council will treat any absence due to alcohol and substance abuse in the same way as sickness absence on condition that you obtain professional treatment and maintain regular contact with the appropriate Occupational Health Department.

The Council will treat all relevant discussions in strict confidence.

If inadequate work performance or unacceptable behaviour, including poor work relationships, occur or persist, the matter may be dealt with under the Council's disciplinary procedure. Careful consideration will be given if you have acknowledged the existence of a problem and/or have agreed to obtain medical help for the condition. However, any incident which amounts to gross misconduct would be considered a dismissible offence. If you fail to complete a prescribed course of treatment or have a relapse following treatment, the matter may be dealt with under the Council's Disciplinary Procedure.

Supporting Positive Mental Health

The Company understands the positive impact that healthy and engaged employees make to the success of the business. As such, the Company pledges to provide initial and ongoing support and help for employees going through mental health problems. We wish to create an open and honest workplace where Line Managers and employees can discuss mental health problems, and to ensure the necessary support is known and offered to employees when needed.

The Company understands the role it has in ensuring that health and safety legislation is adhered to. The Company undertakes to create a safe workplace where risks to mental health and wellbeing are limited as far as possible. Additionally, the Company understands the protection employees with a disability have against discrimination under the Equality Act 2010, including the obligation for employers to make reasonable adjustments for disabled employees.

When a Line Manager identifies that an employee may be suffering from a mental health problem, early intervention will be undertaken. The Line Manager will speak with the employee, in a series of meetings if required, and encourage the employee to speak openly and honestly about their situation. The meetings will be used to ascertain how the employee may be supported by the Company and whether any adjustments are to be made. Adjustments may be made on a temporary basis. Meetings will be held in complete confidence, save for where information needs to be shared with HR or other managers regarding any adjustments made. The employee will be consulted regarding the detail of the information shared.

Employees are encouraged to use the confidential telephone counselling service provided via our Employee Assistance Programme for the opportunity to talk to a trained expert on any issues that are concerning them.

Disciplinary Rules

It is necessary to have a minimum number of rules in the interests of the whole organisation.

The rules set standards of performance and behaviour whilst the procedures are designed to help promote fairness and order in the treatment of individuals. It is our aim that the rules and procedures should emphasise and encourage improvement in the conduct of individuals, where they are failing to meet the required standards, and not be seen merely as a means of punishment.

It is your responsibility to familiarise yourself with the following rules and procedures. Any breaches may result in action being taken in accordance with the disciplinary procedure. If you have any concerns or require clarification on any issue(s), please raise them with management.

The Company may need to change the rules from time to time and any such changes will be notified to you as appropriate.

It is not practicable to specify all disciplinary rules or offences that may result in disciplinary action, as they may vary depending on the nature of the work. In addition to the general rules and rules on gross misconduct shown in this handbook, a breach of other specific conditions, procedures, rules etc. that are contained within this handbook or that have otherwise been made known to you, will also result in the disciplinary procedure being used to deal with such matters.

GENERAL RULES (THIS LIST IS NOT EXHAUSTIVE)

You must conduct yourself and perform your work at all times in a manner that is in the interests of the Company. Any conduct detrimental to its interests or its relations with any third party, or damaging to its public image, shall be considered to be a breach of the Company's rules.

You are expected to achieve and maintain a good standard of work and to show a conscientious approach to the job or to the detail of that job to a standard that may reasonably be expected.

You must maintain acceptable attendance at work and timekeeping.

You are expected to read and observe all authorised notices that are displayed by the Company.

You are engaged on the basis that you must be prepared to undertake reasonable duties other than those for which you have been specifically engaged to ensure maximum efficiency.

You must not make use of telephones, e-mail or postal facilities or any other communication mode for personal purposes without the prior permission of management. You must adhere to the Company's policy with regard to the use of mobile phones and other devices.

You are not permitted to remove material or equipment of any kind from the Company without prior permission.

You must notify the Company immediately of any incident causing damage to property belonging to the Company (e.g. building, machinery and equipment), or to the property of fellow employees, visitors or customers/clients.

Working time and/or the Company's material or equipment must not be used for any unauthorised work.

You must act in accordance with the Company's working procedures.

Personal hygiene and appearance must be of an acceptable standard.

Visitors are not allowed onto the premises at any time without prior authority.

An orderly and courteous manner must be maintained at all times.

Socialising is not permitted on the premises without prior authorisation.

You are required to submit your person or property, including vehicles, to being searched whilst on the Company's premises, or at any time at the reasonable requirement of the Company.

You must comply with the Company's rules on no smoking, including no smoking in Company's vehicles.

You are required to comply with the Company's policy of not permitting the display of flags, emblems, posters, graffiti, etc. or the circulation of literature which is likely to give offence or cause apprehension among particular groups of employees.

