



# Broomfield Parish Council

Minutes of the Broomfield Parish Council's Finance Committee.

Held in Broomfield Village Hall Clerk's Office at 2.00 p.m. on Wednesday 2nd July 2025

**FIN25/8**

**Members Attending**

Chairman Cllr Bleet. Also present Councillors Faulds, Travis and Perera-Morris

Other absence: Councillor Barnes.

Officer present, Parish Clerk, Mark Hembury

**FIN25/9**

**Declarations of interests**

There were no declarations of interests

**FIN25/10**

**To approve the minutes of the Committee Meeting held 25th June 2025.**

**Resolved:** The minutes of the Finance and Personnel meeting held on 25th June 2025 are accepted as a true record. Proposed by Cllr. Bleet and seconded by Cllr. Faulds. One abstention, others all in agreement.

**FIN25/11**

**To consider the recruitment of a replacement for the current Clerk.**

A discussion took place and considered existing templates found for the role with amendments made to take into account the specific requirements of the local position. A job advert will be prepared including essential responsibilities required. The advert will include a link to the full job application pack, which will also include an application form. The advert will also include details of the hours required (28 per week), the pay scale dependent on qualifications and experience and the possibility of flexible working subject to negotiation. The Clerk will submit the job description to Worknest once received and ask for comments from an HR perspective.

**FIN25/12**

**Agenda items for the next meeting.**

The next meeting of the Committee will be at a date to be agreed.

Meeting concluded at 3.15 p.m.

**Precept 2026-2027**

|         |          |         |         |
|---------|----------|---------|---------|
| 2025-26 | £228,478 | 2151.39 | £106.20 |
| 2024-25 | £222,000 | 2132.17 | £104.12 |

|                     | <b>2026-27</b> | <b>Precept</b> | <b>Tax base</b> | <b>Band D</b> | <b>Total inc</b> |
|---------------------|----------------|----------------|-----------------|---------------|------------------|
| Inc by 1% on Band D |                | £232,463.96    | 2167.25         | £107.26       | £3,985.96        |
| Inc by 2% on Band D |                | £234,765.58    | 2167.25         | £108.32       | £6,287.58        |
| Inc by 3% on Band D |                | £237,067.20    | 2167.25         | £109.39       | £8,589.20        |
| Inc by 4% on Band D |                | £239,368.83    | 2167.25         | £110.45       | £10,890.83       |
| Inc by 5% on Band D |                | £241,670.45    | 2167.25         | £111.51       | £13,192.45       |

**Cash balances****Year end est**

|                     |                 |   |                 |                   |
|---------------------|-----------------|---|-----------------|-------------------|
| CCLA (at 25/11/25)  | £256,000        | £ | 256,000         |                   |
| Unity (at 25/11/25) | £81,000         | £ | 15,000          | (£81k-4 x £16.5k) |
|                     | <b>£337,000</b> |   | <b>£271,000</b> |                   |

**Reserves****Current****Proposed**

|                        |                    |                    |                       |
|------------------------|--------------------|--------------------|-----------------------|
| General reserves       | £141,427           | £38,944.00         |                       |
| Council operating cost |                    | £100,000.00        | c£16.52k for 6 months |
| CIL Funds              | £88,751.26         | £88,751.00         |                       |
| Uniform / clothing     | £1,057.75          | £2,000.00          |                       |
| Van replacement        | £4,000.00          | £10,000.00         |                       |
| Landscape study        | £2,736.00          | £0.00              | ?                     |
| Tree for life          | £304.71            | £305.00            |                       |
| School Lane            | £13,554.66         | £0.00              | ?                     |
| Tree repairs           |                    | £20,000.00         |                       |
| Election               |                    | £6,000.00          |                       |
| Legal                  |                    | £5,000.00          |                       |
|                        | <b>£251,831.82</b> | <b>£271,000.00</b> |                       |

Parish Council budget preparation

26/11/2025

|                             |                                    | 2025/26 - CURRENT YEAR |                   |                 |                  |
|-----------------------------|------------------------------------|------------------------|-------------------|-----------------|------------------|
|                             |                                    | 2026/27<br>BUDGET      | 2025/26<br>BUDGET | ACTUAL          | %<br>RECEIVED /  |
|                             |                                    |                        |                   | YEAR TO<br>DATE | SPENT TO<br>DATE |
| INCOME                      |                                    |                        |                   |                 |                  |
| 1100 General administration |                                    |                        |                   |                 |                  |
| 1076                        | Precept                            | £237,067               | £228,478          | £228,478        | 100%             |
| 1090                        | Interest received                  | £11,000                | £11,000           | £9,345          | 85%              |
| 1115                        | BVHC salary repayment              | £600                   | £550              | £0              | 0%               |
| 1140                        | CIL income                         | £0                     | £0                | £3,550          |                  |
| 1150                        | Staff recharges BVH                | £170                   | £170              | £0              | 0%               |
| 1600                        | Broomfield times income            | £960                   | £960              | £720            | 75%              |
| 1900                        | Miscellaneous income               | £0                     | £0                | £770            |                  |
| 210 Land and property       |                                    |                        |                   |                 |                  |
| 1200                        | Hire of Angel Meadow               | £1,550                 | £1,700            | £250            | 15%              |
| 1210                        | Broomfield Cottage Gardeners rent  | £850                   | £800              | £0              | 0%               |
| 1220                        | Wayleaves                          | £5                     | £5                | £5              | 100%             |
| 230 Allotments              |                                    |                        |                   |                 |                  |
| 1350                        | Allotment water rate (income)      | £400                   | £350              | £0              | 0%               |
| 250 Barn                    |                                    |                        |                   |                 |                  |
| 1205                        | Cottage Gardeners utility share    | £100                   | £85               | £93             | 109%             |
| 1206                        | Men's shed utility share           | £100                   | £85               | £0              | 0%               |
| 500 Health and wellbeing    |                                    |                        |                   |                 |                  |
| 1905                        | Events income                      | £0                     | £200              | £0              | 0%               |
| EXPENDITURE                 |                                    |                        |                   |                 |                  |
| 100 Operations              |                                    |                        |                   |                 |                  |
| 4000                        | Salaries                           | £122,750               | £35,000           | £21,049         | 60%              |
| 4020                        | Employer's NI                      | £14,600                | £4,500            | £2,375          | 53%              |
| 4030                        | Employer's pension                 | £29,750                | £0                | £3,366          |                  |
| 4050                        | Staff training                     | £1,700                 | £1,590            | £532            | 33%              |
| 4060                        | Councillor training                | £2,500                 | £2,120            | £980            | 46%              |
| 4065                        | Councillor expenses                | £3,000                 | £3,000            | £1,200          | 40%              |
| 4066                        | Chairman's allowance               | £150                   | £150              | £560            | 373%             |
| 1100 General administration |                                    |                        |                   |                 |                  |
| 4030                        | duplicate - ignore                 |                        | £0                | £0              |                  |
| 4075                        | Bank charges                       | £250                   | £235              | £105            | 45%              |
| 4080                        | PC office rent                     | £11,000                | £10,900           | £7,040          | 65%              |
| 4081                        | PC meeting hall hire               | £360                   | £300              | £57             | 19%              |
| 4085                        | Telecommunications                 | £900                   | £840              | £529            | 63%              |
| 4090                        | Postage                            | £30                    | £30               | £0              | 0%               |
| 4095                        | Photocopier                        | £750                   | £750              | £286            | 38%              |
| 4098                        | CCTV maintenance                   | £1,650                 | £1,650            | £1,192          | 72%              |
| 4100                        | Stationery / office equipment      | £700                   | £700              | £261            | 37%              |
| 4110                        | Subscriptions                      | £3,900                 | £3,600            | £3,872          | 108%             |
| 4115                        | Audit                              | £550                   | £400              | £520            | 130%             |
| 4120                        | Professional fees                  | £2,500                 | £2,000            | £4,869          | 243%             |
| 4121                        | HR support                         | £2,500                 | £2,000            | £2,309          | 115%             |
| 4125                        | Payroll charge                     | £960                   | £860              | £716            | 83%              |
| 4130                        | Insurance                          | £5,350                 | £5,150            | £5,267          | 102%             |
| 4140                        | Computer equipment and maintenance | £4,000                 | £3,600            | £2,386          | 66%              |
| 4200                        | Grants                             | £5,000                 | £4,000            | £706            | 18%              |
| 4490                        | Broomfield Times                   | £950                   | £950              | £0              | 0%               |
| 4510                        | Website                            | £950                   | £950              | £800            | 84%              |

|                                          |                                                              |         |         |         |
|------------------------------------------|--------------------------------------------------------------|---------|---------|---------|
| 4900 Miscellaneous expenditure           | £1,000                                                       | £400    | £997    | 249%    |
| <b>210 Land and property</b>             |                                                              |         |         |         |
| 4235 Van replacement                     | £4,000                                                       | £4,000  | £0      | 0%      |
| 4240 Van running costs                   | £1,120                                                       | £1,070  | £615    | 57%     |
| 4245 Van insurance                       | £495                                                         | £450    | £333    | 74%     |
| 4250 Grass cutting contract              | £4,850                                                       | £4,590  | £4,773  | 104%    |
| 4255 Tree maintenance                    | £3,300                                                       | £3,000  | £1,467  | 49%     |
| 4260 New and replacement machinery       | £3,600                                                       | £3,515  | £3,626  | 103%    |
| 4265 Machinery maintenance               | £600                                                         | £600    | £0      | 0%      |
| 4275 Equipment hire                      | £300                                                         | £220    | £0      | 0%      |
| 4280 Village maintenance                 | £1,000                                                       | £1,000  | £870    | 87%     |
| 4406 duplicate - ignore                  |                                                              | £0      | £6      |         |
| 4900 Miscellaneous expenditure           | £1,000                                                       | £1,000  | £115    | 12%     |
| <b>200 Street scene</b>                  |                                                              |         |         |         |
|                                          | £3000 for seats / £1000 for bins requested from Enviro Cttee |         |         |         |
| 4300 Seats and benches                   | £4,000                                                       | £0      | £23     |         |
| 4320 Telephone box                       | £60                                                          | £60     | £0      | 0%      |
| 4480 Environmental enhancement           | £2,000                                                       | £2,000  | £462    | 23%     |
|                                          | planters / plants                                            |         |         |         |
| <b>230 Allotments</b>                    |                                                              |         |         |         |
| 4295 Standpipe maintenance               | £150                                                         | £100    | £0      | 0%      |
| 4358 Allotments water bill               | £400                                                         | £350    | £208    | 59%     |
| <b>240 Sites</b>                         |                                                              |         |         |         |
| 4400 Angel Meadow                        | £500                                                         | £500    | £22     | 4%      |
| 4402 New trees                           | £250                                                         | £250    | £0      | 0%      |
| 4410 Centenary Wood                      | £0                                                           | £0      | £3,680  | #DIV/0! |
| Church Green?                            |                                                              |         |         |         |
| 4415 Parsonage Green                     | £50                                                          | £30     | £0      | 0%      |
| <b>250 Barn</b>                          |                                                              |         |         |         |
| 4440 Electricity                         | £100                                                         | £0      | £11     | #DIV/0! |
| 4500 Barn maintenance                    | £200                                                         | £150    | £36     | 24%     |
| 4505 Utilities                           | £300                                                         | £250    | £0      | 0%      |
| <b>260 Village Events</b>                |                                                              |         |         |         |
| 4000 Salaries                            | N/A                                                          | £38,508 | £23,727 | 62%     |
| 4020 Employer's NI                       | N/A                                                          | £4,265  | £1,890  | 44%     |
| 4030 Employer's pension                  | N/A                                                          | £9,545  | £2,655  | 28%     |
| 4575 History and heritage                | £200                                                         | £200    | £0      | 0%      |
| <b>300 Planning</b>                      |                                                              |         |         |         |
| 4000 Salaries                            | N/A                                                          | £12,850 | £7,699  | 60%     |
| 4020 Employer's NI                       | N/A                                                          | £1,180  | £868    | 74%     |
| 4030 Employer's pension                  | N/A                                                          | £3,190  | £1,221  | 38%     |
| 4122 Consultant fees                     | £0                                                           | £5,000  | £0      | 0%      |
| 4195 Land registry searches              | £70                                                          | £70     | £42     | 60%     |
| 4700 Neighbourhood plan                  | £0                                                           | £0      | -£340   |         |
| <b>500 Health and wellbeing</b>          |                                                              |         |         |         |
| 4000 Salaries                            | N/A                                                          | £30,560 | £22,543 | 74%     |
| 4020 Employer's NI                       | N/A                                                          | £3,840  | £2,522  | 66%     |
| 4030 Employer's pension                  | N/A                                                          | £7,600  | £3,523  | 46%     |
| 4082 PC hall hire - health and wellbeing | £9,500                                                       | £9,000  | £4,933  | 55%     |
| 4211 Young peoples activities            | £5,000                                                       | £5,000  | £888    | 18%     |
| 4355 Allotment maintenance               | £500                                                         | £500    | £32     | 6%      |
| 4407 New play equipment                  | £10,000                                                      | £2,000  | £0      | 0%      |
| 4408 Play area maintenance               | £3,000                                                       | £2,000  | £2,527  | 126%    |
| 4505 Utilities                           | £250                                                         | £240    | £102    | 43%     |
|                                          | £10000 requested from Enviro Cttee                           |         |         |         |

4571 Village events

|                               |          |          |          |      |
|-------------------------------|----------|----------|----------|------|
|                               | £1,000   | £1,000   | £195     | 20%  |
| INCOME                        | £252,802 | £244,383 | £243,211 | 100% |
| EXPENDITURE                   | £275,545 | £245,358 | £153,248 | 62%  |
| NET INCOME OVER EXPENDITURE   | -£22,743 | -£975    | £89,963  |      |
| to come from general reserves |          |          |          |      |



# Broomfield Parish Council

## Banking Arrangements and Investment Strategy

### Introduction

This Banking Arrangements and Investment Strategy sets out how the Parish Council will manage and invest its public funds. It applies to all financial assets held by the Council and is reviewed annually, or more frequently if required by legislation or changes in financial circumstances.

