

# **GODMANCHESTER TOWN COUNCIL**

## **Staff Handbook**

**This Staff Handbook was formally adopted by the Town Council at the Town Council meeting held on 15 March 2018**

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**Cllr Sarah Conboy**

**TOWN MAYOR**

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## Introduction

I am pleased to welcome you to Godmanchester Town Council. This handbook contains the rules, policies and procedures relating to your employment with the Council and explains what you can expect from us as your employer and what is expected from you in return. Unless otherwise specified, the contents of the Handbook form part of your contract of employment.

We reserve the right to review, revise, amend or replace the contents of this Handbook and introduce new policies from time to time reflecting the changing needs of the business.

Unless the context requires otherwise, employees are usually referred to in the masculine for brevity and convenience. This is intended to include female employees.

If you have any queries on any aspect of this Handbook or on any other matter relating to the terms of your employment, you should raise them immediately with your manager.

We wish you every success in your career with us.

## Equal Opportunity Statement

The Council is committed to the principle of equal opportunity in employment. Accordingly, management will ensure that recruitment, selection, training, development, redundancy consideration and promotion procedures result in no job applicant or employee receiving less favourable treatment on the grounds of race, colour, nationality, ethnic or national origin, religion, religious or philosophical belief, age, disability, trade union membership or non-membership, sex, sexual orientation, gender reassignment, maternity or pregnancy, marital status, or being a part time worker.

The objective is to ensure that individuals are selected, promoted and otherwise treated solely on the basis of their relevant aptitudes, skills and abilities. Management has the primary responsibility for successfully meeting these objectives by:

not discriminating unlawfully in the course of employment against employees or job applicants;

not inducing or attempting to induce others to practice unlawful discrimination; and

bringing to the attention of employees that they will be subject to disciplinary action for unlawful discrimination of any kind.

You have the responsibility of ensuring that you assist the Council in successfully achieving these objectives by:

not discriminating unlawfully in the course of employment against fellow employees, members of the public, suppliers or members of the public with whom you come into contact during the course of your duties;

not inducing or attempting to induce others to practice unlawful discrimination; and

reporting any unlawful discriminatory action to your manager or the Council's human resources advisors.

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

## **Sickness Absence**

### **Notification Procedure**

Absence for reasons of sickness must be notified as soon as possible, by telephone and in person. Notifications by text, email or third party are not acceptable unless there are exceptional circumstances. Contact must be made by 9.00am on the first day of your absence to your manager. Unless otherwise agreed, this procedure should be followed on a daily basis for each day of absence in the same absence period.

In cases of sickness of less than seven days' duration (including non-work days), you must complete a self-certification form immediately upon return to work. This can be obtained from your manager.

Where the absence is expected to continue, or lasts for a period in excess of seven consecutive days (including non-work days) a Fitness to Work Statement will be required. Thereafter the requirement for a Fitness to Work Statement will continue throughout your period of ill health absence until your return.

Where more than three periods of "uncertified" absence occur in any 12 month period, you may be required to obtain, at your own expense, a private medical certificate from your doctor. This must be made available to your manager at the earliest possible time.

Where the Council is concerned by the level of your absence, it may require you to undergo a medical examination to determine your continued suitability to carry out your contractual duties. If you attend a medical examination at the Council's request, you acknowledge and agree that you will sign a release form for the final report within five working days of the completion of the report.

Where the reason for your absence is known prior to the absence occurring (e.g. hospital treatment/day care), you must provide your manager with written supporting documentation.

During any illness the Council reserves the right to telephone you, or to make pastoral visits from time to time.

Please note that falsification of sickness or unauthorised absence will lead to disciplinary action in accordance with the established procedures and, in extreme cases, may result in dismissal.

### **Statutory Sick Pay**

Provided that you meet the qualifying criteria, you are entitled to receive SSP.

SSP is only paid for a day or days that you normally work. For example, if you work Monday to Friday and not at weekends, SSP will only apply to those five days. Employers cannot pay SSP for the first three days of your sickness, therefore payment starts on the fourth day and continues for as long as you are absent, subject to a maximum of 28 weeks.

This will be paid to you in exactly the same way as your normal wages/salary. The rate of payment depends on the State Benefit rate currently in force.

### **Occupational Sick Pay**

Occupational Sick Pay (OSP) may be paid at the absolute discretion of the Council, but is not a contractual right. Such pay includes your right to SSP.

OSP will be paid based on your length of continuous service as follows.

During your first year of service (excluding the probationary period): one month's full pay and (after completing four months' service) two months' half pay

During your second year of service: two months full pay and two months half pay

During your third year of service: four months' full pay and four months' half pay

During your fourth and fifth years of service: five months' full pay and five months' half pay

After five years' complete service: six months' full pay and six months' half pay.

Periods of sickness which occur during holiday absences will be treated as sickness absence on the condition that you comply with the usual notification requirements and provide a medical certificate covering the dates claimed. In these circumstances the Council reserves the right to confine any payment to SSP only.

OSP is not payable in respect of:

failure by an employee to fully meet sickness notification requirements;

refusal to attend a welfare meeting, failure or refusal to attend a medical examination, failure to sign a medical report release form within the stipulated time;

elective surgery;

ill health arising during emergency leave for dependents;

ill health arising during a period of holiday;

absence on grounds of ill health pending, during or immediately after a disciplinary or grievance investigation or hearing; or

where notice of termination has been given or received.

Once OSP has been exhausted, sick pay will be paid in accordance with the Statutory Sick Pay Regulations (SSP). For the purposes of SSP, your qualifying days are the days you normally work. Employers cannot pay SSP for the first three days of your sickness absence, therefore payment starts on the fourth day, and continues for as long as you are absent, subject to a maximum of 28 weeks.

If you are absent from work through injuries caused by the actionable negligence, nuisance or breach of statutory duty of any third party in respect of which damages are recoverable you must inform the Council immediately. (This is particularly pertinent where you have been injured as result of a car accident and are seeking damages from the driver of the other vehicle) You should ensure that any claim also includes compensation for loss of earnings. The Council must be recompensed for any payment made for all or part of any absence under the sick pay scheme by the Council (other than SSP) from damages for loss of earnings that are awarded to you.

## Employee Benefits and Rights

### Holiday Entitlement

Full time employees are entitled to 20 days' holiday per year, in addition to eight public and bank holidays.

On completion of five years' continuous service, you will be entitled in the next leave year to accrue an extra day's holiday. This will continue each complete year subject to a maximum of 27 days.

In addition to general national holidays, you will be entitled to two extra statutory days. The timing of these extra-statutory holidays will be by mutual arrangement and must be taken at times convenient to the Council.

**If you join the Council from another authority (without any break in service) your previous service will be taken into account in calculating your holiday entitlement.**

The Council reserves the right to treat public holidays as normal working days. If this is the case, you will be entitled to take time off in lieu at a time agreed with your manager. Work carried out on public holidays is paid at basic rate.

Part time employees accrue annual holiday entitlement on a pro rata basis.

The Council's holiday year runs from 1<sup>st</sup> January to 31<sup>st</sup> December.

### Conditions Relating To Annual Holidays

On the termination of your employment any holiday accrued in that final leave year but not taken will be paid on a pro rata basis in proportion to each complete month of service in the holiday year prior to such termination. If you have taken more annual holiday entitlement than you have accrued during the final holiday year, the balance will be deducted from any outstanding pay.