Unofficial references or opinions about current or ex-employees must not be made or given to third parties under any circumstances.

GROSS MISCONDUCT

The following acts are examples of gross misconduct offences and as such may render you liable to summary dismissal (i.e. dismissal without notice and without previous warnings). It is not possible to provide an exhaustive list of examples of gross misconduct. However, any behaviour or negligence resulting in a fundamental breach of contractual terms that irrevocably destroys the trust and confidence necessary to continue the employment relationship will constitute gross misconduct. Illustrative examples of offences that will normally be deemed as gross misconduct include serious instances of:

- fighting, physical assault or dangerous horseplay;
- serious cases of bullying, offensive, aggressive, threatening or intimidating behaviour or excessive bad language;
- theft or misappropriation of the Company's property or property belonging to another employee, or fraud;
- drinking alcohol or being under the influence of alcohol/drugs and/or drug abuse whilst attending work;
- being in possession of, or dealing in illegal drugs whilst at work;
- breach of safety rules and/or any action, which seriously endangers the health or safety of an employee or any other person whilst at work
- unlawful discrimination, harassment and/or bullying;
- breach of any of the Company's policies;
- deliberate damage to property.
- Unauthorised recording of any workplace meeting, including but not limited to disciplinary meetings.

Disciplinary Procedure

The Disciplinary Procedure does not form part of your contract of employment.

The purpose of the Disciplinary Procedure is to outline a recognised and consistent system to deal with any issues of conduct, capability, or other circumstances which may result in a disciplinary warning or dismissal.

Before considering a warning or dismissal, steps will be taken by the Council to establish the facts.

At any stage of the Disciplinary Procedure you may be suspended, on full pay, whilst investigations are carried out. This does not mean that you have been, or will be found guilty of any particular offence or act of misconduct. In the event that you become unfit for work or unable to attend any necessary meetings due to sickness, the Council will review the decision to keep you on suspension and, following this review, your suspension may be lifted. If your suspension is lifted, you may no longer be entitled to full pay but will be entitled to Statutory Sick Pay in accordance with the Council's rules and procedures.

If you are prevented from attending your place of work and/or performing your job duties as a result of Police bail conditions, or because of an order or direction given by a court or relevant regulatory body, then the duration of any such period will be without pay.

If it is necessary for the Council to take action under the disciplinary procedure you will be issued with a written statement setting out the nature of the conduct, capability or other circumstances that may result in a disciplinary warning or dismissal. You will only be issued with a disciplinary warning or dismissed following a formal disciplinary meeting, at which you will have been given the right to be accompanied by a fellow employee or an accredited trade union official. For the purposes of the Council, the employee may be accompanied by a Parish Councillor, a friend or family member but not by a legally trained representative. You should make every effort to attend the meeting. Throughout the disciplinary procedure you will be given the opportunity to respond to any complaint before any decision on a disciplinary warning or dismissal is taken.

It is not permissible to record, whether audio and/or visual, any meetings which take place as part of this procedure, without the express written authorisation of the Council.

The Council may commence the disciplinary procedure, depending on the circumstances, at any of the following levels:

Verbal warning

A record of the verbal warning will be placed in your personnel file for 6 months after which it will be disregarded.

Written warning

A written warning will be issued and a copy placed in your personnel file for 6 months after which it will be disregarded.

Final written warning

A final written warning will be issued and a copy placed in your personnel file for 12 months after which it will be disregarded.

Dismissal

Dismissal may be with or without notice, depending on the circumstances, and may occur whether or not warnings have been issued.

You will be entitled to appeal against any disciplinary or dismissal decision taken, such appeal being held in accordance with the Appeal Procedure, which is outlined below.

Capability Procedure

INTRODUCTION

We recognise that during your employment with us your capability to carry out your duties may deteriorate. This can be for a number of reasons, the most common ones being that either the job changes over a period of time and you fail to keep pace with the changes, or you change (most commonly because of health reasons) and you can no longer cope with the work.

We retain discretion in respect of the capability procedures to take account of your length of service and to vary the procedures accordingly. If you have a short amount of service, you may not be in receipt of any warnings before dismissal.

JOB CHANGES / GENERAL CAPABILITY ISSUES

If the nature of your job changes or if we have general concerns about your ability to perform your job we will try to ensure that you understand the level of performance expected of you and that you receive adequate training and supervision. Concerns regarding your capability will normally first be discussed in an informal manner and you will be given time to improve.

If your standard of performance is still not adequate you will be warned in writing that a failure to improve and to maintain the performance required could lead to your dismissal. We will also consider the possibility of a transfer to more suitable work if possible.

If there is still no improvement after a reasonable time and we cannot transfer you to more suitable work, or if your level of performance has a serious or substantial effect on our organisation or reputation, you will be issued with a final warning that you will be dismissed unless the required standard of performance is achieved and maintained.