### Banking Arrangements

In accordance with the Financial Regulations (5.1 The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.)

The following information summarises the banking arrangements of Broomfield Parish Council:

- a) The payment of income into the bank shall be undertaken regularly subject to necessity.
- b) When a new councillor comes into office or a councillor resigns, relevant bank signatories will be updated within 1 month
- c) A balance sufficient to avoid banking penalty charges will be maintained within the current account
- d) Bank mandates and regular payments will be reviewed each May
- e) Payments and receipts are reviewed by the Full Council and Legal and Finance Committee each month

### Investment Strategy

The aim of the strategy is to ensure that Council funds are prudently managed, with priority placed on security, liquidity, and then yield.

### Statutory Framework

The Parish Council is required to have regard to:

- The Local Government Act 2003
- The MHCLG Statutory Guidance on Local Government Investments (3rd Edition)
- The Governance and Accountability for Smaller Authorities Practitioner's Guide (current edition)

### Objectives of the Strategy

Security – safeguarding public money is the primary objective.

Liquidity – ensuring funds are available to meet expenditure when needed.

Yield – achieving a reasonable return without putting funds at undue risk.

### Risk Management

The Council will avoid high-risk or speculative investments. Risk management measures include:

### Credit Risk

Investments will only be placed with UK banks or building societies that are:

- Regulated by the Prudential Regulation Authority, and
- Covered by the Financial Services Compensation Scheme (FSCS).
- No more than £85,000 will be held with any single financial institution.

**Liquidity Risk**

A minimum buffer (e.g., 3–6 months of normal expenditure) will be held in instant-access accounts.

Longer-term deposits will only be used for funds not required within 6–12 months.

**Market and Interest Rate Risk**

The Council will prefer fixed-rate deposits to reduce exposure to interest-rate volatility. Investments will not be placed for periods exceeding the Council's budgeted cashflow comfort zone.

**Types of Approved Investments**

The Council is permitted to use low-risk, non-speculative investment vehicles only. Approved categories include:

**Instant Access Accounts**

- Business savings accounts with UK banks or building societies.

**Fixed-Term Deposits**

- Fixed-term deposits with UK banks or building societies (typically 3–12 months).

**CCLA Public Sector Deposit Fund**

- A highly liquid, diversified fund designed for local authorities.
- The Council may consider this to spread risk and improve liquidity.

**Prohibited investments:**

- Stocks, shares, corporate bonds, or any equity-linked products.
- Foreign currency investments.
- Crypto assets.
- Property acquisition for commercial yield.

**Ethical Considerations**

The Council will avoid investments in institutions or funds that:

- Conflict with its community values,
- Have poor ethical or environmental standards,
- Are linked to activities incompatible with the public good.

**Monitoring and Reporting**

The Responsible Financial Officer (RFO) will monitor investments monthly.

Investment performance and compliance with this strategy will be reported to the Council at least twice a year.

Any breaches must be reported immediately and corrective action taken.

**Review of the Strategy**

This Investment Strategy will be reviewed annually, normally alongside the budget-setting process, or earlier if:

- There are major changes in financial markets,
- Legislation or statutory guidance changes,
- The Council's financial position changes significantly.

**Broomfield Parish Council and Broomfield Village Hall Charity**  
**Employee Handbook**  
(Approved at Personnel Committee xxxxx)

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**The Green Book terms and conditions**

Unless otherwise stated in your employment contract, the Green Book terms and conditions apply to the following policies. A copy of the latest Green Book is available using this link <https://neu.org.uk/latest/library/green-book>

**Annual leave**

**Annual leave entitlement**

Your paid leave entitlement is set out in your contract of employment and follows the Green Book terms and conditions of employment.

**Working part-time**

If your pro-rata'd entitlement to Bank Holidays exceeds the number of days that fall on your normal working days (typically because you don't work on Mondays), you will be able to take the excess as leave. If your entitlement to Bank Holidays is less than the number of Bank Holidays that fall on your normal working days (typically because your normal working days include

Mondays), then you can make up the difference by using your leave entitlement. With agreement from the clerk (or the Council / Charity in the case of the clerk), you may be able to work additional hours to make up the deficit or take unpaid leave.

### **Variable hours workers**

Statutory minimum holiday entitlement is based on 5.6 weeks of holiday per holiday year, including bank and public holidays. Any holiday entitlement over and above 5.6 weeks will be pro-rated based on hours, days, and weeks worked. Where variable hours are worked, the actual weekly holiday entitlement will be calculated on a pro-rata basis depending on the average number of hours worked per week, over a 52-week reference period, excluding any weeks when no work has been undertaken.

### **Leave year**

The leave year runs from 1st April to 31st March. It is your responsibility to manage your leave in such a way that you can take it all during the leave year. Your annual leave entitlement will be pro-rated in your first and last year of employment with the Council / Charity.

### **Carrying over leave**

Where it has not been possible to take all your leave in the current leave year, and only with prior consent from the clerk (or the Council / Charity in the case of the clerk), you will be permitted to carry forward up to the equivalent of one week's leave. This must be taken within the first two months of the new leave year.

### **Requesting leave**

You should request leave from the clerk (or the Council / Charity in the case of the clerk), with as much notice as possible. This will allow the Council / Charity to plan workloads. Before granting leave we will consider:

- The team's workload,
- The need for office or team cover, and,
- Whether other staff have or are likely to ask for the same time off (e.g. a popular holiday time).

The Clerk / Council / Charity will balance your needs against the needs of other staff before agreeing to leave. If you take leave without such permission, it will be treated as an unauthorised absence and dealt with under the Disciplinary Procedure.

### **Sickness during leave**

If you become ill during a period of paid annual leave, you must comply with the requirements of the sickness reporting and certification procedure if you wish to have this sickness period discounted from the period of paid leave taken. It is important that you contact the Clerk (or the Council / Charity in the case of the Clerk), on the first day of sickness and keep the Council / Charity up to date during the period of sickness.

### **Payment of annual leave**

If you work regular hours or a full year, holiday pay will be the same as the pay you will have received if you had been at work and working.

If you work irregular hours or part year will receive holiday pay that is based on an entitlement that is calculated at 12.07% of actual hours worked in the relevant pay period using a 'reference period' of 52 weeks (or to the start date if this is less than 52 weeks). A pay period is the frequency an employee is paid.

The Council / Charity operates rolled up holiday. An employee who is an irregular hours or part year worker will receive a payment in each pay period in lieu of taking annual leave.

### **Payment in lieu**

The Council / Charity cannot offer payment in lieu of leave entitlement unless you are leaving the Council / Charity and have not taken leave entitlement that you have accrued at the time of leaving.

If you leave during the course of a leave year, and cannot take any outstanding accrued leave before your last day, you will receive a payment in lieu of any outstanding accrued leave. In such a case, a calculation will be made of the amount of paid leave due to you, on a pro rata basis, for that part of the leave year up to the date of termination of the contract. Holiday pay will be based on your current rate of pay including any regular overtime.

If, however, you have taken more paid leave than is due by this calculation, then a deduction will be made from your salary payments for an amount at your basic daily rate for the days in question. Such a deduction will be deemed to be a contractually authorised deduction.

## **Anti-Harassment and Bullying**

### **Introduction**

All staff should be able to work in an environment free from harassment and bullying and be treated with dignity and respect regardless of gender, sexual orientation, transgender status, marital or family status, colour, race, nationality, ethnic or national origins, creed, culture, religion or belief, age, or disability.

This policy and procedure provide guidance on what to do if you are concerned about bullying or harassment and what to expect if you raise concerns. It applies to all staff (whether permanent, fixed term, or casual), contractors and agency staff.

### **Policy**

The Council / Charity does not tolerate bullying or harassment in the workplace. This is the case for work-related events that take place within or outside of normal working hours; on Council / Charity property or elsewhere; whether the conduct is a one-off act or repeated course of conduct, and whether done purposefully or not.

The Council / Charity does not tolerate retaliation against, or victimisation of, any person involved in bringing a complaint of harassment or bullying. Retaliation or victimisation will also

constitute a disciplinary offence, which may in appropriate circumstances lead to dismissal. You should also be aware that if a court or tribunal finds that you have bullied or harassed someone, in some circumstances the treatment may amount to a crime punishable by a fine or imprisonment.

The Council / Charity will take appropriate action if any of our staff are bullied or harassed by staff, councillor / trustees, members of the public or suppliers.

### **What type of treatment amounts to bullying or harassment?**

Bullying is offensive, intimidating, threatening, malicious or insulting behaviour, and/or an abuse or misuse of power that undermines, humiliates or injures the person on the receiving end.

Harassment is unwanted conduct related to relevant 'protected characteristics', which are sex, gender reassignment, race (which includes colour, nationality and ethnic or national origins), disability, sexual orientation, religion or belief and age. Harassment amounts to unlawful discrimination if it relates to a 'protected characteristic'.

Examples of bullying and harassment include:

- Verbal abuse or offensive comments, jokes or pranks related to age, disability, gender reassignment, marriage, civil partnership, pregnancy, maternity, race, religion, belief, sex or sexual orientation
- Lewd or suggestive comments
- Deliberate exclusion from conversations or work activities
- Withholding information, a person needs in order to do their job
- Practical jokes, initiation ceremonies or inappropriate birthday rituals
- Physical abuse such as hitting, pushing or jostling
- Rifling through, hiding or damaging personal property
- Subjecting a person to humiliation or ridicule, belittling their efforts, often in front of others
- Abusing a position of power

It is important to recognise that conduct which one person may find acceptable, another may find totally unacceptable. All employees must, therefore, treat their colleagues with respect and appropriate sensitivity.

Bullying does not include appropriate criticism of an employee's behaviour or proper performance management.

### **Reporting concerns**

#### What you should do if you witness an incident you believe to be harassment or bullying

If you witness such behaviour you should report the incident in confidence to the Clerk or a councillor / trustee. Such reports will be taken seriously and will be treated in strict confidence as far as it is possible to do so.

#### What you should do if you feel you are being Bullied or Harassed by a member of the public or supplier (as opposed to a colleague)

If you are being bullied or harassed by someone with whom you come into contact at work, please raise this with the Clerk or a councillor / trustee in the first instance. They will then decide how best to deal with the situation, in consultation with you.

What you should do if you feel you are being Bullied or Harassed by a councillor / trustee

If you are being bullied or harassed by a councillor / trustee, please raise this with the Clerk or the Chair of the Council / Charity in the first instance. They will then decide how best to deal with the situation, in consultation with you. There are two possible avenues for you, informal or formal. The Informal Resolution is described below. Formal concerns regarding potential breaches of Code of Conduct breaches will be investigated by the Monitoring Officer.

What you should do if you are being Bullied or Harassed by another member of staff

If you are being bullied or harassed by a colleague or contractor, there are two possible avenues for you, informal or formal. These are described below.

**Informal resolution**

If you are being bullied or harassed you may be able to resolve the situation yourself by explaining clearly to the perpetrator(s) that their behaviour is unacceptable, contrary to our policy and must stop. Alternatively, you may wish to ask the Clerk, a colleague or another councillor / trustee to put this on your behalf or to be with you when confronting the perpetrator(s).

If the above approach does not work or if you do not want to try to resolve the situation in this way, or if you are being bullied by your own manager, you should raise the issue with the Chair of the Council / Charity. The Chair (or another appropriate individual) will discuss with you the option of trying to resolve the situation informally by:

- Telling the alleged perpetrator(s), without prejudging the matter, that there has been a complaint that their behaviour is having an adverse effect on a member of staff;
- That such behaviour is contrary to our policy;
- That for employees, the continuation of such behaviour could amount to a serious disciplinary offence.

It may be possible to have the conversation with the alleged perpetrator without revealing your name, if this is what you want. They will also stress that the conversation is confidential.

In certain circumstances we may be able to involve a neutral third party to facilitate a resolution of the problem. The Chair will discuss this with you if it is appropriate.

If your complaint is resolved informally, the alleged perpetrator(s) will not usually be subject to disciplinary sanctions. However, in exceptional circumstances (such as a serious allegation of harassment or in cases where a problem has happened before) the Council / Charity may decide to investigate further and take more formal action notwithstanding that you raised the matter informally. We will consult with you before taking this step.

## **Raising a formal complaint**

If informal resolution is unsuccessful or inappropriate, you can make a formal complaint about the harassment or bullying to the Clerk or the Chair of the Council / Charity if the behaviour was not from a Councillor / Trustee (if it was from a Councillor, please raise it with the Monitoring Officer). A formal complaint may ultimately lead to disciplinary action against the perpetrator(s) where they are employed.