For operational reasons you may be required to take up to four working days' holiday between Christmas and New Year.

Unless previously agreed with your manager you must not take more than ten working days' holiday at once. Holiday pay will be paid at basic rate. You may be required to take any accrued holiday during any period of notice.

The Council encourages its employees to take holiday in the year in which it accrues and therefore unused holiday will only be carried forward to the next year by exception and with the written agreement of the Town Clerk. Such holiday must be taken by the end of April and dates must be agreed with your manager in advance. There will be no payment for holiday accrued in one year but not taken.

All annual holiday entitlement must have prior approval and written authorisation from your manager on a first-served basis and the Council will respond as soon as possible to any holiday requests.

## Family Friendly Rights

### Maternity/Paternity/Adoption Leave and Pay

You may be entitled to maternity/paternity/adoption leave and pay in accordance with the current statutory provisions. If you (or your partner) become pregnant or are notified of a match date for adoption purposes, you should notify your manager at an early stage so that your entitlements and obligations can be explained to you.

### Right to Request Flexible Working

From 30<sup>th</sup> June 2014, employees with six months' continuous service have the statutory right to request to work flexibly. The request may be for a change in hours and/or times of work and/or to work from home. You may make only one request in a 12 month period and once it has been made the change is permanent. There is no right to go back to the original job terms unless it is mutually agreed between the parties.

If you wish to apply for flexible working arrangements in line with the current statutory provisions, you should apply in writing to your manager in the first instance explaining your request, its reasons and how you feel the Council could adapt to the impact of your proposed change. Please ask your manager for the Council guidance on flexible working. A meeting will be arranged within reasonable time to discuss and attempt to accommodate your request so that it suits both parties. Requests will be considered on a 'first come, first served' basis.

### Time Off for Dependants

Employees are entitled to reasonable time off for unforeseen incidents involving a human dependant. This may be a member of your immediate family, a person for whom you are the primary carer, or where you are the only person who can provide assistance in a serious emergency.

The entitlement to time off in such circumstances is limited to what is reasonable to deal with the immediate problem and sort out any longer term arrangements. This time off is unpaid. You are required to notify your manager at an early stage if you need to take time off for dependants.

### Parental Leave

Parental leave is a right for parents to take unpaid time off work to look after their child's welfare. To qualify, you must have one year's service. Parents may take up to a maximum of 18 weeks unpaid leave up to the child's 18th birthday. You are required to give at least 21 days' notice before the intended start date. Entitlement to parent leave is per child born or adopted.

### Shared Parental Leave

You may be entitled to take shared parental leave in line with the current statutory provisions. Shared parental leave allows the parents / adopters of a child to a maximum of 50 weeks of shared leave following the birth / placement of a child.

If you intend to take shared parental leave, you should notify your manager at an early stage so that your entitlements and obligations can be explained to you.

#### Time Off

#### Appointments

You are normally expected to ensure that any routine appointments made to visit the doctor, dentist, optician and hospital are made in your own time, and outside normal working hours. In the event that this is not reasonably practicable, paid time off work will be allowed providing that the timing of the appointment causes as little disruption as possible (i.e. at the beginning or end of the working day). In some circumstances, the Council may require you to substantiate the appointment with an appointment card.

For health and safety reasons the Council recommends that if you have an appointment at the beginning of the day you ensure your manager is aware of the pre-arranged absence and is provided with an approximate time of arrival at work.

#### Extended Leave

When considering authorisation of extended leave, your timekeeping, attendance and disciplinary record, as well as the needs of the business, which will be paramount at all times, will be taken into account. You must undertake to return to work by an agreed date. Failure to return as agreed (unless in exceptional circumstances) will be considered to be a fundamental breach of your contract of employment which will result in dismissal.

#### Public Duties

Under current employment legislation employees who hold certain public positions are entitled to reasonable time off during normal working hours to perform the duties associated with the position such as magistrates, local councillors, Statutory tribunal members etc. Employees are not, however, entitled to payment for this time.

#### Jury Service

Employees are entitled to time off work to fulfil their obligations with regard to jury service. In the event that you are summoned to attend for jury service, you must notify management as soon as you receive the jury summons, giving details of dates that you are required to attend court. In the event that you are retained on jury service for a prolonged period of time, you have an obligation to notify management and should keep in regular contact with your immediate manager throughout this period.

You are expected to return to normal working as soon as you are released from your duties. You are reminded to ensure that expense claims are submitted to the Court in accordance with the available allowances. You are not entitled to payment for this time off as you are allowed to claim expenses from the Court to cover your costs, and also compensation for loss of earnings.

### Military Reservists

There is no right for military reservists to take additional time off to participate in military activities during peacetime.

Government legislation will apply where an employee, who is a registered member of the Army Reserves, is called to serve the country in time of war.

### Lay-Offs and Short Time Working

The Council reserves the right to lay-off or introduce short time working as a way of handling temporary work shortages. A lay-off is where employees are not provided with work by the Council because there is a reduction in the requirements of the employer's business for work of the kind which the employee is employed to do and the situation is expected to be temporary. No payment will be made in these circumstances.

Short time working applies where the employee works for some of the week but is laid-off for the rest of the week. In these circumstances, the employee will only be paid for the hours actually worked.

### Time Off in Lieu (TOIL)

Owing to the varied nature of the activities undertaken there may be occasions when you will be expected to exceed your normal contractual hours. It is expected that in the majority of cases this can be avoided by forward planning but if difficulties are anticipated then it is your responsibility to raise these concerns directly with your line manager at the earliest opportunity. Most activities should be carried out as part of normal contractual working hours.

The Council may, at its discretion, allow you to take time off in lieu. You must obtain prior written agreement from your line manager before performing extra hours and expecting to accrue TOIL. Your line

manager can only authorise such an arrangement for a period not exceeding ten hours. Anything above this figure would have to be referred to a Committee of the Council for prior approval. Any excess time cannot be claimed back at a rate of more than one hour a day, with a maximum of three hours in any week.

Accrued TOIL must be taken at times agreed by your manager.

## **Annual Review**

All staff will receive an annual salary review. Staff performance will be measured against the delivery of the Business Plan. Each portfolio group will meet separately with the Town Clerk and Mayor in September each year. A review of the current years objectives will take place and the following years proposals will be drawn up together with the budget requirements. Any changes to the salary will be effective from the following financial year.

## General Rules and Procedures

### Timekeeping

You are responsible for attending punctually for work in accordance with the hours defined within your Statement of main terms of employment.

You may not leave work prior to your normal finishing time without permission from your manager. In the event that you require time away from work during your normal working period, you must report to your immediate manager upon leaving and returning to work. Persistent unauthorised lateness will result in disciplinary action. Your salary may also be reduced accordingly.

### Data Protection

You acknowledge and agree that the Council will hold certain information about you in your personal file. You are entitled under statute to access copies of certain information contained in the file and to other information which the Council holds about you pursuant to your employment hereunder (whether in computerised or manual record form) subject to certain restrictions imposed by law.

It is a condition of your employment that you provide the Council with current and accurate contact information, including your home phone number and address and the home phone number and address of the person you would wish to have notified in the event of an accident, illness or other emergency affecting you whilst at work.

### No Smoking Policy

In accordance with the law our premises are no smoking zones.

Breach of the rules is considered to be gross misconduct and can lead to summary dismissal.