If such improvement is not forthcoming after a reasonable period of time, you will be dismissed with the appropriate notice.

PERSONAL CIRCUMSTANCES / HEALTH ISSUES

Personal circumstances may arise which do not prevent you from attending for work but which prevent you from carrying out your normal duties (e.g. a lack of dexterity or general ill health). If such a situation arises, we will normally need to have details of your medical diagnosis and prognosis so that we have the benefit of expert advice. Under normal circumstances this can be most easily obtained by asking your own doctor for a medical report. Your permission is needed before we can obtain such a report and we will expect you to co-operate in this matter should the need arise. When we have obtained as much information as possible regarding your condition and after consultation with you, a decision will be made about your future employment with us in your current role or, where circumstances permit, in a more suitable role.

There may also be personal circumstances which prevent you from attending work, either for a prolonged period(s) or for frequent short absences. Under these circumstances we will need to know when we can expect your attendance record to reach an acceptable level. This may again mean asking your own doctor for a medical

report or by making whatever investigations are appropriate in the circumstances. When we have obtained as much information as possible regarding your condition, and after consultation with you, a decision will be made about your future employment with us in your current role or, where circumstances permit, in a more suitable role.

PROCEDURE

You will only be issued with a capability warning or dismissed following a formal capability meeting, at which you will have been given the right to be accompanied by a fellow employee or an accredited trade union official. You should make every effort to attend the meeting. Throughout the capability procedure you will be given the opportunity to respond to any concerns before any decision on a capability warning or dismissal is taken.

It is not permissible to record, whether audio and/or visual, any meetings which take place as part of this procedure, without our express written authorisation. You should note that unauthorised recording may result in action under the disciplinary procedure, which may include dismissal for gross misconduct.

The Company may commence the capability procedure, depending on the circumstances, at any of the following levels:

Verbal warning

A record of the verbal warning will be placed in your personnel file for 6 months after which it will be disregarded.

Written warning

A written warning will be issued and a copy placed in your personnel file for 6 months after which it will be disregarded.

Final written warning

A final written warning will be issued and a copy placed in your personnel file for 12 months after which it will be disregarded.

Dismissal

Dismissal may be with or without notice depending on the circumstances, and may occur whether or not warnings have been issued.

You will be entitled to appeal against any capability or dismissal decision taken, such appeal being held in accordance with the appeal procedure, which is outlined below.

Disciplinary and Capability Appeal Procedure

The appeal procedure does not form part of your contract of employment.

If you wish to appeal against any disciplinary decision, you should apply in writing within 5 working days. You will be invited to attend a meeting and you should take all reasonable steps to attend.

You should address your appeal to the person stated in your Statement of Main Terms of Employment.

You will be given the opportunity to be accompanied at the meeting by a fellow employee or accredited trade union official.

It is not permissible to record, whether audio and/or visual, any meetings which take place as part of this procedure, without the express written authorisation of the Council.

After the appeal meeting you will be informed of the final decision.

Termination of Employment

NOTICE TO BE GIVEN BY YOU

If you wish to resign, you should do so in writing giving such notice as is specified in your Statement.

NOTICE TO BE GIVEN BY THE COUNCIL

You will be entitled to receive from the Council the notice as is specified in your Statement.

GROSS MISCONDUCT

You may be summarily dismissed (i.e. without notice) if there has been an act of gross misconduct. Generally this includes a fundamental breach of your contract of employment, conduct which brings the Council into disrepute, or action which is inconsistent with the relationship required between employee and employer. Further examples are contained in the gross misconduct section of Rules and Procedures.

TERMINATING EMPLOYMENT WITHOUT GIVING NOTICE

If you terminate your employment without giving or working the required period of notice, as indicated in your Statement, you will have an amount equal to the additional cost of covering your duties during the notice period not worked deducted from any termination pay due to you. This is an express written term of your contract of employment. You will also forfeit any contractual accrued holiday pay due to you over and above your statutory holiday pay, if you fail to give or work the required period of notice.

NOTICE DURING PROBATIONARY PERIOD

During a probationary period your notice period may be different, so you should refer to your Statement for this information.

WHEN DISMISSAL NOTICE TAKES EFFECT

If you are given notice of dismissal verbally, it is deemed to take effect immediately. If notice is sent via post or email, it is deemed to take effect according to the schedule below:

Sent by email: the day after the email is sent.

Sent by recorded/special delivery: two days after letter sent.

Sent by first class: three days after letter sent.

RETIREMENT

The Council does not operate a formal retirement policy.

Should you wish to leave the Council or retire you should approach the Chairman.

In such circumstances, the Council has resolved to assist you in this process.

March 2023