The Clerk or the Chair of the Council / Charity will appoint someone to investigate your complaint. You will need to co-operate with the investigation and provide the following details (if not already provided):

- The name of the alleged perpetrator(s),
- The nature of the harassment or bullying,
- The dates and times the harassment or bullying occurred
- The names of any witnesses and
- Any action taken by you to resolve the matter informally

### ... against a colleague or contractor

The alleged perpetrator(s) would need to be told your name and the details of your complaint for the issue to be investigated properly. However, we will carry out the investigation as confidentially and sensitively as possible. Where you and the alleged perpetrator(s) work in proximity to each other, we will consider whether it is appropriate to separate you whilst the matter is being investigated.

### ... against a member of the public or supplier

We will investigate the complaint as far as possible by contacting the member of public or the supplier's employer and asking for a response to the allegations.

### ... against a councillor / trustee

Formal concerns regarding potential breaches of Code of Conduct by a Councillor will be investigated by the Monitoring Officer.

## **During the investigation**

Investigations will be carried out promptly, sensitively and, as far as possible, confidentially. If, after an investigation, we decide that an employee has harassed or bullied another employee, then the employee may be subject to disciplinary action, up to and including dismissal.

The Council / Charity will consider how to protect your health and wellbeing whilst the investigation is taking place and discuss this with you. Depending on the nature of the allegations, the Investigator may want to meet with you to better understand your complaint. Whilst there is no Statutory right to be accompanied at investigation meetings, the Investigator will consider your request if you want to have a work colleague or union representative with you at that meeting.

## **Hearing**

After the investigation, a panel will meet with you in a Grievance Hearing (following the Grievance Procedure) to consider the complaint and the findings of the investigation. At the meeting you may be accompanied by a fellow worker or a trade union official.

After the meeting the panel will write to you to inform you of the decision and to notify you of your right to appeal if you are dissatisfied with the outcome. You should put your appeal in writing explaining the reasons why you are dissatisfied with the decision. Your appeal will be heard under the appeal process that is described in the Grievance Procedure.

## **Victimisation**

Employees and others who make allegations of bullying or harassment in good faith will not be treated less favourably as a result.

## **False allegations**

False accusations of harassment or bullying can have a serious effect on innocent individuals. Staff and others have a responsibility not to make false allegations. False allegations made in bad faith will be dealt with under our disciplinary procedure.

## **Disclosure and confidentiality**

We will treat personal data collected during this process in accordance with the data protection policy. Information about how data is used and the basis for processing data is provided in the employee privacy notice.

## **Use of the disciplinary procedure**

Harassment and bullying constitute serious misconduct. If, at any stage from the point at which a complaint is raised, we believe there is a case to answer and a disciplinary offence might have been committed, we will instigate our disciplinary procedure. Any employee found to have harassed or bullied a colleague will be liable to disciplinary action up to and including summary dismissal.

## **Carers leave**

### **Eligibility**

All eligible employees, regardless of hours worked or length of service, have the right to take a maximum of one week's unpaid leave during any 12-month period to provide or arrange care for a dependant with a long-term care need.

The entitlement to a maximum of one week's unpaid leave is irrespective of the number of dependants and may be taken as either a continuous block, or individual full or half days within 12 months.

### **Purpose and Definition**

The time off is intended to be absence from work to provide or arrange care for a dependent with a long-term care need, or who reasonably relies on the employee for care.

A “dependant” is a parent, spouse, civil partner, child, or someone who lives in the same household as the employee, but excluding tenants, lodgers or boarders, or someone who is employed by the employee.

Long term care is when the dependant has:

- any physical or mental illness or injury that requires or is likely to require care for more than three months.
- a condition or illness that is considered a disability under with the Equality Act 2010
- care needs connected with their old age.

### **Entitlement**

For employees who work regular hours, a “week of carer’s leave” is the period of absence from work that is equal in duration to the period the employee is normally expected or required to work in a week at the time of making the request.

Part time employees who work regular hours throughout the year will be entitled to a proportionate amount of leave based on their hours. For example, someone who works a 3-day week, will be entitled to 3 days unpaid carer’s leave.

For employees who work variable hours and/or term time, we will calculate entitlement by using actual hours worked in a ‘relevant period’. A ‘relevant period’ as defined by the Regulations is a period of 12 months which ends on the last day of the Carer’s Leave that the employee has requested. To calculate, the company will divide the total of the periods for which the employee is normally required to work during the course of a week in the relevant period by 52. For new starters with less than 52 weeks service, this calculation will be based on the length of time that they have been employed with the company.

### **Requesting Leave**

To help the Council / Charity to manage the planned absence from work, if you intend on taking a period of leave, you required to provide notice that is double the length of time that is being requested or at least three days in advance, whichever provides the greater amount of notice.

### **Postponement of leave**

The Council / Charity reserve the right to postpone carer’s leave if we believe that the absence would unduly disrupt the Council / Charity. If we deem it necessary to postpone carer’s leave, we will notify you in writing within seven days of receipt of you request for carer’s leave, setting out the reason for the postponement.

We will also offer alternative dates on which carer’s leave can be taken. The leave will not be postponed later than one month after the start of the original request.

Failure to follow the Council / Charity’s procedures for taking carer’s leave could lead to disciplinary action under our disciplinary procedure for absence without leave.

## **Terms and Conditions**

During the time off, you continue to be bound by and remain entitled to the benefit of your normal terms and conditions of employment, except for terms relating to wages or salary. You will remain employed by us and accrue unbroken continuity of service and continue to accrue holiday entitlement.

## **Compassionate leave**

### **Policy**

We aim to extend sympathy, compassion and understanding should employees suffer a bereavement. At all times, we will try to assist employees to come to terms with their loss.

Application for bereavement leave should be made in writing to the Clerk (or the Chair of the Council / Charity if the request is from the Clerk).

We will normally grant up to 5 days unpaid leave in the event of the death of an immediate relative (spouse, parent, step-parent, grandparent, brother, sister, child, mother-in-law and father-in-law). Any time off in addition to this should be discussed with the employee's manager. Reasonable unpaid compassionate leave will be granted taking into account such factors as the relationship with the deceased person and the timing and location of the funeral.

We accept that sometimes the need to take this leave can arise at very short notice, but request that employees should discuss their requirements with their manager before taking any time off and, in any event, at the earliest opportunity. All requests for compassionate leave will be dealt with on a confidential basis.

## **Disciplinary Policy**

### **Introduction**

This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>).

It also takes account of the ACAS guide on discipline and grievances at work. [https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG\\_Guide\\_Feb\\_2019.pdf](https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf)

The policy is designed to help Council / Charity employees improve unsatisfactory conduct and performance in their job. Wherever possible, the Council / Charity will try to resolve its concerns about employees' behaviour informally, without starting the formal procedure set out below.

The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

This policy confirms:

- informal coaching and supervision will be considered, where appropriate, to improve conduct and / or attendance

- the Council / Charity will fully investigate the facts of each case
- the Council / Charity recognises that misconduct and unsatisfactory work performance are different issues. The disciplinary policy will also apply to work performance issues to ensure that all alleged instances of employees' underperformance are dealt with fairly and in a way that is consistent with required standards. However, the disciplinary policy will only be used when performance management proves ineffective. For more information see ACAS "Performance Management" at <https://www.acas.org.uk/index.aspx?articleid=6608>
- employees will be informed in writing about the nature of the complaint against them and given the opportunity to state their case
- employees will be provided, where appropriate, with written copies of evidence and relevant witness statements in advance of a disciplinary hearing
- employees may be accompanied or represented by a companion – a workplace colleague, a trade union representative or a trade union official - at any investigatory, disciplinary or appeal meeting. The companion is permitted to address such meetings, to put the employee's case and confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining his/her case
- the Council / Charity will give employees reasonable notice of any meetings in this procedure. Employee must make all reasonable efforts to attend. Failure to attend any meeting may result in it going ahead and a decision being taken. An employee who does not attend a meeting will be given the opportunity to be represented and to make written submissions
- if the employee's companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within 7 calendar days of the original meeting date unless it is unreasonable not to propose a later date
- any changes to specified time limits in the Council / Charity's procedure must be agreed by the employee and the Council / Charity
- information about an employee's disciplinary matter will be restricted to those involved in the disciplinary process. A record of the reason for disciplinary action and the action taken by the Council / Charity is confidential to the employee. The employee's disciplinary records will be held by the Council / Charity in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the disciplinary procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- employees have the right to appeal against any disciplinary decision. The appeal decision is final
- if an employee who is already subject to the Council / Charity's disciplinary procedure raises a grievance, the grievance will normally be heard after the completion of the disciplinary procedure
- disciplinary action taken by the Council / Charity can include a written warning, final written warning or dismissal

- this procedure may be implemented at any stage if the employee's alleged misconduct warrants this
- except for gross misconduct when an employee may be dismissed without notice, the Council / Charity will not dismiss an employee on the first occasion that it decides there has been misconduct
- if an employee is suspended following allegations of misconduct, it will be on full pay and only for such time as is necessary. Suspension is not a disciplinary sanction. The Council / Charity will write to the employee to confirm any period of suspension and the reasons for it,
- the Council / Charity may consider mediation at any stage of the disciplinary procedure where appropriate (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process that requires the consent of affected parties

### **Examples of misconduct**

Misconduct is employee behaviour that can lead to the employer taking disciplinary action. The following list contains some examples of misconduct: The list is not exhaustive.

- unauthorised absence
- poor timekeeping
- misuse of the Council / Charity's resources and facilities including telephone, email and internet
- inappropriate behaviour
- refusal to follow reasonable instructions
- breach of health and safety rules.

### **Examples of gross misconduct**

Gross misconduct is misconduct that is so serious that it is likely to lead to dismissal without notice. The following list contains some examples of gross misconduct: The list is not exhaustive

- bullying, discrimination and harassment
- incapacity at work because of alcohol or drugs
- violent behaviour
- fraud or theft
- gross negligence
- gross insubordination
- serious breaches of Council / Charity policies and procedures e.g. the Health and Safety Policy, Equality and Diversity Policy, Data Protection Policy and any policies regarding the use of information technology
- serious and deliberate damage to property
- use of the internet or email to access pornographic, obscene or offensive material
- disclosure of confidential information.

## **Suspension**

If allegations of gross misconduct or serious misconduct are made, the Council / Charity may suspend the employee while further investigations are carried out. Suspension will be on full pay. Suspension does not imply any determination of guilt or innocence, as it is merely a measure to enable further investigation.

While on suspension, the employee is required to be available during normal hours of work in the event that the Council / Charity needs to make contact. The employee must not contact or attempt to contact or influence anyone connected with the investigation in any way or to discuss this matter with any other employee or councillor / trustee.

The employee must not attend work. The Council / Charity will make arrangements for the employee to access any information or documents required to respond to any allegations.

## **Examples of unsatisfactory work performance**

The following list contains some examples of unsatisfactory work performance: The list is not exhaustive.

- inadequate application of management instructions/office procedures
- inadequate IT skills
- unsatisfactory management of staff
- unsatisfactory communication skills.

## **The Procedure**

**Preliminary enquiries.** The Council / Charity may make preliminary enquiries to establish the basic facts of what has happened in order to understand whether there may be a case to answer under the disciplinary procedure.

If the employee's manager believes there may be a disciplinary case to answer, the Council / Charity may initiate a more detailed investigation undertaken to establish the facts of a situation or to establish the perspective of others who may have witnessed misconduct.

**Informal Procedures.** Where minor concerns about conduct become apparent, it is the manager's responsibility to raise this with the employee and clarify the improvements required. A file note will be made and kept by the manager. The informal discussions are not part of the formal disciplinary procedure. If the conduct fails to improve, or if further matters of conduct become apparent, the manager may decide to formalise the discussions and invite the employee to a first stage disciplinary hearing.

## **Disciplinary investigation**

A formal disciplinary investigation may sometimes be required to establish the facts and whether there is a disciplinary case to answer.

If a formal disciplinary investigation is required, the Council / Charity's staffing committee will appoint an Investigator who will be responsible for undertaking a fact-finding exercise to collect all relevant information. The Investigator will be independent and will normally be a councillor / trustee. If the staffing committee considers that there are no councillor / trustees who are

independent (for example, because they all have direct involvement in the allegations about the employee), it will appoint someone from outside the Council / Charity. The Investigator will be appointed as soon as possible after the allegations have been made. The staffing committee will inform the Investigator of the terms of reference of the investigation. The terms of reference should specify:

- the allegations or events that the investigation is required to examine
- whether a recommendation is required
- how the findings should be presented. For example, an investigator will often be required to present the findings in the form of a written report
- who the findings should be reported to and who to contact for further direction if unexpected issues arise or advice is needed.

The Investigator will be asked to submit their findings usually within 35 Calendar days of appointment where possible. In cases of alleged unsatisfactory performance or of allegations of minor misconduct, the appointment of an investigator may not be necessary and the Council / Charity may decide to commence disciplinary proceedings at the next stage - the disciplinary meeting (see paragraph 22).

The staffing committee will notify the employee in writing of the alleged misconduct and details of the person undertaking the investigation. The employee may be asked to meet an investigator as part of the disciplinary investigation. The employee will be given sufficient notice of the meeting with the Investigator so that they have reasonable time to prepare for it. The letter will explain the investigatory process and that the meeting is part of that process. The employee will be provided with a copy of the Council / Charity's disciplinary procedure. The Council / Charity will also inform the employee that when they meets with the Investigator, they will have the opportunity to comment on the allegations of misconduct.

Employees may be accompanied or represented by a workplace colleague, a trade union representative or a trade union official at any investigatory meeting.