### Dress Code/Appearance

Our normal dress policy is business smart-casual. This promotes a relaxed work environment, which should be more conducive to the type of work we do. While we enjoy a business casual environment, we do regard our dress to reflect respect for the daily interaction among staff, clients, prospects and other visitors. Employees must maintain a good level of personal hygiene.

Management reserves the right to require employees who work in highly visible departments or those employees who are in close contact with members of the public to wear more formal work attire rather than permitting casual dress.

Examples are given in the table below:

<p><b>Men : We regard as smart-casual:</b></p> <p>Business suits</p> <p>Chinos, or gabardine trousers</p> <p>Black jeans</p> <p>Shirts with collars</p> <p>Polo shirts</p> <p>Sweaters with collared shirts underneath</p> <p>Jackets</p>	<p><b>Women: We regard as smart-casual:</b></p> <p>Business suits and dresses</p> <p>Tailored trousers, chinos, skirts</p> <p>Black jeans</p> <p>Blouses, semi-formal tops</p> <p>Sweaters or cardigans</p> <p>Jackets</p>
<p><b>What you should not wear:</b></p> <p>T-shirts, vest tops, sweatshirts</p> <p>Denim</p> <p>Shorts</p> <p>Sports clothes, track suit bottoms, sport socks</p> <p>Logo clothing</p> <p>Hiking boots, deck shoes, trainers or sandals</p> <p>Hats or caps of any kind</p> <p>Torn or ripped clothing</p>	<p><b>What you should not wear:</b></p> <p>T-shirts, vest tops, sweat shirts, crop-tops</p> <p>Denim</p> <p>Shorts and very short skirts</p> <p>See through materials, bare shoulders or any kind of glitter</p> <p>Sports clothes, track suit bottoms, sport socks</p> <p>Leggings and combat trousers</p> <p>Logo clothing</p> <p>Trainers, deck shoes, flip-flops or any other beach type sandals</p> <p>Hats or caps of any kind</p> <p>Torn or ripped clothing</p>

Certain members of staff may be given permission to wear different dress for certain duties. This will be explained to you separately. If you are required to wear clothing provided by the Council, you are required to take good care of it whilst it is in your possession and wear it correctly. If you return the clothing in bad condition (reasonable wear and tear expected), the cost of the item may be deducted from your salary.

Management reserves the right to require employees who are inappropriately dressed to change their clothing.

## **Alcohol and Drugs**

If your ability to perform your normal duties at work is significantly impaired, or if there is a risk of you endangering yourself or others due to the effects of alcohol or drug abuse, or if you have alcohol or illegal drugs at work, you may be summarily dismissed or be subject to disciplinary procedures. In this context "drug abuse" refers to the use of illegal drugs and the misuse, whether deliberate or unintentional, of prescribed drugs and substances such as solvents.

The Council reserves the right to implement drug screening as part of the medical examination process.

## **Expenses and Allowances**

**All allowances and expenses paid must pass the "fair and reasonable" test to all other stakeholders.**

**All payments must be lawful.**

**The Council is a statutory elected body using public money, and as such decisions about expenses and allowances must reflect this.**

**As far as is practical, our environment will be considered when making allowance decisions.**

**Public transport will be preferred where practical.**

**This policy is subject to revision annually, and to be ratified by the Council at the beginning of each year. Your line manager with Council authority may make changes in-year if necessary.**

You are expected to use the most cost-effective transport methods and routes when conducting business. The Council will reimburse you for approved expenses wholly and necessarily incurred in the course of your work.

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

Payment of expense claims will be delayed or withheld where they are not properly substantiated. Fraudulent claims will result in dismissal.

## **Business Travel**

Travel should be undertaken by the most cost-effective method possible. Rail travel should be on standard second class fare only.

Travel between your home and place of work is a personal expense and is therefore not reimbursable.

If you are required to use your own car for travel on Council business, the Council will reimburse you for an agreed rate per mile for journeys undertaken as well as all necessary parking charges. Mileage claims should be calculated as if the journey had commenced/finished at your normal place of work.

**The Council will reimburse approved business mileage up to 10,000 miles per year at a rate of 45p per mile, and any approved business mileage above that will be reimbursed at a rate of 25p per mile.**

## **Meals**

If you are required to be away from home overnight on Council business, an evening meal is chargeable to the Council.

If you have sought the prior approval from your manager to entertain a guest at lunch, the cost of this will also be reimbursed to you provided that it is reasonable.

## **Accommodation**

In the event that you are required to stay overnight on Council business and this is agreed prior to your departure, you are expected to choose accommodation that is of a reasonable standard and cost.

The Council will not cover the cost of accommodation in a luxury or deluxe hotel unless this has been expressly agreed before the expense is incurred.

## **Making a Protected Disclosure**

Certain disclosures are prescribed by law as “qualifying disclosures”. Disclosures are qualifying disclosures where it can be shown that the Council commits a “relevant failure” by:

- committing a criminal offence;
- failing to comply with a legal obligation;
- creating a miscarriage of justice;
- endangering the health and safety of an individual;
- causing environmental damage; or
- concealing any information relating to the above.

These acts can be in the past, present or future, so that, for example, a disclosure qualifies if it relates to environmental damage that has happened, is happening, or is likely to happen **and it is in the public interest to raise the matter.**

If you become concerned about some breach in relation to the matters listed above, you should in the first instance report any concerns to your manager who will treat the matter with complete confidence. If you are still not satisfied with the explanation or reason given, you should raise the matter with the appropriate organisation or body, e.g. the Police, the Environment Agency, Health and Safety Executive or Social Services Department.

The Council encourages employees to use the procedure if they are genuinely concerned about any wrong doing at work. However, if the procedure has not been invoked in the public interest, or the employee’s

belief as to the scale of wrong-doing cannot be said to be a reasonable belief, then it will make employees liable to the disciplinary process. Such behaviour will be treated as gross misconduct and will, if the case is found to be substantiated, result in a disciplinary sanction up to and including summary dismissal.

## **Code of Conduct**

This code applies to all people who provide services to and work with or for the Town Council. The Council exists to serve the local community and the public, and as such it is vital that all work is carried out to the highest ethical standards.

## **Behaviour at Work**

We must all behave with civility towards others.

Rudeness or abuse of any description cannot be tolerated from or towards other members of staff, councillors or members of the public.

Everyone must all use our best endeavours to promote the interest of the Council.

Involvement in activities, which could be construed as being inappropriate to the position of a person working in the public sector will be the subject of discussion with you and may lead to disciplinary proceedings.

Confidential information regarding the Council's business must not be disclosed to anybody either during or after the termination of your employment.

All reasonable instructions from your line-manager are to be carried out.

Intoxication at work either as a result of alcohol or drugs will result in disciplinary action.

Any incidence of harassment, abuse, victimisation or intimidation will be investigated and sanctions imposed on the perpetrator(s) through the proceedings open to the Council by its internal processes or in law.

## **Standards**

Local government employees are expected to give the highest possible standard of service to the public, and where it is part of their duties, to provide appropriate advice to councillors and fellow employees with impartiality. Employees will be expected, through agreed procedures and without fear of recrimination, to bring to the attention of the appropriate level of management any deficiency in the provision of service. Employees must report to the appropriate manager any impropriety or breach of procedure.

## **Disclosure of Information**

It is generally accepted that openness in local government is best. Legislation requires that certain types of information must be available to members, auditors, government department, service users and the public. Generally the Council will only restrict discussion about Confidential Personal and Commercial matters (Data Protection Act 1998 & the Freedom Of Information Act 2000) and be open about all other matters in the course of conducting its business.

You should always obtain clearance from Name before releasing information, as the Confidentiality clause in your terms and conditions of employment will apply.

### Statements to the Press and the Media

You must not make any statements to the press or media without the prior clearance and authority of the Town Clerk.

### Political Neutrality

Employees serve the authority as a whole. It follows they must serve all councillors equally, and must ensure that the individual rights of all councillors are respected.

Subject to the Council's conventions, employees may also be required to advise political groups. They must do so in ways which do not compromise their political neutrality.

Employees, whether or not politically restricted, must follow every lawful expressed policy of the authority and must not allow their own personal or political opinions to interfere with their work.

### Relationships – Councillors

Employees are responsible to the Council as a whole. Some employees will be giving advice to councillors and managers.

Mutual respect and professionalism between employees and councillors are essential to good local government. Close personal familiarity between employees and individual councillors can damage the relationship and prove embarrassing to other employees and councillors. This should be avoided.

### The Local Community and Service Users

All employees should remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community as defined by the policies of the authority.

### Contractors

All relationships of a business or private nature with external contractors, or potential contractors, should be made known to the Town Clerk. Orders and contracts must be awarded on merit, by fair competition against other tenders, and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Employees who engage or supervise contractors or have any other official relationship with contractors and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the Town Clerk.

### Appointment and other employment matters

Employees involved in appointments should ensure that these are made on the basis of merit. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

Similarly, employees should not be involved in decisions relating to discipline, promotion or pay adjustments for any other employee who is a relative, partner, etc.

### **Intellectual Property**

Employees should take advice on the ownership of intellectual property or copyright created during their employment.

### **Personal Interests**

Employees must declare to the Council or an appropriate officer any financial interests which could conflict with the Council's interests. Employees should also declare to an appropriate officer membership of any organisation not open to the public without formal membership and commitment of allegiance and which has secrecy about rules or membership or conduct.

### **Separation of Roles – Tendering**

Employees involved with tendering processes must exercise fairness and impartiality when dealing with all members of the public, suppliers, other contractors and sub-contractors.

Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

### **Preventing Corruption**

Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity. If an allegation is made it is for the employees to demonstrate that any such rewards have not been corruptly obtained and such allegations, if proven, will be treated as instances of gross misconduct.

The Council is committed to the highest standards of ethical conduct and integrity in its business activities, and has put procedures in place to monitor and prevent bribery, in accordance with the Bribery Act 2010. The Council will not tolerate any form of bribery and senior management are committed to preventing bribery by, or of, its employees, agents or consultants or any person or body acting on its behalf.

Every employee and associated person acting for, or on behalf of, the Council (including temporary workers, consultants, contractors, agents and subsidiaries within the UK and overseas) is responsible for maintaining the highest standards of business conduct and are required to familiarise themselves and comply with this policy. Failure to comply with this policy is likely to constitute a serious disciplinary, contractual and criminal matter for the individual(s) concerned.

## **Use of Financial Resources**

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community.

## **Hospitality**

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the local council in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should be properly authorised and recorded.

When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the Council. Employees should not accept significant personal gifts from contractors and outside suppliers, although you may keep insignificant items of token value such as pens, diaries, biscuits, etc.

Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the Council gives consent to attendance in advance, and where purchasing decisions are not compromised. Where visits to inspect equipment, etc. are required, employees should ensure that Council meet the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

## **Sponsorship – Giving and Receiving**

Where an outside organisation wishes to sponsor or is seeking to sponsor a Council activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to an appropriate manager of any such interest. Similarly, where the Council through sponsorship, grants, aid, or by other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

If you are ever concerned about the acceptability of hospitality or gifts, you should ask your manager for clarification.

## Termination of Employment

### Notice Periods

If you have committed an act of gross misconduct you may be dismissed without notice. In other cases you are entitled to receive the following minimum periods of notice from the Council:

<b>Continuous Service</b>	<b>Notice</b>	For
During the probationary period	One week	
Upon the successful completion of your probationary period but under five years'	Four weeks	
Over five years'	One week for each complete year of service subject to a maximum of 12 weeks after 12 years' or more service	

details of the notice you are required to give, please see your individual Statement of main terms and conditions of employment.

The Council reserves the right to pay wages in lieu of notice which will be your normal salary for the relevant notice period after deduction of Income Tax and National Insurance Contributions.

During your notice period the Council may in its absolute discretion take any one or more of the following steps in respect of all or an unexpired period of notice:

- Require you to comply with such conditions as it may specify in relation to attending at, or remaining away from your place of work or the Council's other places of business.
- Assign you to other duties.
- Withdraw any powers vested in, or duties assigned to you.
- Require you to take Garden Leave.

During all, or any part of an unexpired period of notice, you should not work for any other party without the prior written consent of the Council. In the event of Garden Leave, you will make yourself available during office hours to carry out any work the Council shall request you to undertake.

You shall not, under any circumstances, have any right to require the Council to make payment in lieu of notice.

You must return all property belonging to or relating to the Council or its clients in your possession or control when requested to do so and in any event immediately at the end of your employment. For example this will include vehicles, tools, phones, documents, correspondence, equipment, computer discs

and software, specifications, reports, records, credit cards, keys, passes, lists of clients, address lists, address books, files, books, and, data of any kind including copies of these things.

## **Employee Communications Policy**

### **Using Council Systems**

You should not use e-mail or Internet access to store, display, generate and/or pass on to others **any** material, which may be regarded as inappropriate, offensive or disrespectful to others, on grounds of race, sex, disability, religion or belief, sexual orientation, age, marriage or civil partnership, gender reassignment, pregnancy or maternity or because they advocate intolerance of others. The Council reserves the right to determine what it considers inappropriate.

The Council understands that it is not always possible to control the flow of such materials inwards from external e-mail users, but this does not remove the responsibility of internal users for any such material they pass on. Lack of knowledge of the contents of an attachment will not be accepted by the Council as an acceptable reason for the distribution of offensive material. You should therefore check all attachments before forwarding them on within the Council.

You may not access the Internet for personal use before or after work or during your lunch break.

You may not shop online. Inappropriate and unauthorised use of Internet or email (this includes high levels of personal use), will be regarded as a disciplinary matter.

**You may not subscribe to any news list or groups or commit yourself to receiving information from any source without first informing your line manager.**

### **Internet**

Where appropriate, duly authorised staff are encouraged to make use of the Internet as part of their official and professional activities. Attention must be paid to ensuring that published information has relevance to normal professional activities before material is released in the Council's name. Where personal views are expressed, a disclaimer stating that this is the case should be clearly added to all correspondence. The intellectual property right and copyright must not be compromised when publishing on the Internet. The availability and variety of information on the Internet has meant that it can be used to obtain material reasonably considered to be offensive. The use of the Internet to access and/or distribute any kind of offensive material, or material that is not work-related, leaves an individual liable to disciplinary action which could include summary dismissal.

### **General Use of E-mail**

Council systems must be used for conducting the Council's business or for purposes authorised by management. You may not use them for personal use.

An email message, (however confidential and damaging), may be required to be disclosed by the Council, for example, in connection with litigation. Accordingly, employees must exercise caution in both what is said and the people to whom the e-mail is sent. You should not send potentially defamatory e-mail messages which criticise other individuals or organisations. Bear this in mind when composing e-mails; they should be factual, accurate and respectful.