If there are other persons (e.g. employees, councillor / trustees, members of the public or the Council / Charity's contractors) who can provide relevant information, the Investigator should try to obtain it from them in advance of the meeting with the employee.

The Investigator has no authority to take disciplinary action. Their role is to establish the facts of the case as quickly as possible and prepare a report that recommends to the staffing committee whether or not disciplinary action should be considered under the policy.

The Investigator's report will contain their recommendations and the findings on which they were based. They will recommend either:

- the employee has no case to answer and there should be no further action under the Council / Charity's disciplinary procedure
- the matter is not serious enough to justify further use of the disciplinary procedure and can be dealt with informally or

- the employee has a case to answer and a formal hearing should be convened under the Council / Charity's disciplinary procedure.

The Investigator will submit the report to the staffing committee which will decide whether further action will be taken.

If the Council / Charity decides that it will not take disciplinary action, it may consider whether mediation would be appropriate in the circumstances.

### **The disciplinary meeting**

If the staffing committee decides that there is a case to answer, it will appoint a staffing sub-committee of 3 councillors / trustees, to formally hear the allegations. The staffing sub-committee will appoint a Chairman from one of its members. The Investigator shall not sit on the sub-committee.

No councillor / trustee with direct involvement in the matter shall be appointed to the sub-committee. The employee will be invited, in writing, to attend a disciplinary meeting. The sub-committee's letter will confirm the following:

- the names of its Chairman and other two members
- details of the alleged misconduct, its possible consequences and the employee's statutory right to be accompanied at the meeting
- a copy of the information provided to the sub-committee which may include the investigation report, supporting evidence and a copy of the Council / Charity's disciplinary procedure
- the time and place for the meeting. The employee will be given reasonable notice of the hearing so that they has sufficient time to prepare for it
- that witnesses may attend on the employee's and the Council / Charity's behalf and that both parties should inform each other of their witnesses' names at least 2 working days before the meeting
- that the employee may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official

The purpose of the disciplinary meeting hearing is for the allegations to be put to the employee and then for the employee to give their perspective. It will be conducted as follows:

- the Chairman will introduce the members of the sub-committee to the employee and explain the arrangements for the hearing
- the Chairman will set out the allegations and invite the Investigator to present the findings of the investigation report (if there has been a previous investigation)
- the Chairman will invite the employee to present their account
- the employee (or the companion) will set out their case and present evidence (including any witnesses and/or witness statements)
- any member of the sub-committee and the employee (or the companion) may question the Investigator and any witness
- the employee (or companion) will have the opportunity to sum up

The Chairman will provide the employee with the sub-committee's decision with reasons, in writing, within 7 calendar days of the meeting. The Chairman will also notify the employee of the right to appeal the decision.

The disciplinary meeting may be adjourned to allow matters that were raised during the meeting to be further investigated by the sub-committee.

### **Disciplinary action**

If the sub-committee decides that there should be disciplinary action, it may be any of the following:

#### First written warning

If the employee's conduct has fallen beneath acceptable standards, a first written warning will be issued. A first written warning will set out:

- the reason for the written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action
- the employee's right of appeal
- that a note confirming the written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

#### Final written warning

If the offence is sufficiently serious, or if there is further misconduct or a failure to improve sufficiently during the currency of a prior warning, the employee will be given a final written warning. A final written warning will set out:

- the reason for the final written warning, the improvement required (if appropriate) and the time period for improvement
- that further misconduct/failure to improve will result in more serious disciplinary action up to and including dismissal
- the employee's right of appeal
- that a note confirming the final written warning will be placed on the employee's personnel file, that a copy will be provided to the employee and that the warning will remain in force for a specified period of time (e.g. 12 months).

#### Dismissal

The Council / Charity may dismiss:

- for gross misconduct
- if there is no improvement within the specified time period, in the conduct which has been the subject of a final written warning
- if another instance of misconduct has occurred and a final written warning has already been issued and remains in force.

The Council / Charity will consider very carefully a decision to dismiss. If an employee is dismissed, they will receive a written statement of the reasons for their dismissal, the date on which the employment will end and details of their right of appeal. If the sub-committee decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file. Action taken as a result of the disciplinary meeting will remain in force unless it is modified as a result of an appeal.

### **The appeal**

An employee who is the subject of disciplinary action will be notified of the right of appeal. Their written notice of appeal must be received by the Council / Charity within 7 calendar days of the employee receiving written notice of the disciplinary action and must specify the grounds for appeal.

The grounds for appeal include;

- a failure by the Council / Charity to follow its disciplinary policy
- the sub-committee's disciplinary decision was not supported by the evidence
- the disciplinary action was too severe in the circumstances of the case
- new evidence has come to light since the disciplinary meeting.

Where possible, the appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. This includes the Investigator. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of 3 members of the Council / Charity who may include members of the staff committee. The appeal panel will appoint a Chairman from one of its members.

The employee will be notified, in writing, within 14 calendar days of receipt of the notice of appeal of the time, date and place of the appeal meeting. The employee will be advised that they may be accompanied by a companion - a workplace colleague, a trade union representative or a trade union official.

At the appeal meeting, the Chairman will:

- introduce the panel members to the employee
- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the disciplinary decision
- explain the action that the appeal panel may take.

The employee (or companion) will be asked to explain the grounds for appeal.

The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, usually within five working days of the appeal hearing.

The appeal panel may decide to uphold the disciplinary decision of the staffing committee, substitute a less serious sanction or decide that no disciplinary action is necessary. If it decides to take no disciplinary action, no record of the matter will be retained on the employee's personnel file.

If an appeal against dismissal is upheld, the employee will be paid in full for the period from the date of dismissal and continuity of service will be preserved.

The appeal panel's decision is final.

## **Grievance Policy**

### **Introduction**

This policy is based on and complies with the 2015 ACAS Code of Practice (<http://www.acas.org.uk/index.aspx?articleid=2174>).

It also takes account of the ACAS guide on discipline and grievances at work. ([https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG\\_Guide\\_Feb\\_2019.pdf](https://www.acas.org.uk/media/1043/Discipline-and-grievances-at-work-The-Acas-guide/pdf/DG_Guide_Feb_2019.pdf)).

It also takes into account relevant law affecting Council / Charities.

It aims to encourage and maintain good relationships between the Council / Charity and its employees by treating grievances seriously and resolving them as quickly as possible. It sets out the arrangements for employees to raise their concerns, problems or complaints about their employment with the Council / Charity. The policy will be applied fairly, consistently and in accordance with the Equality Act 2010.

Many problems can be raised and settled during the course of everyday working relationships. Employees should aim to settle most grievances informally with their line manager.

This policy confirms:

- employees have the right to be accompanied or represented at a grievance meeting or appeal by a companion who can be a workplace colleague, a trade union representative or a trade union official. This includes any meeting held with them to hear about, gather facts about, discuss, consider or resolve their grievance. The companion will be permitted to address the grievance/appeal meetings, to present the employee's case for their grievance/appeal and to confer with the employee. The companion cannot answer questions put to the employee, address the meeting against the employee's wishes or prevent the employee from explaining their case.
- the Council / Charity will give employees reasonable notice of the date of the grievance/appeal meetings. Employees and their companions must make all reasonable efforts to attend. If the companion is not available for the proposed date of the meeting, the employee can request a postponement and can propose an alternative date that is within five working days of the original meeting date unless it is unreasonable not to propose a later date
- any changes to specified time limits must be agreed by the employee and the Council / Charity
- an employee has the right to appeal against the decision about their grievance. The appeal decision is final

- information about an employee's grievance will be restricted to those involved in the grievance process. A record of the reason for the grievance, its outcome and action taken is confidential to the employee. The employee's grievance records will be held by the Council / Charity in accordance with the General Data Protection Regulation (GDPR)
- audio or video recordings of the proceedings at any stage of the grievance procedure are prohibited, unless agreed by all affected parties as a reasonable adjustment that takes account of an employee's medical condition
- if an employee who is already subject to a disciplinary process raises a grievance, the grievance will normally be heard after completion of the disciplinary procedure
- if a grievance is not upheld, no disciplinary action will be taken against an employee if they raised the grievance in good faith
- the Council / Charity may consider mediation at any stage of the grievance procedure where appropriate, (for example where there have been communication breakdowns or allegations of bullying or harassment). Mediation is a dispute resolution process which requires the consent of affected parties
- Employees can only use all stages of the grievance procedure if the complaint is not a code of conduct complaint about a councillor. Employees can use the informal stage of the Council / Charity's grievance procedure (paragraph 4) to deal with all grievance issues. If the complaint about the council / trustee is not resolved at the informal stage, the employee can contact the monitoring officer at Chelmsford City Council who will inform the employee whether or not the complaint can be dealt with under the code of conduct. If it does not concern the code of conduct, the employee can make a formal complaint under the Council / Charity's grievance procedure (see paragraph 5)
- the Council / Charity may engage external investigators, grievance or appeal panels for the purposes of the process.
- If the grievance is a code of conduct complaint against a councillor / Trustee, the employee cannot proceed with it beyond the informal stage of the Council / Charity's grievance procedure. However, whatever the complaint, the Council / Charity has a duty of care to its employees. It must take all reasonable steps to ensure employees have a safe working environment, for example by undertaking risk assessments, by ensuring staff and councillors / Trustees are properly trained and by protecting staff from bullying, harassment and all forms of discrimination
- If an employee considers that the grievance concerns their safety within the working environment, whether or not it also concerns a complaint against a councillor / Trustee, the employee should raise these safety concerns with their line manager at the informal stage of the grievance procedure. The Council / Charity will consider whether it should take further action in this matter in accordance with any of its employment policies (for example its health and safety policy or its dignity at work policy) and in accordance with the code of conduct regime

### **Informal grievance procedure**

The Council / Charity and its employees benefit if grievances are resolved informally and as quickly as possible. As soon as a problem arises, the employee should raise it with their manager to see if an informal solution is possible. Both should try to resolve the matter at this

stage. If the employee does not want to discuss the grievance with their manager (for example, because it concerns the manager), the employee should contact the Chairman of the staffing committee or, if appropriate, another member of the staffing committee. If the employee's complaint is about a councillor / Trustee, it may be appropriate to involve that councillor / Trustee at the informal stage. This will require both the employee's and the councillor / Trustee's consent.

### **Formal grievance procedure**

If it is not possible to resolve the grievance informally and the employee's complaint is not one that should be dealt with as a code of conduct complaint (see above), the employee may submit a formal grievance. It should be submitted in writing to the Chairman of the staffing committee.

The staffing committee will appoint a sub-committee of 3 members to hear the grievance in the event that the grievance is raised by or relates to the Clerk. Where the grievance is not raised by or relates to the Clerk, the staffing committee may appoint the Clerk to hear the Grievance. The sub-committee will appoint a Chairman from one of its members. No councillor/ Trustee with direct involvement in the matter shall be appointed to the sub-committee.

### **Investigation**

If the sub-committee decides that it is appropriate, (e.g. if the grievance is complex), it may appoint an investigator to carry out an investigation before the grievance meeting to establish the facts of the case. The investigator may be an appropriate employee, Councillor / Trustee or external party. The investigation may include interviews (e.g. the employee submitting the grievance, other employees, councillor / Trustees or members of the public).

The investigator will summarise their findings (usually within an investigation report) and present their findings to the sub-committee.

### **Notification**

Within 14 calendar days of the Council / Charity receiving the employee's grievance (this may be longer if there is an investigation), the employee will normally be asked, in writing, to attend a grievance meeting. The written notification will include the following:

- the names of its Chairman and other members
- the date, time and place for the meeting. The employee will be given reasonable notice of the meeting which will normally be within 35 calendar days of when the Council / Charity received the grievance
- the employee's right to be accompanied by a workplace colleague, a trade union representative or a trade union official
- a copy of the Council / Charity's grievance policy
- confirmation that, if necessary, witnesses may attend (or submit witness statements) on the employee's behalf and that the employee should provide the names of their witnesses as soon as possible before the meeting
- confirmation that the employee will provide the Council / Charity with any supporting evidence in advance of the meeting, usually with at least two days' notice

- findings of the investigation if there has been an investigation
- an invitation for the employee to request any adjustments to be made for the hearing (for example where a person has a health condition).

### **The grievance meeting**

At the grievance meeting:

- the Chairman will introduce the members of the sub-committee to the employee
- the employee (or companion) will set out the grievance and present the evidence
- the Chairman will ask the employee questions about the information presented and will want to understand what action does they wants the Council / Charity to take
- Any member of the sub-committee and the employee (or the companion) may question any witness.
- the employee (or companion) will have the opportunity to sum up the case
- a grievance meeting may be adjourned to allow matters that were raised during the meeting to be investigated by the sub-committee.

The Chairman will provide the employee with the sub-committee's decision, in writing, usually within 7 calendar days of the meeting though may be longer e.g. where further investigations are required. The letter will notify the employee of the action, if any, that the Council / Charity will take and of the employee's right to appeal.

### **The appeal**

If an employee decides that their grievance has not been satisfactorily resolved by the sub-committee, they may submit a written appeal to the staffing committee. An appeal must be received by the Council / Charity within 7 calendar days of the employee receiving the sub-committee's decision and must specify the grounds of appeal.

Appeals may be raised on a number of grounds, e.g.:

- a failure by the Council / Charity to follow its grievance policy
- the decision was not supported by the evidence
- the action proposed by the sub-committee was inadequate/inappropriate
- new evidence has come to light since the grievance meeting.