Offers or contracts transmitted by e-mail are as legally binding on the Council as those sent on paper.

Though email, whether internal or external, may be a substitute for conversation, it must be remembered that things can look very different when in the written form. Therefore, emails should be written in a civil and professional tone. The Council will not tolerate bullying by email or "flame-mail". The use of capital letters, for example, is considered to be the equivalent of SHOUTING, the use of obscene language, swear words, or any offensive material is strictly prohibited.

### **External E-mail - Specifically Prohibited Activities**

You may be authorised to access external networks (any external system or network, to include but not limited to, the Internet) using the Council's computer systems. This may include access using personal or home computer systems. **This will only be by express agreement from the Council.** In such cases, you may not send or permit to be sent, on behalf of the Council, any email, attachment, or posting which:

- uses unlicensed or specifically licensed software or other material that infringes the intellectual property rights of a third party for example, copying files or data onto your own machine or copying to a third party;
- contains information that is commercially sensitive or may have legal implications for the Council;
- constitutes on-line gambling;
- may damage the Council's reputation or its relationships with its clients;
- is defamatory about any Council or individual;
- is illegal, obscene, pornographic, offensive, or damaging, or which may be considered by others to cause distress, sexual, racial, or other harassment or discrimination;
- may introduce viruses into the Council's system; and/or
- constitutes "junk" email or is posted to multiple news groups.

In addition, you may not use the Council's systems to search for, obtain or store information from any external network, which falls into the categories above. The above list is not exhaustive.

### **Monitoring**

The Council reserves the right to monitor all traffic (including content, whether generated for business or personal reasons) passing through its systems. However, the Council will not invoke this right without a good reason to do so, for example if we have cause to believe that there has been a breach of the Council's policies or procedures (such as the downloading and distribution of pornographic material from the Internet), or that there has been criminal activity, or during the course of a disciplinary investigation, for training purposes, or where employees are on holiday or absent because of sickness. This list is not exhaustive.

### **Security**

If you are away from your desk for any period and wish to avoid any risk of abuse of your PC, you should log off while you are absent and ensure that your PC is password protected. If you are using a laptop, ensure that it is locked away or secured using a password. Otherwise there will be an assumption, in the first instance, that any material coming from or via your email address was generated and/or passed on by you.

### **Telephone Calls**

The Council reserves the right to monitor or intercept all telephone calls passing through its systems, including content and usage, and whether business or personal. The Council will not invoke this right without good reason to do so.

The misuse of the Council's telephone systems will be treated as a serious disciplinary matter.

### **Personal Calls**

The Council's telephone systems are provided for business purposes, however the Council recognises that employees may sometimes also use telephones for personal calls. This will be tolerated, only where such calls are kept to a minimum, and do not, in the Council's judgement, encroach unreasonably on working time or build up any significant costs.

Personal mobile phones should not be used during working hours. Breach of this rule may lead to disciplinary action.

### **Close Circuit TV**

At some Council locations employees should note that there are a number of close circuit TV cameras but they are not situated in any private areas such as toilets or changing rooms. Outputs from these cameras are recorded and the information retained for appropriate security purposes.

## **Social Media Usage Policy**

### **Introduction**

The Internet is provided for business use. The Council recognises that many employees use the Internet for personal purposes and that many employees participate in social networking on websites such as Facebook and Twitter.

This policy outlines your responsibility in using the Internet to access social media websites.

### **Personal Use of the Internet**

The Council permits employees to access social networking websites on the Internet for personal use during certain times (provided that they are not undertaking overtime). These times are before and after work hours and during the designated lunch break.

Please note that there is no right to access non-work websites and the Council reserves the right to restrict or remove access to such websites at its absolute discretion.

### **Personal Conduct**

While the Council respects an employee's right to a private life, it must also ensure that confidentiality and its reputation are protected. It therefore requires employees using social networking websites to refrain from identifying themselves as working for the Council and ensure that they do not conduct themselves in a way that is detrimental to the employer.

You must take care not to allow your interaction on these websites to damage working relationships between members of staff and clients of the Council.

### **Disciplinary Action**

If the Council exercises its right to monitor employees' Internet use (see Employee Communications Policy), access to the web may be withdrawn in any case of misuse of this facility.

If you make a remark, are responsible for, or in any way are involved with posting material which in the opinion of the Council brings the Council into disrepute or otherwise damages the Council's interests, disciplinary action may be taken in line with the Council's disciplinary policy.

### **Security and Identity Theft**

You should be aware that social networking websites are a public forum, particularly if you are part of a "network". You should not assume that your entries on any website will remain private. You should never send abusive or defamatory messages.

You must also be security conscious and take steps to protect yourself from identity theft, for example by restricting the amount of personal information that you give out. Social networking websites allow people to post detailed personal information such as date of birth, place of birth and favourite football team, which can form the basis of security questions and passwords. In addition, you should ensure that no information is made available that could provide a person with unauthorised access to the Council and/or

any confidential information, and refrain from recording any confidential information regarding the Council on any social networking website.

## **Driving on Council Business**

### **Requirements and Responsibilities**

Whether you are driving a Council vehicle or driving your own vehicle on Council business, it is a requirement for all drivers to provide an up-to-date copy of their driving licence annually, on or around 1st April each year (or at all other times when requested), as well as any medical/eye sight certificates. These must be certified and dated. Failure to do so could jeopardise the Council's insurance and the business element of your motor insurance cover could be withdrawn.

All staff must drive slowly, safely and courteously while on Council premises or premises at which the Council is carrying out work. You must observe the Highway Code and be conversant with the legal obligations of driving in relation to the type of vehicle driven. Never leave the vehicle unlocked when unattended. Always remove the keys from the ignition and keep them on your person, and out of sight.

If it is required, you will undergo training and where necessary retraining to improve safety awareness and driving skills. The Council may use outside agencies, tachographs and other recording equipment to monitor driving behaviour. Adverse reports will be fully investigated.

Under certain conditions, other people may be allowed the use of a Council vehicle. If you require further details of this you should contact your manager.

The Council reserves the right to require you to surrender any vehicle you have been issued at any time in the event of absence from work. (This does not apply to situations such as maternity leave). If the car is a contractual benefit the employee continues to receive the benefit. If it is a tool for the job then there is no right to keep it.

If using vehicles not owned or hired to the Council, you must ensure that the vehicle is roadworthy (with a valid MOT if appropriate), road taxed and insured appropriately for the purpose of the journey undertaken. If in doubt please consult the Town Clerk.

### **Servicing and Maintenance of Council Vehicles**

Drivers of Council vehicles are responsible for checking the vehicle for roadworthiness and compliance with legal requirements. You will be responsible for ensuring that servicing, maintenance and repairs are carried out. Services must be done on time and the service record must be completed and stamped by the garage. Servicing should be booked and carried out whenever possible at a time when it will cause least disruption to the employee's working day. Any vehicle defects must be reported to a manager or the Town Clerk immediately.

In the event of the vehicle requiring any repair work, prior authorisation must be obtained from the Council and/or its insurers with the required quotes. Likewise, if it is necessary to hire a replacement vehicle whilst repairs are being carried out, you must not do this without prior authorisation from your manager.

You must ensure that the vehicle is kept in good condition. This includes keeping it clean and ensuring that the tyre pressure, lights, oil, water etc. are up to the required standard. They must also ensure that the correct fuel type is used at every re-fuelling, e.g. diesel or petrol, depending on the engine type.

If using vehicles not owned or hired to the Council, you must ensure that the vehicle is roadworthy (with a valid MOT if appropriate), road taxed and insured appropriately for the purpose of the journey undertaken. If in doubt please consult the Town Clerk.

### **Driving Offences and Fines**

As all vehicles are insured through the Council, any conviction for driving offences, any driving endorsements and any fines incurred whilst you are in possession of the vehicle must be reported immediately. Authority must be obtained prior to making a statement to either the police or other authorities.

All fines, including parking offences and congestion zone penalties and related costs are your personal responsibility and will not be paid by the Council.

In cases where fines incurred are not paid by the employee, and we are notified or involved in any legal action, we reserve the right to deduct the amount of the fine plus any additional costs arising out of any proceedings or internal administrative costs from the employee's pay. If you are convicted of a driving offence which results in disqualification for any period and the holding of a licence is an essential requirement of the job, you will be dismissed.

If an accident in a Council vehicle is proven to be your fault, you agree to pay up to £500 towards the cost of damage repair or any excess on the insurance policy. You will be informed of the amount of excess at the time of the accident or your manager can be contacted for further details. In the event of failure to pay, we reserve the right to deduct such costs from your pay.

If you are considered to be acting carelessly or recklessly in your use of the vehicle, you will be subject to disciplinary action (and this may involve the withdrawal of this benefit).

Driving while in excess of the legal limits for alcohol and/or under the influence of drugs or other substances is viewed as gross misconduct. If the Council finds that a disciplinary case had been made out, the penalty could be a sanction up to and including dismissal.

### **Mobile Phones**

It is illegal to use a hand held mobile phone while driving and is subject to a ticket with a fine of £60 initially. Driving includes periods when a vehicle is stationary (e.g. at traffic lights, in traffic jams). "Hand held" effectively includes everything except keeping the handset in a purposely designed cradle, fixed securely to the vehicle. Using a headset alone, for example, would still be an offence.

The Council takes the view that using any mobile phone, whether hand held or even hands free can be regarded as an act of careless or dangerous driving as there is the presumption that it distracts from the driver's concentration. It is not necessary for an accident to have occurred for the police to bring charges. Fines are much heavier and points are added to your licence, depending on the severity of any conviction.

The Council does not require you to make or answer calls while you are driving. If you wish to make or receive calls you are advised to park your vehicle safely before using your phone. To avoid distraction caused by ring tones, you are advised to turn the handset onto "silent" mode during the journey.

Please note that texting or using the internet on your mobile phone whilst driving is also prohibited.

## **First Aid and Health and Safety**

### **Introduction**

To comply with statutory requirements, first aid facilities must be available to all employees whilst they are at work. These facilities must be under the control of an appointed person or a trained first aider.

### **Appointed Person**

In the absence of a first aider, a person must be appointed by the employer to take charge of the situation, (e.g. to call an ambulance) if serious injury or major illness occurs at the workplace.

### **First Aider**

A first aider is a person who has been trained by, and holds, a current First Aid Certificate issued by an organisation or employer whose training and qualifications for first aiders were, at the time the Certificate was issued, approved by the Health and Safety Executive for the purposes of the Regulations.

The person carrying out any treatment must record the details of that treatment immediately on completion of that treatment or as soon as is reasonable thereafter.

### **Health and Safety**

The Health and Safety at Work etc. Act 1974, imposes statutory duties on employers. To enable these statutory duties to be carried out it is the policy of our Council, so far as is reasonably practicable, to ensure that responsibilities for safety and health are properly assigned, accepted and fulfilled at all levels within our Council.

We also ensure that all practicable steps are taken to safeguard the health, safety and welfare of all employees and visitors to the premises or operations under our control.

If you are required to wear personal protective equipment (PPE) for your role, you must do so whenever required. Failure to follow such a rule will amount to gross misconduct and may result in summary dismissal. When you are in possession of PPE, this will normally remain the property of the Council and you must take good care of it.

All employees must comply with the following duties:

- take reasonable steps for the health and safety of yourself and other persons who may be affected by your acts or omissions at work; and
- co-operate with our Council so far as is necessary to enable that duty or requirement to be performed or complied with.

### **Glasses**

We will cover the cost of eye tests for DSE users and contribute towards the cost of corrective appliances (usually glasses), specifically to correct defects at the viewing distance used to view the DSE and for employees who need to use safety glasses to the value of £100.

All directly employed employees on permanent and fixed term service agreements are eligible for this benefit once every two years.

## **Fire**

The Council will co-operate with the local fire authority and take adequate steps for fire prevention; ensure all staff are safeguarded in the event of a fire; appoint and train fire stewards; ensure there are regular fire drills, and that the alarm systems are checked.

## **Information**

The Council will circulate knowledge of current relevant legislation and guidance material. Contact will also be maintained with designated medical and legal advisors, and outside advisory services, e.g. Health and Fire Authorities.

## **Accidents**

The Council will maintain records of accidents; ensure all injury accidents are investigated to establish the cause and to prevent recurrence and carry out reporting procedures required by statute, health and other authorities.

## **Reviews of Regulations**

The Council will make the Council Statement on Health and Safety known to all employees, review from time to time, revise if necessary and involve all management and staff in any review.

## **Organisation and Arrangements**

The overall policy is the collective responsibility of the **Town Clerk** which is responsible for implementing and carrying out the policy and aims set in this document. All members of staff are expected to observe all hazards, which should be immediately reported to the manager concerned.

## **Health and Safety Rules**

All members of staff must acquaint themselves and comply with the following rules:

- Report any faulty or hazardous fixtures, fittings, furniture or equipment or vicinity, especially electrical equipment.
- Report all accidents involving injury to the manager and observe all hazards, which should be immediately reported to the manager concerned.
- Isolate and report any faulty electrical equipment immediately.
- Switch off electrical equipment before leaving the office.
- Keep all emergency exits, stairs and corridors free of obstruction.
- Smoke in the designated areas only.
- Ensure the restroom, kitchen and washrooms are kept as clean and tidy as possible.

## Dignity at Work Policy and Procedure

### Introduction

Many people in our society are harassed as a result of a protected characteristic i.e. race, religion or belief, gender, marriage or civil partnership, sexual orientation, gender reassignment, age, disability, pregnancy or maternity.

We are committed to providing a safe and respectful work environment for all staff and members of the public. No one should have to tolerate harassment at work for any reason, at any time. No one has the right to harass anyone else, at work or in any situation related to employment. If you are suffering harassment in the workplace, you should raise it in the first instance with your manager or with the Council's human resources advisors.

We recognise that bullying and harassment can exist in the workplace, as well as outside, and that this can seriously affect employees' working lives by interfering with their job performance or by creating a stressful, intimidating and unpleasant working environment.

### Policy

Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.

Harassment is against the law. It occurs where a person engages in unwanted conduct or language which has the purpose or effect of violating another's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for him. It may be related to age, sex, marital status, pregnancy or maternity, sexual orientation, race, disability, religion, nationality or any other personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient. Remember that one person's joke is another person's harassment.

Harassment can be hidden in questions or remarks that seem positive. Here are some examples of racial harassment:

- "You are really pretty for a black girl."
- "Tell me what it's like to always have your head and hair covered."
- "Women from the Philippines are better at that than Canadian women."
- "Native people are so good at crafts."