The appeal will be heard by a panel of 3 members of the staffing committee who have not previously been involved in the case. There may be insufficient members of the staffing committee who have not previously been involved. If so, the appeal panel will be a committee of three Council / Charity members who may include members of the staffing committee. The Council / Charity may engage external parties if there are insufficient councillors / Trustees to form the panel. The appeal panel will appoint a Chairman from one of its members.

The employee will be notified, in writing, usually within 14 calendar days of receipt of the appeal of the time, date and place of the appeal meeting. The meeting will normally take place within 35 calendar days of the Council / Charity's receipt of the appeal. The employee will be advised that they may be accompanied by a workplace colleague, a trade union representative or a trade union official.

At the appeal meeting, the Chairman will:

- introduce the panel members to the employee
- explain the purpose of the meeting, which is to hear the employee's reasons for appealing against the decision of the staffing sub-committee
- explain the action that the appeal panel may take.

The employee (or companion) will be asked to explain the grounds of appeal.

The Chairman will inform the employee that they will receive the decision and the panel's reasons, in writing, and when they are likely to receive the letter. This may be within 14 calendar days of the appeal meeting however will be longer where further investigations are required.

The appeal panel may decide to uphold the decision of the staffing committee or substitute its own decision.

The decision of the appeal panel is final.

## **Emergency / dependents leave**

### **Purpose and scope**

All employees with dependants can take reasonable paid time off to deal with unforeseen emergencies. This is unlikely to amount to more than a day or two a year.

This policy covers all instances where you may need to take unplanned absence to attend to urgent or serious situations affecting your dependants and where no alternative provision is available.

Emergency leave is designed to provide carers with the opportunity to make alternative arrangements for the care of dependants. The Emergency leave policy is not intended to be used to allow carers to look after dependants on an ongoing basis (although time off may be available under other policies).

### **Taking emergency leave**

Dependents include parents, husband, wife, partner, civil partner, children or individuals living as part of the family for whom you are the main carer or an individual who depends on you for care, e.g. an elderly neighbour.

Emergency leave is only intended to cover unplanned absence to attend to urgent or serious situations affecting your immediate family or dependants. It is impossible to provide a complete list of circumstances that are covered under the policy; however, the most common circumstances are as follows: -

- to provide assistance on an occasion when a dependant falls ill, gives birth or is injured or assaulted
- to make arrangements for the provision of care for a dependant who is ill or injured,
- as a result of the death of a dependant,

- because of the unexpected disruption or termination of arrangements for the care of a dependant, or
- to deal with an incident which involves a child of the employee and which occurs unexpectedly when the child is at school

As soon as is reasonably practicable in the circumstances, contact the Clerk (or Chair of the Council / Charity) by telephone to explain the circumstances, and if possible, an indication of the length of time-off you are likely to need in order to make alternative arrangements. If the Clerk (or Chair of the Council / Charity) is unavailable you must contact another council / Trustee instead.

If you need to stay and care for a dependant on an ongoing basis you can agree with the Clerk (or Chair of the Council / Charity) to take annual leave; or where you have insufficient annual leave to take a period of unpaid leave. Alternatively, you may be able to take Parental Leave where the care is for your child.

## **Flexible working policy**

### **What is flexible working?**

Every staff member has a contract of employment that sets out the working hours. A request to work flexibly is a request from the employee to change either the number of working hours, when or where they are worked. Flexible working does not mean a member of staff can work the hours they wish from day-to-day, week-to-week.

Flexible working arrangements take account of employees' preferences, interests and non-work responsibilities whilst also meeting the needs of the Council / Charity. Common examples of flexible working include part-time working; zero-hours / casual working; variable hours; flexitime; job-sharing; term-time working; compressed hours; career breaks; and sabbaticals.

Flexible working can result in benefits to Council / Charities, in that such arrangements can help make the most of today's diverse workforce and improve the Council / Charity's ability to recruit and retain staff. It is good practice to make flexible working open to all staff.

This policy has been written to explain the process which we will use to respond to requests by staff to vary hours, pattern or place of work.

### **Scope**

You have a statutory right to request a change to your contractual terms and conditions of employment to work flexibly from the first day of your employment, regardless of whether you work full or part-time or have a temporary contract of employment. It does not apply to agency staff.

### **Policy**

Our policy is to comply with both the spirit and the letter of the law on the right to request flexible working. To this end its aim is to inform all staff of their right to request flexible working and to ensure those rights are understood and that staff feel confident any decisions regarding

their requests will be handled objectively, fairly, free from discrimination, and that staff will not be treated detrimentally because they have asked for flexible working arrangements.

### **Making the request**

To apply for flexible working, please provide the following information in writing, and submit this to the Clerk. In the case of the Clerk, the request should be submitted to the Chair of the Council / Charity:

- The date of the application,
- A statement that this is a statutory request,
- Details of how you would like to work flexibly and when you want to start,
- An explanation of how you think flexible working might affect the Council / Charity and how this could be dealt with, e.g. if you're not at work on certain days, and,
- A statement saying if and when you've made a previous application.

You can make two statutory requests in any 12-month period. You are asked to let us know if you are making the request because you consider the change could be a reasonable adjustment to support a disability.

### **Responding to your request**

Once we receive your written request, we will arrange a discussion with you as soon as possible, unless we agree immediately to your request. It may be that we need to ask you to supply further details before the meeting. If there is likely to be a delay in discussing your request, we will inform you. You may be accompanied at the meeting by a work colleague.

Having the right to request a change to your working arrangements does not necessarily mean that your request will be accepted. Your request will be fully discussed at the meeting. We will carefully consider your request looking at the benefits of the requested changes on working conditions for you as an employee and the Council / Charity and weighing these against any adverse impact of implementing the changes.

Having considered the changes, you are requesting and weighing up the advantages, possible costs and potential logistical implications of granting the request, we will write to you with the decision. The decision will be either:

- To accept the request and establish a start date, with or without a trial period and review date. Where the request is granted, we will set out what changes will be made to your terms and conditions of employment, or,
- To propose an alternative, which may require further discussion, or,
- To confirm a compromise agreed at the discussion, or,
- To reject the request, setting out the reasons, how these apply to the application and the appeal process.

Requests to work flexibly will be considered objectively, however we may not always be able to grant a request to work flexibly if it cannot be accommodated. If we turn down your request, it will be because of one, or a combination of the following reasons, and we will explain why.

- The burden of additional costs is unacceptable to the Council / Charity
- Detrimental effect on the Council / Charity's ability to deliver for the community
- Inability to re-organise work among existing staff
- Inability to recruit additional staff
- Detrimental impact on quality
- Detrimental impact on performance
- Insufficiency of work during the periods the employee proposes to work
- Planned structural changes to the Council / Charity

If you are only looking for an informal change for a short period to your working hours or conditions, for instance to pursue a short course of study, we may consider allowing you to revert back to your previous conditions after a specified period, e.g. three months, or after the occurrence of a specific event, such as the end of a course of study.

You must be aware that if your request is approved you only have the statutory right to make two requests in a 12 month period, although you may still ask without the statutory right.

### **Timeframe for dealing with requests**

We will do what we can to respond to your request as soon as possible although the law requires the consideration process to be complete within two months of first receiving a request, including any appeal. If the request cannot be dealt with within two months, we may ask to extend the consideration process, provided you agree to the extension.

### **Handling requests in a fair way**

We may receive more than one request to work flexibly closely together from different employees and it may or may not be possible to accept all requests. If we agree to a request for flexible working arrangements this does not mean that we can also agree to a similar change for another employee. Each case will be considered on its merits looking at the business case in the order they have been received. We may need to take others' contractual terms into account and we may ask you if there is any room for adjustment or compromise before coming to a decision.

### **Appealing the decision**

If we decline your request and you wish to appeal, you must do so, in writing, within 5 days of receiving the letter informing you of the outcome. We will then write to you to arrange a meeting to discuss your appeal. This meeting will be held as soon as reasonably possible and will normally be with a sub-committee of councillors / Trustees. You may wish to be accompanied at that meeting by a work colleague.

There may be circumstances when the Council / Charity is unable to meet within the required timeframes, in which case a meeting will be held as soon as is practically possible.

### **The effect on your contract of employment**

Any change in your hours or pattern of work will normally be a permanent change to your contractual terms and conditions. This means that you will not automatically be able to revert back to the previous working pattern (unless otherwise agreed). So, for example, if your new

flexible working pattern involves working reduced hours, you will not automatically be able to revert to working full time hours.

Changes to your working pattern may affect other terms and conditions of employment. For example, reducing your hours of work will mean that your pay and leave will be pro-rated accordingly. Your pension may also be affected.

Any changes to your terms and conditions as a result of a change to your working pattern will be confirmed in your decision letter, however if you have further queries about how a proposed change to your pattern of work might affect your terms and conditions please speak to the Clerk or Chair of the Council / Charity in the first instance.

### **Data protection**

When managing a flexible working request, we will process personal data collected in accordance with the data protection policy. Data collected from the point at which we receive a flexible working request is held securely and accessed by, and disclosed to, individuals only for the purposes of managing their request for flexible working. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

### **Lone Working policy**

#### **Introduction**

There are circumstances where Council / Charity employees, parish councillors / Trustees and volunteers are asked to, or must work alone. While most of these circumstances will not present a risk to the person, it is important that all steps are taken to minimise risk and ensure an individual's safety.

The guidelines contained within this document set out ways of managing safe lone working and gives recommendations for precautions to take in many common circumstances, i.e. illness, violence.

#### **Definitions**

##### **Lone worker**

Any person who is allowed to work alone at any time, day or night, in or out of doors for significant periods of time.

##### **Violence at work**

An incident or behaviour that abuses, threatens or assaults a member of the parish Council / Charity or employee in circumstances arising out of the course of their employment or activity, and results in physical, mental or emotional damage.

##### **Violence includes**

- Physical attack – whether actual injury and/or pain occurs
- Sexual attack
- Other aggressive behaviour directed towards a member of the parish Council / Charity or employee causing fear or concern i.e. verbal abuse, threats and intimidating behaviour
- Damage to personal property

It must be noted that Council / Charity employees, parish councillors / Trustees and volunteers may be faced with intimidating or threatening behaviour resulting in emotional distress which is equally as frightening and harmful as physical assault.

### **General advice**

The following guidelines are designed to offer general advice on planning for safe lone working, procedures if a lone worker becomes ill whilst working alone, how to avoid violence and how to deal with potentially difficult situations.

It is recognised that it is not possible to cover every eventuality as the situations in which illness and /or violence may occur are too diverse. All personnel must follow these guidelines and safe systems of work that may be introduced following any risk assessment.

In any occupation where there is lone working and dealing with members of the public, illness and / or difficult situations can arise. The parish Council / Charity is committed to training and developing all employees and councillors / Trustees in dealing with lone working situations.

### **Avoid Risk**

- Avoid working alone whilst unwell or in confrontational situations.
- Never interview a person alone if they have a history of violent or aggressive behaviour.
- Trust your intuition, if you feel scared or uneasy, don't ignore the warning, act on it
- Learn to recognise body language.
- When going out of the workplace, have arrangements in place to detail your movements and anticipated return.
- Always report any incident, no matter how trivial it may seem. Not doing so could put others at risk.

### **Reducing the Risk**

When working alone, the parish Council / Charity must ensure that procedures for safe working are in place. The following points are guidance for reducing risk.

#### Employees

- Security arrangements will be of a high standard. For example, all doors leading to the office must always be locked . The parish office is secured by a number pad entry system with call buzzer.
- All employees must be aware when they are a lone worker and are encouraged to lock themselves in when working alone.
- Only people known to the employee should be permitted entrance if the employee is working alone.
- It should not be obvious from the outside of the building that people may be working alone inside.

#### Employees, parish councillors / Trustees and volunteers

- Telephone numbers of the emergency services and appropriate personnel should be clearly displayed, within easy access of all telephones.
- Large sums of money should not be left on site and valuable equipment should not be visible from the outside.
- On leaving the building exit routes should be well lit.

## **Communication systems and raising the alarm**

The availability and use of mobile phones is increasing, but the range and coverage is still variable. However, where possible and practical, it is suggested that lone workers consider using a mobile phone.

Employees working alone are responsible for making sure that information is left with another member of staff or parish councillors / Trustee detailing the nature of the work being undertaken, location of work, mode of travel, start and end time and mobile number.

## **Reporting**

It is important that all incidents of problems, including violence towards employees are monitored and that appropriate action is taken. The reports will be monitored by the Chair of the parish Council / Charity, and any appropriate recommendations for changes to working practice will be made.

## **Reporting procedure**

Any Council / Charity employee, parish councillors / Trustee or volunteer who suffers any problems associated with working alone should ensure that it is reported immediately to the Parish Clerk.

The Clerk should make preliminary investigation of the circumstances and instigate a written report which will be forwarded to the Chair.

If any serious issues arise, the incident should then be investigated further by the Council / Charity, if any form of violence was involved, this should be reported to the police.

Any recommendations should be shared with the immediate people affected, to ensure improved practice within the Parish Council / Charity.

Whilst all incidents need to be reported and treated seriously, a distinction needs to be drawn between serious incidents which may give rise to legal action and less serious incidents which may only need to be monitored.