Examples of what may constitute bullying or harassment:

- inappropriate and/or degrading words or pictures (like graffiti, photos, or posters);
- inappropriate physical contact;
- sexual demands;
- spoken or written putdowns;
- gestures;
- jokes;
- nicknames;
- insults;
- overbearing or abusive behaviour towards staff with intellectual disabilities;

- spreading malicious rumours, or insulting someone (particularly on the grounds of a protected characteristic);
- copying memos that are critical about someone to others who do not need to know;
- ridiculing or demeaning someone — picking on them or setting them up to fail;
- exclusion or victimisation;
- unfair treatment;
- overbearing supervision or other misuse of power or position;
- unwelcome sexual advances — touching, standing too close, display of offensive materials;
- making threats or comments about job security without foundation;
- deliberately undermining a competent employee by overloading and constant criticism; and/or
- preventing individuals progressing by intentionally blocking promotion or training opportunities.

We deplore all forms of harassment and bullying and seek to ensure that the working environment is sympathetic to all our employees.

Managers have a right to manage and it is not bullying or harassment for them to ask employees to do their jobs according to the required standards.

We have published these procedures to inform you of the type of behaviour that is unacceptable and provide employees who are the victims of personal harassment with a means of redress.

We recognise that we have a duty to implement this policy and all employees are expected to comply with it.

### **Employees' Responsibilities**

All employees have the responsibility to treat each other with respect and to speak up if they or someone else is being harassed.

Staff should take the following actions if they consider that bullying or harassment has taken or is taking place:

Use appropriate behaviour and language in the workplace and not perpetrate or perpetuate acts or language which may be harassment.

Report harassment to your manager or to the Council's human resources advisors.

You should respect the confidentiality of anyone involved in a harassment complaint.

Note that allegations of harassment which are not made in good faith will be treated as gross misconduct.

Managers must set an example for appropriate workplace behaviour and must deal with situations of harassment immediately on becoming aware of them, whether or not there has been a complaint.

### **Managers should:**

- treat complaints seriously;
- investigate each complaint;
- support the parties; and

- take action to resolve the matter, based on the outcome of the investigation.

Disciplinary action will be taken where the Council considers it appropriate to do so.

The Council views all incidents of harassment very seriously. All complaints will be investigated and action taken to ensure that they are resolved quickly, confidentially, and fairly. Anyone who has harassed a person or group of people or who retaliates in any way against anyone who has complained of harassment, given evidence in harassment investigations, or been found guilty of harassment will be taken through the disciplinary process and may be summarily dismissed for gross misconduct.

## **Complaining About Bullying or Harassment**

### **Informal complaint**

We recognise that complaints of harassment, and particularly of sexual harassment, can sometimes be of a sensitive or intimate nature and that it may not be appropriate for you to raise the issue through our normal grievance procedure. In these circumstances you are encouraged to raise such issues with a senior colleague of your choice (whether or not that person has a direct supervisory responsibility for you) as a confidential helper. This person cannot be the Town Clerk.

If you are the victim of minor harassment you should make it clear to the harasser on an informal basis that their behaviour is unwelcome and ask the harasser to stop. If you feel unable to do this verbally then you should hand a written request to the harasser and your confidential helper can assist you in this.

### **Formal complaint**

Where the informal approach fails or if the harassment is more serious, you should bring the matter to the attention of the Town Clerk as a formal written complaint and again your confidential helper can assist you in this. If possible, you should keep notes of the harassment so that the written complaint can include:-

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

On receipt of a formal complaint we will take action to separate you from the alleged harasser to enable an uninterrupted investigation to take place. This may involve a temporary transfer of the alleged harasser to another work area or suspension with pay until the matter has been resolved.

The person dealing with the complaint will invite you to attend a meeting, at a reasonable time and location, to discuss the matter and carry out a thorough investigation. You have the right to be accompanied at such a meeting by your confidential helper or another work colleague of your choice and you must take all reasonable steps to attend. Those involved in the investigation will be expected to act in confidence and any breach of confidence will be a disciplinary matter.

On conclusion of the investigation which will normally be within ten working days of the meeting with you, a draft report of the findings and of the investigator's proposed decision will be sent, in writing, to you and to the alleged harasser.

If you or the alleged harasser are dissatisfied with the draft report or with the proposed decision this should be raised with the investigator within five working days of receiving the draft. Any points of concern will be considered by the investigator before a final report is sent, in writing, to you and to the alleged harasser. You have the right to appeal against the findings of the investigator in accordance with the appeal provisions of the grievance procedure.

### **General Notes**

If the report concludes that the allegation is well founded, the harasser will be liable to disciplinary action in accordance with our disciplinary procedure. An employee who receives a formal warning or who is dismissed for harassment may appeal.

If you bring a complaint of harassment you will not be victimised for having brought the complaint. However, if the report concludes that the complaint is both untrue and has been brought with malicious intent disciplinary action will be taken against you.

Managers have a right and a duty to manage employees to help ensure that employees meet the Council's reasonable requirements. For the avoidance of doubt, where a manager provides guidance to you about your conduct or performance it does not constitute bullying or harassment, providing that it is carried out in reasonable way.

### **Grievance Procedure**

The purpose of this procedure is to provide a fair and effective method of resolving individual grievances within a reasonable time of any particular issue being raised.

All formal grievances taken up under this procedure must be put in writing. If you have difficulty in expressing your views in writing for any reason, please contact the Council's human resources advisors, confidentially, and they will help you prepare your written grievance. Notes arising from any grievance issue will be retained on your personal file.

### **Informal Discussions**

If you have a grievance about your employment, you should discuss it informally with your immediate manager. We hope that the majority of concerns will be resolved at this stage. There is no right to be accompanied by a companion at such informal discussions.

#### **Stage 1**

If you feel that the matter has not been resolved through informal discussions, you should put your grievance in writing to your immediate manager. If your grievance concerns your manager, the grievance should be raised with a more senior manager. Your manager will convene a meeting as soon as possible and, in any event, within five working days to discuss your grievance. The purpose of the meeting is to understand your complaint and investigate all the options. The manager may need to carry out additional investigations outside the meeting. At this stage (and at the appeal stage), you may, if you wish, be

accompanied by a companion (that is a work colleague or a trade union representative), and your manager may be accompanied by another manager or a human resources advisor.

You will be notified in writing of the outcome within five working days, or as soon afterwards as is reasonably possible. If you are unhappy with the outcome you may appeal against your manager's decision to the Town Clerk.

### **Appeal Stage**

You may request a meeting with the **Town Clerk**. If appropriate, the **Town Clerk** will be accompanied by an independent third party. Again, your grievance should be expressed in writing. It is the **Town Clerk's** responsibility to try to resolve the matter and provide an answer within five working days. He will review the facts and carry out any additional investigation if appropriate, before reaching a conclusion. You will be notified in writing of the outcome. The **Town Clerk** is the ultimate authority in all grievance matters and his decision is final.

### **Note**

The purpose of the grievance procedure is to explore genuine concerns connected with employment. The Council takes this duty very seriously. However, in certain circumstances, the Council reserves the right to review or refuse to hear grievances.

The Council reserves the right not to hear grievances where the matters related to the grievance took place three or more months before the date of complaint.

Where an employee raises a grievance that has already been addressed, the Council will ask the employee to provide new evidence which justifies the re-opening of the matter. If on an initial assessment, the grounds for the grievance seem weak, the Council will require the employee to submit his evidence for further investigation before convening a grievance meeting.