## **Review of incidents**

All incidents, including violent behaviour towards Council / Charity employees, parish councillors / Trustees and volunteers is unacceptable. The Clerk should review each incident and where appropriate make recommendations to the Chair as to the action which should be taken to reduce a repeat occurrence. A debriefing for all employees, parish councillors / Trustees and volunteers should take place. Recommendations might include

- Amendments to this policy,
- Further management controls of employees, councillors / Trustees or volunteers working alone,
- If violence was involved, criminal proceedings or some form of civil action being taken, with the assistance of the parish Council / Charity's solicitor,
- An increase in the level of supervision,
- Training being provided for the person affected by the incident or
- Altering the working environment

## **Summary**

All lone working carried out by Broomfield Parish Council / Charity and Broomfield Village Hall Charity employees, councillors / Trustees and/or volunteers shall be conducted under this

Lone Working Policy. Any suggestions to amend or make changes to this policy can be made via the Parish Clerk.

## **Maternity leave and pay policy**

### **Purpose and scope**

This policy and procedure apply to all current employees, whether full or part-time, temporary or fixed-term.

The purpose of this policy and procedure is to provide clear information about our maternity provisions. This document sets out our policy on maternity leave, pay, and arrangements surrounding returning to work after maternity leave. It also sets out the procedures which we need to follow at various stages, before, during and after maternity leave.

This document provides basic guidance on the health and safety aspects of working whilst pregnant.

### **Procedure**

#### Telling your manager that you are pregnant

As soon as you know that you are pregnant, you are encouraged to let us know. This is in your own interests, and ensures that we can take any necessary steps to look after your health and safety and that of your baby.

As soon as you tell us that you are pregnant, we will conduct an assessment of any health and safety risks to you or your baby. Early notice also allows us to let you know what your rights will be to maternity leave and pay. However, you do have the right to wait until the 15th week before you expect the baby before telling us that you are pregnant. Either way, you are required to confirm in writing the fact that you are pregnant, attaching a copy of your MAT B1 and indicating when you expect to start your maternity leave. You should note that you have the right to change the start date of your maternity leave provided that you give at least 28 days written notice of the change.

#### Note on the MAT B1 certificate

The MAT B1 is a form signed by a doctor/midwife confirming your expected week of childbirth (EWC). Hospitals and GP surgeries have different policies regarding when the MAT B1 should be signed and by whom. The MAT B1 is not always issued automatically and you may have to ask your doctor/midwife for a copy.

### **Entitlements**

#### Ante-natal care

During your pregnancy, your doctor/midwife will make regular appointments with you for ante-natal checks, scans, tests etc. You are entitled to take reasonable time off work to attend these appointments, regardless of your length of service or the hours that you work. This time off will be paid and you will not be expected to make up the time. You should however give us as much

notice as possible of your appointments and, after the first one, should present the appointment card from the hospital or clinic.

### Maternity leave

You are entitled to take up to 52 weeks' maternity leave. This is made up of 26 weeks of ordinary maternity leave (OML) plus 26 weeks' additional maternity leave (AML). You also have the right to return to work after the end of your OML or AML. This right applies to all female employees regardless of length of service or the number of hours worked per week.

You can choose when to start your maternity leave. This can be any date from the beginning of the 11th week before the week the baby is due. The law requires that an employee take a minimum of two weeks maternity leave immediately following the birth.

### Sick leave during your pregnancy or maternity leave

If you are off sick due to a pregnancy-related illness any time after the beginning of the fourth week before the start of the expected week of childbirth (EWC), then your maternity leave period will begin straight away.

If you are off sick due to a non-pregnancy-related illness any time after the beginning of the fourth week before the start of the expected week of childbirth (EWC), it will be treated as sick leave in the usual way.

Any pregnancy related sick leave taken before the start of the fourth week will be treated as sick leave in the usual way.

### Early births

If the birth of your baby occurs before the 11th week before the EWC or your planned date of leaving, your maternity leave will commence the day after your baby is born.

### **Maternity pay**

You are eligible to receive 39 weeks statutory maternity pay (SMP) if:

- You have at least 26 weeks' continuous service with the Council / Charity by the end of the 15th week before the expected week of childbirth (EWC) ("the qualifying week"), and,
- You have average weekly earnings in the eight weeks up to and including the qualifying week of at least the lower earnings limit for Class 1 National Insurance contributions.

If you qualify for SMP, it will usually be paid for a period of up to 39 weeks. Rates are fixed by law and are subject to tax and National Insurance deductions. During the first 6 weeks of this 39-week period, SMP is paid at 90% of your average weekly earnings; thereafter you will receive the weekly lower statutory maternity rate or 90% of your weekly earnings, whichever is the lesser amount. Your average weekly earnings are calculated over the 8 weeks prior to the end of your qualifying week (15th week before the EWC) (see here for details of statutory rates - [www.gov.uk/maternity-pay-leave/pay](http://www.gov.uk/maternity-pay-leave/pay)).

If you do not qualify for SMP you may be eligible to receive Maternity Allowance. If you are not entitled to statutory maternity pay, we will issue you an SMP1 form to allow you to claim the Maternity Allowance.

### **Shared Parental Leave (SPL)**

You are entitled to curtail your maternity leave and pay and instead take SPL and pay with your partner/the father of the child, subject to meeting the eligibility criteria. SPL enables parents to choose how to share the care of their child during the first year of birth. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. See the Shared Parental Leave Policy.

### **The effect of maternity leave on contractual benefits**

During your maternity leave you will be entitled to receive the contractual benefits that you would normally receive if you were at work with the exception of cash benefits (e.g. remuneration and allowances).

On return to work following OML and AML you are entitled to benefit from any general improvements to the rate of pay (or other terms and conditions) that you would have received had you been at work. This may also lead to a re-calculation of your SMP Entitlements.

### Annual leave

Your contractual annual leave entitlement continues to accrue during your maternity leave. You can choose to take any leave accrued, as a block, either before you commence maternity leave, immediately upon your return to work or a combination of the two. You should be aware that if you take the annual leave before starting maternity leave and then leave employment mid-way through the maternity leave, the usual deductions will apply from your final salary or we may ask for an appropriate refund.

### Pension scheme

Occupational pension contributions continue during OML and during any period of paid maternity absence.

### **Maintaining contact during maternity leave**

Some people choose to have little if any contact with work during their maternity leave while others want to maintain a high level of contact. Before you start your maternity leave, we will meet with you to discuss reasonable contact arrangements during your maternity leave. Below is a list of the sorts of information you may want to be kept informed about:

- Notes of important meetings or announcements affecting staff
- Details of internal vacancies which arise
- Details of significant developments to working practices
- Details of any training courses which are offered to the team

There may be occasions when we need to contact you even if you have indicated that you do not wish to be contacted. In these circumstances contact will only be made when there is

significant information which might affect you. For example, where there are changes proposed to the job you are expected to return to.

### **Keep in Touch (KIT) Days**

You may work for up to 10 days during your maternity leave. KIT days can only be worked by mutual agreement; that is to say both you and the Council / Charity must agree to the work / training taking place. When agreeing KIT days, we will agree the type of work to be carried out and the duration in advance. Particular care should be taken when agreeing a rate of pay because payment for KIT days is off-set against Statutory Maternity Pay and not in addition to it. Therefore, we should agree a rate for that week which must be equal to or in excess of the rate of SMP.

### **Returning to work**

We will assume that you will take your full maternity leave entitlement and intend to return to work doing the same job (see paragraph below regarding entitlement to return to the same job after maternity leave), with the same hours, unless you notify us, in writing, or request otherwise. In other words, you do not have to notify us if you intend to return to work at the end of your AML.

If you want to return to work before the end of your maternity leave, you will need to notify us in writing giving at least eight weeks' notice of your intended return date. If you do not give at least eight weeks' notice, we may delay your return to work by up to a further eight weeks where there is good reason.

You have the right to resume working in the same job if returning to work from OML. If you return to work after a period of AML, you are entitled to return either to the same job or, if this is not reasonably practicable, to another suitable job that is on terms and conditions not less favourable.

If you decide not to return to work after your maternity leave, you will need to resign giving the appropriate notice as specified in your contract of employment.

### **Requesting a change to your pattern of work**

You have the right to request that we consider changing your pattern of work (subject to eligibility criteria). See the Flexible Working Policy.

### **Your health and safety**

#### Risk assessment

Whilst most women are able to work normally during pregnancy there are some duties which are best avoided or minimised. We may be able to reorganise your work to avoid/minimise such duties or may arrange different work for you for health and safety reasons. Only in exceptional cases would other action be required e.g. suspension on medical grounds or other appropriate action.

Once you tell us of your pregnancy, we will hold a meeting with you to discuss health and safety issues. In consultation with you, we will complete a risk assessment, agreeing with you any

measures to be taken. We will hold regular meetings with you throughout your pregnancy in order to review the initial assessment. If you have any concerns please raise these directly with the Council / Charity.

### **Redundancy**

We fully support you to make the most of your family leave related rights and encourage you to do so. We recognise that it is important you are confident that you take your statutory entitlements without the worry you may be treated detrimentally for doing so.

You should be assured that in the event a redundancy situation should arise, you will not be dismissed or selected for redundancy for reasons related to pregnancy, nor because they intended to take or took, maternity or shared parental leave in accordance with this policy. It is however lawful to dismiss or select employees for redundancy on unrelated grounds if these are fair. In this situation, our normal redundancy consultation procedure would be followed.

If the role of an employee who is either pregnant, is on maternity, or shared parental leave is proposed to be made redundant, the employee will be included in the applicable redundancy consultation process. In some cases, it may be appropriate to extend consultation periods for employees on family leave.

Furthermore, if an employee's role becomes redundant during a protected period of pregnancy, or whilst taking maternity leave or shared parental leave, they will be offered a suitable alternative vacancy in preference to other employees if one is available.

Employees who are made redundant at or following the 15th week prior to the expected week of childbirth, and who are eligible for SMP, and those who are on shared parental leave and eligible for ShPP will still receive the full entitlement to statutory pay. In these circumstances, SMP, or ShPP may be paid weekly or as one lump sum. Any other benefits such as holiday entitlement would only be provided or accrued to the end of the notice period.

### **Data protection**

When managing your maternity leave and pay, we will process personal data collected in accordance with the data protection policy. Personal and or sensitive information is held securely and accessed by, and disclosed to, those who need to manage maternity leave and pay. Inappropriate access or disclosure of personal data would breach our data protection policy and should be reported immediately. A data breach may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

### **Paternity leave and pay policy**

#### **Purpose and scope**

The purpose of this policy and procedure is to provide clear information about our paternity provisions. This document sets out our policy on paternity leave and pay.

Immediately you discover your partner is pregnant, you should make the Council / Charity aware so that you can be briefed on your entitlements. Ordinary paternity leave is also available

to adoptive parents (either the adoptive father or the adoptive mother) where a child is matched or newly placed with them for adoption.

### **Eligibility**

To qualify for ordinary paternity leave and pay, you will need to have at least 26 weeks service by the end of the 15th week before the expected week of childbirth (EWC) or ending with the week in which you were notified of having been matched with the child. You must also have, or expect to have, responsibility for the upbringing of the child.

### **Ante-natal appointments**

An expectant father or the partner (including same sex) of a pregnant woman is entitled to take unpaid time off work to accompany the woman to up to 2 of her ante-natal appointments. The time off is capped at six and a half hours for each appointment. "Partner" includes the spouse or civil partner of the pregnant woman and a person (of either sex) in a long-term relationship with her. The right applies whether the child is conceived naturally or through donor insemination. It also extends to those who will become parents through a surrogacy arrangement if they expect to satisfy the conditions, and intend to apply, for a Parental Order for the child born through that arrangement.

Employees who are adopting a child are entitled to take time off to attend adoption appointments. Please see the Adoption Policy for full details.

You should endeavour to give the Council / Charity as much notice as possible of when you need the time off for the antenatal appointment. We may ask you for a declaration stating the date and time of the appointment and that you qualify for the unpaid time off through your relationship with the mother or child, and that the time off is for the purpose of attending an ante-natal appointment with the expectant mother that has been made on the advice of a registered medical practitioner, nurse or midwife.

### **Ordinary Paternity Leave (OPL)**

An employee whose partner gives birth to a child, or who is the biological father or either adoptive parent of the child, is entitled to two weeks' ordinary paternity leave. OPL can commence from the date of the child's birth, or child's placement with the adopter, or within 52 weeks after the birth or date of placement

Ordinary Paternity Leave may be taken as either, one week, or two weeks in one consecutive block or two weeks in two one week non consecutive blocks.

If you choose to start your OPL on a fixed and predetermined date and the child is not born or placed for adoption by that date, you must change the date you want to start your leave and notify us in writing as soon as you reasonably can. If you take both OPL and shared parental leave you must take ordinary paternity leave first.

### **Notification of Ordinary Paternity Leave**

You must inform the Council / Charity in writing, of your eligibility and intention to take paternity leave in or before the 15th week before the EWC.

You must then provide us with at least 28 days notice before the dates upon which they intend to take each period of leave, unless this is not reasonably practicable (in which case as soon as it is reasonably practicable).

The notification should specify:

- the week the baby is due
- the date of starting the leave
- that the you are taking leave for the purpose of taking time off to look after your child in line with your entitlement to paternity leave
- How you wish to take the leave
- You can choose to take two one-week non-consecutive blocks of leave may inform us of when you want each block of leave to begin in one notification, or you may choose to provide us with a separate notification at a later date once you have made a decision. However, as above, you must ensure that a minimum of 28 days' notice is provided before the beginning of each period of leave.

In the case of an adopted child, you must give notice of your intention to take ordinary paternity leave no later than seven days after the date on which notification of the match with the child was given by the adoption agency. The notice must specify the date the child is expected to be placed for adoption, the date you intend to start ordinary paternity leave, the length of the intended ordinary paternity leave period and the date on which the adopter was notified of having been matched with the child.

You can change your mind about the date on which you want the leave to start providing you tell your manager at least 28 days in advance (unless this is not reasonably practicable).

### **Ordinary Statutory Paternity Pay (OSPP)**

You will qualify for OSPP if your weekly earnings in the 8 weeks up to and including the Qualifying Week (QW) are not less than the lower earnings limit for the payment of National Insurance contributions. The QW is 15 weeks before the baby is due or the week during which you are notified of being matched with a child for adoption.

Paternity leave will be paid at the prevailing rate of SPP or 90% of average weekly earnings if this figure is less than OSPP.

### **Shared Parental Leave (SPL)**

The birth mother or primary adopter is entitled to curtail their maternity/adoption leave and pay and instead take SPL and pay in conjunction with the child's father (in the case of birth) or the spouse, civil partner or partner of the child's mother/adopter, subject to meeting the eligibility criteria. SPL enables parents to choose how to share the care of their child during the first year of birth. Its purpose is to give parents more flexibility in considering how to best care for, and bond with, their child. See the Shared Parental Leave Policy.

### **Pay increases awarded during paternity leave**

We will ensure that whilst you are on PL you are not left out of a pay award which you would ordinarily have been entitled to. This means that if we make a pay award which takes effect

during your PL, then when you return to work, you will return to the 'new' rate of pay that applies to the job you are returning to.

### **Returning to work**

On resuming work after PL, you are entitled to return to the same job as you occupied before commencing paternity leave on the same terms and conditions of employment as if you had not been absent.

### **Requesting a change to your pattern of work**

You have the right to request that the organisation considers changing your pattern of work (subject to eligibility criteria). See the Flexible Working Policy.

### **Additional paternity leave**

Additional paternity leave is available to eligible employees who may take up to 26 weeks' unpaid additional paternity leave within the first year of their child's life provided that the mother has returned to work.

### **Data protection**

When managing your paternity leave and pay, we will process personal data collected in accordance with the data protection policy. Personal and or sensitive information is held securely and accessed by, and disclosed to, staff who need to manage paternity leave and pay. Inappropriate access or disclosure of personal data would breach our data protection policy and should be reported immediately. A data breach may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

## **Performance Improvement Policy and procedure**

### **Purpose and Scope**

This procedure is designed to help and encourage employees to achieve and maintain standards of job performance which are acceptable to the Council / Charity. The aim is to ensure consistent and fair treatment for all.

This document:

- Supports both us and you to bring about positive changes in work performance and attitude, when needed, and,
- Explains how we will deal with instances of performance that fall below our standards, in a fair and consistent way.

It applies to all staff following successful completion of a probationary period, whether full time, part time or temporary. It does not apply to volunteers or agency staff.

### **Principles**

- Informal coaching and supervision will be considered to improve performance
- No formal warnings will be given until the causes of poor performance have been considered

- For formal warnings you will be advised of the nature of the poor performance and will be given the opportunity to state your case at a formal performance improvement meeting before any decision is made
- You will be provided, where appropriate, with copies of examples of poor performance in advance of a formal performance improvement meeting
- At all formal stages of the procedure you will have the right to be accompanied by a fellow employee or trade union representative
- You will have the right to appeal against any formal warnings issued

Where poor performance is believed to be the result of deliberate negligence, or where serious errors have been made to the detriment of the Council / Charity, we may decide to use our disciplinary procedure instead.

### **Informal feedback**

Before this procedure is engaged, you will receive feedback setting out the concerns about your performance and how it must improve. This procedure is designed to be used when such informal discussions do not lead to an improvement in your performance to an acceptable level.

### **Process**

Where informal discussions have not led to an improvement in performance, the Council / Charity will follow the following procedure.

#### First stage of formal procedure - first written warning

You will be invited to a formal meeting during which your performance will be discussed. The letter inviting you to attend will give examples of what the Council / Charity considers to be poor performance; and advise you of your right to be accompanied at the meeting.

At the meeting, you will be given the opportunity to respond; the causes of the poor performance will be considered; and where training and development is appropriate this will be considered.

Having listened to your response, you may be issued with a first written warning for unsatisfactory performance if your performance does not meet acceptable standards. This will set out: -

- The performance problem
- The improvement that is required
- The timescales
- Any help that may be given
- The right of appeal
- You will be advised that it constitutes the first stage of the formal procedure and
- That the warning will remain on your file for 12 months

A record of the warning will be kept on your file.

If your performance improves to an acceptable level following the first meeting, the Council / Charity will meet with you to confirm that your performance is now satisfactory. This will be confirmed in writing to you. Providing that satisfactory improvement is sustained, the warning will be disregarded after 12 months for the purposes of providing an employment reference. However, the warning will be considered again if the poor performance re-starts.

#### Second stage of formal procedure - final written warning

If the concerns about your performance continue, you will be invited to a second formal meeting during which your performance will be discussed. The letter inviting you to attend will give examples of what the Council / Charity considers to be poor performance; and advise you of your right to be accompanied at the meeting.

At the meeting, we will discuss the progress made following the first meeting and you will be given the opportunity to respond; and where training and development is appropriate this will be considered.

Having listened to your response, if your performance hasn't improved to a satisfactory level, you may be issued with a final written warning for unsatisfactory performance. This will set out:

-

- The performance problem
- The improvement that is required
- The timescale
- Any help that may be given
- The right of appeal
- That the warning will remain on your file for 12 months
- Advise you that it constitutes the final written warning and will also warn that failure to improve may lead to dismissal

A record of the warning will be kept on your file.

If your performance improves to acceptable level following the second meeting, the Council / Charity will meet with you to confirm that your performance is now satisfactory. This will be confirmed in writing to you. Providing that satisfactory improvement is sustained, the warning will be disregarded after 12 months for the purposes of providing an employment reference. However, the warning will be considered again if the poor performance re-starts.

#### Final stage of formal procedure – dismissal

If the concerns about your performance continue, you will be invited to a formal meeting during which your performance will be discussed. The letter inviting you to attend will give examples of what the Council / Charity considers to be poor performance; and advise you of your right to be accompanied at the meeting. The letter will also advise you that dismissal may be considered.

At the meeting, we will discuss the progress made following the second meeting and you will be given the opportunity to respond. Having listened to your response, if your performance hasn't

improved to a satisfactory level, dismissal will be considered, or where appropriate redeployment to an alternative role.

Any offer to redeploy you will be entirely at the Council / Charity's discretion. Such an offer will be made only where there is a vacancy that we are confident you would be able to perform to a satisfactory level. The alternative job may be on different terms of employment. It will normally be offered only as an alternative to dismissal in circumstances in which we are satisfied that you should no longer be allowed to continue to work in your current role. While you will be free to refuse any offer of redeployment, the only alternative available will usually be dismissal.

If the Council / Charity believes that there is no alternative role available and suitable for you, but that you have not met an acceptable standard of performance, we may decide to dismiss. Any dismissal will be with full notice or payment in lieu of notice.

If the decision to dismiss is taken, you will be provided in writing with;

- Reasons for dismissal
- The date on which the employment will terminate
- The right of appeal

### **Appeals**

If you wish to appeal against a formal warning or dismissal you must do so by writing to the Clerk within five working days. The Clerk will arrange for an appeal meeting to take place. Wherever possible, your appeal will be heard by a more senior officer or a subcommittee made up of councillors / Trustees who have not previously been involved in the matter.

You have the right to be accompanied at the appeal meeting by either a work colleague or a trade union representative. At the appeal hearing, the decision to impose the sanction will be reviewed and you will be entitled to make representations about the appropriateness of that decision.

The outcome of the appeal will be confirmed to you in writing, explaining the grounds on which the decision was reached. The outcome of the appeal will be final.

### **Rescheduled meetings**

If you fail to attend a scheduled Performance Improvement Meeting without satisfactory reason, we will reschedule the meeting. We will advise you that if you do not attend the rescheduled meeting without a satisfactory reason, we reserve the right to make a decision in your absence. We will however confirm that if you do not wish to attend the hearing, you may send written representations, join the hearing by telephone or send a representative on your behalf.

### **Right to be accompanied**

You have the right to be accompanied by a work colleague or a Trade Union representative to all formal meetings in this procedure. The Council / Charity will also consider requests to be accompanied to any investigation meetings.

A work colleague will be allowed time off to accompany you to the meeting and the Council / Charity will support any work colleague who agrees to be a companion. A companion must feel able to agree to the request on the basis that they will not be treated to any detriment if they accept. However, the companion can decline a request.

It is your responsibility to ensure your companion is aware of the meeting arrangements and that they have any documentation in good time. If your chosen companion is not available at the time proposed for the meeting, you must provide us with alternative dates that you are both able to meet. These dates must be within the following five working days unless the Council / Charity can agree to alternative arrangements.

If you and your representative are unable to meet with the Council / Charity within a reasonable time, we will discuss alternative arrangements to enable you respond to the concerns. If we are unable to meet with you personally, this may mean that the Council / Charity considers the concerns in your absence with your companion attending on your behalf or considering a written response.

### **Confidentiality and data protection**

We aim to deal with performance improvement matters sensitively and with respect for the privacy of the individuals involved. All staff must treat as confidential any information communicated to them in connection with a performance improvement matter.

A written record of all meetings conducted under this procedure will be made, either by the person holding the meeting or by an additional person arranged by the Council / Charity to take notes.

The Council / Charity processes any personal data collected during the performance improvement procedure in accordance with its data protection policy and privacy notice as issued to our employees. Any data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the performance improvement procedure.

Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the organisation's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the disciplinary procedure.

### **Sickness Absence policy**

#### **What to do if you are unwell**

If you are away from work because of sickness you must:

- Telephone your manager / the Clerk, before your contractual (or normal start time for work) on the first day of absence providing details and how long you expect to be off. If you are unable to call personally, someone else may call for you. It is your responsibility to ensure the Council / Charity is notified. You must then telephone again each day (unless otherwise agreed with the Clerk).

- If you are away for seven days or less (including weekends and other non-working days), you must complete a self-certification form and provide it to the Council / Charity when you are back at work.
- If you are away for more than seven days (including weekends and other non-working days), you must send in a 'fit to work' statement from your doctor and continue to do so as each new certificate is issued to you. This certificate gives details as to whether you are too ill to work or whether you are well enough to work with suitable support from the Council / Charity. This gives you and the Council / Charity the opportunity to discuss suitable arrangements which will support your return to work. The form also gives more space for the doctor to provide information about your condition and helpful tick boxes to suggest common ways to help you return to work.
- All sickness or injury absence will be entered on your employment record and will be monitored from time-to-time.

### **Return-to-work meetings**

On the first day back at work after a period of sickness absence your manager may want to meet informally. If this is not possible on your first day back, the meeting may take place later. The return-to-work meeting should take place in a private place, and all discussions should be private and confidential. The meeting would normally include

- a welcome back to work;
- outline the purpose of the return-to-work meeting; which is to manage and monitor absence and attendance to identify any problem areas and offer support where appropriate;
- a discussion about the reasons for absence, in a supportive way and to understand whether the Council / Charity can take any steps to help the employee's attendance;
- explain that the absence will be recorded;
- establish if medical advice has been sought (if appropriate);
- ensure the self-certification form has been completed or a fit note from the doctor has been provided;
- a discussion on absence over the last 52 weeks, the impact on pay and any next steps; and
- a handover of work where appropriate.

### **Medical appointments**

The Council / Charity recognises that employees will, from time to time, need to attend medical appointments. Please try to arrange medical appointments in your own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to the Council / Charity. The Council / Charity will allow reasonable time off work with pay for such appointments.

### **Statutory Sick Pay**

If you are ill and unable to attend work, you may be entitled to Statutory Sick Pay (SSP). SSP is currently paid after 4 Qualifying Days absence from work. The Qualifying Days are your normal working days that are in your contract. Tax and National Insurance will be deducted from SSP and if you earn below the lower earnings limit, you will not qualify for SSP.

### **Council / Charity's Sick Pay (Occupational Sick Pay)**

It is the Council / Charity's policy to pay you your normal basic rate of pay exclusive of overtime/allowances during periods of sickness absence as detailed in your contract of employment. This occupational sick pay will be for absences due to sickness calculated over the previous 52 weeks and will include your entitlement to SSP.

Payment is, however, conditional upon you complying with the Council / Charity's procedure for notifying your manager of the absence, attending an interview with your manager on request to discuss the absence, and completing a self-certification form on return to work or providing a fit-note when requested. We may also ask you to attend an interview/examination with a nominated doctor at the request of the Council / Charity.

We may not pay you occupational sick pay where:

- you have failed to comply with the Council / Charity's sickness absence notification and evidence requirements;
- you unreasonably refuse to attend a sickness absence meeting with the Council / Charity on request;
- you are unable to work because you hurt yourself in dangerous sports / activities or any other occupation you have;
- you have misled the Council / Charity about your fitness to work;
- you have resigned; or
- where disciplinary proceedings are pending against you.

### **Medical advice**

The Council / Charity may want to obtain advice on your fitness for work from occupational health advisers or medical practitioners. Examples of when the Council / Charity might refer to occupational health or a medical practitioner include the following:

- to seek a medical report on your illness or injury;
- to establish when you might be able to return to work;
- to understand when you are likely to be fully fit to resume your normal duties;
- to understand what alternative duties you might be fit to undertake if you are unfit to resume your normal duties;
- to understand when you are likely to be fit to undertake any alternative duties;
- to ask for guidance on your condition, for example if there is a possibility that you are disabled or ambiguity as to the exact nature of the condition;
- to ask what reasonable adjustments could be made to working conditions or premises to facilitate a return to work;
- to understand the likely recurrence of the illness or injury once you have returned to work; and
- to discuss any adjustments that could be made to accommodate your disability, if you are disabled.

The Council / Charity will pay the cost of the report and you will have the right to see it. The Council / Charity will also be provided with a copy of the report and once we have seen it, we will want to meet you to discuss the findings and consider options available to you.

If you choose not to consent to an Occupational Health referral, any decisions in relation to your employment may be made without the benefit of access to medical reports.

### **Persistent short-term absence**

Persistent short-term absence is where an employee is frequently absent from work for relatively short periods due to sickness. We understand most employees will have some short-term sickness absence from time to time. However, if you are frequently and persistently absent from work, this can damage efficiency and productivity, and place an additional burden of work on your colleagues and councillors / Trustees.

Therefore, it is essential that frequent absence is dealt with promptly and consistently and in some circumstances, the Council / Charity may begin a capability or disciplinary procedure as part of the absence management process. If we do so, we will meet with you to set attendance targets. Following a review meeting we may issue a formal warning if those targets are not met. You will be given written notice in advance of any formal meeting and you can be accompanied by a work colleague or trade union representative. You may appeal against a formal warning. If your absence remains unacceptable after a second formal warning, the Council / Charity may bring your employment to an end following consultation with you.

If frequent absence is due to an underlying long-term health condition then we will also request, with consent, a medical report either from an Occupational Health Physician or your G.P. or consultant to establish further information about your health and how the Council / Charity can support your attendance.

When considering the reasons for absence, and deciding on whether a formal meeting is appropriate, the Council / Charity will not consider any pregnancy related absence. The Council / Charity will also make adjustments where absences are related to a disability by allowing a higher level of absence before considering whether disciplinary action is appropriate.

The Council / Charity will consider any alternative employment options before making any decision about ending employment. You will have the right to be accompanied by a work colleague or trade union representative at formal meetings and a right of appeal against a formal warning or dismissal sanction. The monitoring of absence operates on a rolling 52-week period.

Where it appears that there is no acceptable reason for an absence or if you have not followed the correct absence notification procedure, the matter should be treated as a conduct issue and dealt with under the disciplinary procedure.

### **Long-term absence**

As a guide, long term absence is any absence which lasts or is expected to last over 4 weeks. In all cases of long-term absence, it is essential for the Council / Charity to maintain contact with

you. In cases where the return date is less certain this will take the form of consultation and will include:

- Discussions at the start of the absence and periodically throughout
- Obtaining better information on your health and likely prognosis, ideally through an Occupational Health Physician
- Where appropriate alerting you to the fact that your absence is becoming a problem, and
- Allowing you the opportunity to state your opinion of your condition and giving consideration to that opinion

Where ill-health means that you are unlikely to return to work for a long period of time, the Council / Charity may need to consider bringing your employment to an end. In these circumstances, the Council / Charity will:

- Review your absence record to assess whether or not it is sufficient to justify dismissal
- Consult with you
- Obtain up-to-date medical advice
- Advise you in writing as soon as it is established that termination of employment has become a possibility
- Discuss whether you may be able to access benefits from the Local Government Pension Scheme (where appropriate)
- Meet with you to discuss the options and consider your views on continuing employment before any decisions are made, allowing you to be accompanied by a work colleague or trade union representative
- Review if there are any alternative jobs that you could do prior to taking any decision on whether or not to dismiss
- Allow a right of appeal against any decision to dismiss you on grounds of long-term ill health
- Following this meeting, inform you of the final decision

### **Absence as a result of disability**

Where you experience sickness absence as a result of a disability it will be treated in line with the provisions contained within the Equality Act 2010 (formerly as part of the Disability Discrimination Act 1995). This will include considering whether any reasonable adjustments can be made.

### **Data protection**

The Council / Charity will treat personal data collected during the absence management process in accordance with its data protection policy on processing special categories of personal data. Information about how your data is used and the basis for processing your data will be provided in our employee privacy notice. When relying on legitimate interests as the legal ground for processing your data, you can object to the processing.

## **Training and development policy**

### **Purpose and scope**

This purpose of this policy is to set out the Council / Charity's position on the provision of training and development opportunities for staff. It applies to all staff whether full or part time, temporary or fixed term.

### **Identifying, Meeting and Evaluating Training and Development Needs**

Training and development needs will be identified from a variety of sources:

- Induction and probationary periods
- One-to-ones
- Appraisal
- Workforce planning
- Team meetings
- Annual plan
- Change processes

In addition, the Council / Charity will encourage staff to identify their own learning styles and will seek to provide a wide variety of learning and training methods, including:

- Attendance at conferences, seminars and short courses
- Online training
- Internal coaching
- Shared in-house learning resources (books, journals, DVDs etc.)
- In house training
- Work shadowing
- Time for self-directed research and learning

### **Consideration**

A number of factors will be taken into account when assessing a request from an individual. This policy provides one element of the decision-making process. Other factors will include availability of finance and the individual's employment record.

### **Guidance for support**

Since 2020 new contracts need to referenced any training provided by the employer. It should also note if there is a requirement to gain a qualification within a stipulated amount of time, or where it is required that a qualification is maintained. If it is possible that the employment will be ended, if the qualification is not gained in the stipulated time, then the contract should state this.

Support for qualifications, training and personal development can include financial assistance towards the cost of tuition, examinations and resource materials in addition to half / day release and time off for study leave and taking the examination. Any financial and non-financial support to training and development is entirely at the discretion of the Council / Charity.

Any financial support in excess of £2000, including the offer of a loan, will always be conditional upon the employee's agreement to either a full or partial repayment of the financial support provided. The Council / Charity reserves the right to reclaim financial support where the employee;

- Leaves the Council / Charity during the duration of the course, or up-to 1 year following completion of the course.
- Fails to complete the training
- Fails to attend training without good reason

### **Study leave**

Where individual requires study leave to undertake mandatory training, they will be able to take all the leave within normal working hours.

Where individuals require study leave to undertake study which is not mandatory but part of the individual's formal continuous professional development, the Council / Charity will contribute up to 50% of study leave time, to a maximum of 3 days per annum.

Where individuals require study leave to undertake training which is not mandatory but part of the individual's desire for career development, the Council / Charity will contribute up to 3 days study leave per annum for courses which are directly related to the individual's role.

Time off for study leave must be approved in advance. To make a request the individual is asked to write to the Clerk (or Chairman of the Council / Charity), setting out the details of the course of study, how it relates to their work, and the time being requested.

No study leave will be granted where individuals undertake study which is not required for their role, or not directly related to their role. However, the Clerk (or Chairman of the Council / Charity) will consider requests for flexible working to allow the study to take place, as long as the needs of the Council / Charity can be met.

### **Whistleblowing Policy**

#### **Policy**

It is important that any fraud, misconduct or wrongdoing by staff or others working on behalf of the Council / Charity is reported and properly dealt with. We therefore require all individuals to raise any concerns that they may have about the conduct of others in the Council / Charity. This policy sets out the way in which individuals may raise any concerns that they have and how those concerns will be dealt with.

#### **Background**

The Public Interest Disclosure Act 1998 amended the Employment Rights Act 1996 to provide protection for workers who raise legitimate concerns about specified matters in the public interest. These are called "qualifying disclosures". A qualifying disclosure is one made by an employee who has a reasonable belief that:

- a criminal offence;

- a miscarriage of justice;
- an act creating risk to health and safety;
- an act causing damage to the environment;
- a breach of any other legal obligation; or
- concealment of any of the above;

is being, has been, or is likely to be, committed. It is not necessary for you to have proof that such an act is being, has been, or is likely to be, committed - a reasonable belief is sufficient. You have no responsibility for investigating the matter - it is the Council / Charity's responsibility to ensure that an investigation takes place.

If you make a protected disclosure you have the right not to be dismissed, subjected to any other detriment, or victimised, because you have made a disclosure. We encourage you to raise your concerns under this procedure in the first instance.

### **Principles**

- Everyone should be aware of the importance of preventing and eliminating wrongdoing at work. Staff and others working on behalf of the Council / Charity should be watchful for illegal or unethical conduct and report anything of that nature that they become aware of.
- Any matter raised under this procedure will be investigated thoroughly, promptly and confidentially, and the outcome of the investigation reported back to the person who raised the issue.
- No employee or other person working on behalf of the Council / Charity will be victimised for raising a matter under this procedure. This means that the continued employment and opportunities for future promotion or training of the worker will not be prejudiced because they have raised a legitimate concern.
- Victimisation of an individual for raising a qualified disclosure will be a disciplinary offence.
- If misconduct is discovered as a result of any investigation under this procedure our disciplinary procedure will be used, in addition to any appropriate external measures.
- Maliciously making a false allegation is a disciplinary offence.
- An instruction to cover up wrongdoing is itself a disciplinary offence. If told not to raise or pursue any concern, even by a person in authority such as a manager, you should not agree to remain silent. You should report the matter to the Clerk or the Chair of the Council / Charity.

### **Procedure**

If you believe a Councillor has breached the council Code of Conduct, then raise it with the Chair of the Council. Concerns relating to an alleged breach of the council Code of Conduct will be referred to the Monitoring Officer for investigation.

This procedure is for disclosures about matters other than a breach of your own contract of employment, which should be raised via the Grievance Procedure.

### **Stage 1**

In the first instance, any concerns should be raised with the Clerk, who will arrange an investigation of the matter. The investigation may involve you and other individuals involved giving a written statement. Any investigation will be carried out in accordance with the principles set out above. Your statement will be taken into account, and you will be asked to comment on any additional evidence obtained.

The Clerk (or delegated officer) will take any necessary action, including reporting the matter to the Council / Charity, or any appropriate government department or regulatory agency. The Clerk (or delegated officer) will also invoke any disciplinary action if required. On conclusion of any investigation, insofar as confidentiality allows, you will be told the outcome and what the Council / Charity has done, or proposes to do, about it. If no action is to be taken, the reason for this will be explained.

### Stage 2

If you are concerned that the Clerk is involved in the wrongdoing, has failed to make a proper investigation or has failed to report the outcome of the investigations to the relevant person, you should escalate the matter to the Chair of the Council / Charity. The Chair will arrange for a review of the investigation to be carried out, make any necessary enquiries.

### Stage 3

If on conclusion of stages 1 and 2 you reasonably believe that the appropriate action has not been taken, you should report the matter to the relevant body. This includes:

- HM Revenue & Customs
- The Health and Safety Executive
- The Environment Agency
- The Serious Fraud Office
- The Charity Commission
- The Pensions Regulator
- The Information Commissioner
- The Financial Conduct Authority

You can find the full list in The Public Interest Disclosure (Prescribed Persons) Order 2014: [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/496899/BIS-16-79-blowing-the-whistle-to-a-prescribed-person.pdf)

### **Data protection**

When an individual makes a disclosure, we will process any personal data collected in accordance with the data protection policy. Data collected from the point at which the individual makes the report is held securely and accessed by, and disclosed to, individuals only for the purposes of dealing with the disclosure.



Holiday entitlement

1/4/25-1/3/26

|               | hours worked<br>per week | Contract (FTE) | bank<br>holidays | statutory<br>days | Pro rata<br>holiday<br>days | Mark's records              |                  |                   |                       |
|---------------|--------------------------|----------------|------------------|-------------------|-----------------------------|-----------------------------|------------------|-------------------|-----------------------|
|               |                          |                |                  |                   |                             | annual leave<br>entitlement | bank<br>holidays | statutory<br>days | difference<br>IN DAYS |
| Abi Wood      | 25                       | 26             | 8                | 2                 | 24.32                       | n/a                         | n/a              | n/a               | n/a                   |
| Karen Hurrell | 15                       | 26             | 8                | 2                 | 14.59                       | 15                          | 8                | 2                 | 10.00                 |
| Donna Hance   | 37                       | 23             | 8                | 2                 | 33.00                       | 20                          | 8                | 2                 | -3.00                 |
| Steve Earley  | 20                       | 23             | 8                | 2                 | 17.84                       | 16                          | 8                | 2                 | 8.00                  |
| Stuart Jones  | 15                       | 26             | 8                | 2                 | 14.59                       | 9                           | 2                | 2                 | -2.00                 |
| Fitzroy Grant | 25                       | 26             | 8                | 2                 | 24.32                       | 24                          | 4                | 4                 | 7.50                  |
| Amy Hance     | 5                        | 23             | 8                | 2                 | 4.46                        | 10                          | 4                | 1                 | 10.50                 |

Bank holidays

Current practice

|             |               |          |                                                |
|-------------|---------------|----------|------------------------------------------------|
| 18th April  | Good Friday   | Friday   | Prorata holiday entitlement                    |
| 21st April  | Easter Monday | Monday   | full award of bank holidays and statutory days |
| 5th May     | BH            | Monday   |                                                |
| 26th May    | BH            | Monday   |                                                |
| 25th August | BH            | Monday   |                                                |
| 25th Dec    | Christmas     | Thursday |                                                |
| 26th Dec    | Boxing        | Friday   |                                                |
| 1st Jan     | NY day        | Thursday |                                                |

Correct practice

Prorata entitlement, bank holiday and statutory days