Where the employee raises a grievance which in the reasonable opinion of the Council is frivolous or vexatious, the Council reserves the right not to pursue such grievances unless the employee provides relevant evidence.

Where a manager is seeking to manage an colleague because he is not meeting conduct or performance standards, the Council reserves the right not to pursue grievances connected to this matter unless the colleague can provide evidence that improper conduct has taken place.

Where the Council has reasonable grounds for belief that an employee is using the grievance procedure to make deliberately false allegations, or as a form of bullying against a colleague or manager, it will be treated as a misconduct matter.

The Council reserves the right to refuse to participate in Early Conciliation until it has had the chance to explore and attempt to resolve matters through its internal grievance procedure.

### **Disciplinary Procedure**

#### **Purpose and Scope**

The disciplinary procedure provides for disciplinary sanctions to be given for failure to meet the Council's standards of job performance, conduct (whether during working hours or not) and attendance, or for breach of any terms and conditions of employment.

The disciplinary procedure has three main objectives:

To protect in an equitable way the safety and interests of all employees.

To protect the legitimate interests of the Council.

To promote good relationships at all levels by ensuring that where action is carried out, it is done promptly, consistently and comprehensibly.

The Council's aim is to encourage improvement in individual conduct. This procedure sets out the action which will be taken when disciplinary rules are breached. Where it is necessary to take disciplinary action to protect either the interests of the Council or its employees, the procedure followed will relate to the nature of the offence committed.

In your first year of employment the Council reserves the right to apply a short form of the disciplinary process.

## **Principles**

The procedure is designed to deal consistently with disciplinary issues. No disciplinary action will be taken until the matter has been fully investigated. Where the Council uses CCTV or other recording equipment, it reserves the right to use the data so captured in the disciplinary and grievance procedure process as it deems appropriate.

At every stage employees will have the opportunity to state their case and, in formal disciplinary hearings, be accompanied by a fellow employee or accredited trade union representative if they wish. The companion can help the employee prepare his case, help him present his case, ask questions and sum up on behalf of the employee. He may not answer the questions on behalf of the employee. There is no right to be accompanied in an investigation meeting or at an informal counselling meeting.

Disciplinary penalties will be proportionate to the offence committed. It is open to the Council to issue a first sanction at the final warning or dismissal stage where the disciplining officer reasonably believes that the nature of the offence requires it. An employee has the right to appeal against any disciplinary penalty.

Managers are authorised to deal with any disciplinary matter to Stage 2. Only the **Town Clerk** (or person nominated by the **Town Clerk**) may authorise a dismissal.

Any appeal will be heard by the **Town Clerk** (if not previously involved with the disciplinary process) or an independent third party nominated by the Council.

Wherever possible, the investigation will be carried out by one person and the disciplinary hearing will be chaired by a second person. However, in cases of less serious conduct or capability, the Council reserves the right for the investigating officer to chair the meeting.

## **The Procedure**

### **Informal Discussions/Counselling**

Other than in a matter of serious misconduct, where an employee's standard of conduct or performance is considered lacking, or a breach of contract is believed to have occurred, his manager will normally draw the matter to the worker's attention in a private and informal way.

In most cases this informal discussion should resolve any difficulties identified. If the employee fails to improve, or sustain improvement, the formal procedure will commence.

### **The Formal Procedure**

#### **Notification**

If conduct or performance fails to meet acceptable standards, the employee will be given 48 hours' notice in writing of a disciplinary meeting in the form of a letter in which he will be advised of the details of the alleged breach of discipline.

Where appropriate the letter will enclose supporting documents e.g. copies of paperwork, details of performance. All staff have the right to be accompanied by a fellow worker or an accredited trade union representative.

#### **The Hearing**

A manager who may be accompanied by another manager or the Council's human resources advisor, will conduct the disciplinary hearing.

Throughout the hearing, minutes will be taken for the record. At the hearing the following will occur:

- The employee will be advised of his rights.
- The employee will be advised of all known facts relevant to the case.
- The employee will be given every opportunity to put forward his case and views.
- His companion will be invited to make representations on his behalf.
- There will be an adjournment to consider the facts.
- At the end of the hearing, the employee will be advised of the decision of the manager.
- If a disciplinary penalty is awarded, the manager will advise the employee of his right of appeal.

#### **Sanctions**

##### **Stage 1 - First Warning**

If conduct or performance is unsatisfactory, the employee will be given a first warning which will be recorded. The warning will be disregarded after six months satisfactory service.

## **Totting Up**

If the matter under consideration is a misconduct matter the employee will be advised that further repetition of this, or any other misconduct, during the life of the warning will result in an escalation to the next stage of the disciplinary process.

If the matter under consideration is a poor performance matter the employee will be advised that further repetition of this, or any other poor performance during the life of the warning, will result in an escalation to the next stage of the disciplinary process.

This applies at every level of the disciplinary procedure.

## **Stage 2 - Final Warning**

If conduct or performance is still unsatisfactory, a final warning will be given making it clear that any recurrence of the offence or other misconduct will result in dismissal. The final warning will remain live for twelve months. If there is no repetition or other offence, it will be disregarded after that time.

In exceptional circumstances, if the Council considers it appropriate to do so, the Council reserves the right to extend the warning or to impose a longer final warning to a maximum of 24 months.

Note that these periods are not necessarily the same as the period over which performance improvements are to be made and which will be specified in warning letters.

Individuals will not normally be eligible for any pay review falling during a period of a live warning.

## **Stage 3 - Dismissal**

If there is no satisfactory improvement or if further misconduct occurs, the employee will be dismissed.

Examples of unsatisfactory performance or conduct:

- Unsatisfactory job performance;
- Persistent lateness;
- Minor negligence;
- Unauthorised absence from work;
- Unacceptable level of sickness absence;
- Unauthorised use of personal mobile phones during working hours.

Examples of gross misconduct:

- Persistent unauthorised absence from work;
- Dishonesty, theft or fraud;
- Damage to the Council's property;

- Incapacity for work due to being under the influence of alcohol or illegal drugs;
- Physical assault, violent, abusive or intimidating conduct;
- Gross insubordination;
- Gross indecency;
- Failure to comply with relevant statutory or regulatory requirements;
- Sexual, racial or other harassment;
- Unauthorised use or disclosure of confidential information;
- Falsification of Council records;
- Working for a competitor without permission;
- Actions such as to seriously offend a client/customer and/or a work colleague;
- Reckless or serious misuse of a Council vehicle;
- Rudeness to members of the public;
- Accepting a gift which could be construed as a bribe;
- Breach of health and safety rules which endanger the health and safety of others in the opinion of the Council;
- Refusing to allow a search to be carried out in accordance with Council rules;
- Failure to disclose correct information on your application form;
- Conviction for any serious criminal offence while an employee of the Council;
- Downloading of or sending of inappropriate material in contravention of the Council's E-mail and Internet Policy;
- Loading or downloading unauthorised software, or any other action likely to allow a virus on to the system. Unauthorised use of CD-Roms;
- Behaviour whether inside or outside work which may bring the Council into disrepute;
- Publishing material in any form in which the Council is identified or capable of being identified and comments are made about the Council or any of its employees which in the reasonable opinion of the Council are detrimental. This includes content offered on social networking sites;
- Breach of the Council's Social Media Policy.

Note that if, after investigation, it is confirmed that an employee has committed an offence of gross misconduct (the list is not exhaustive), the normal consequences will be summary dismissal without notice.

### **Format of Warnings**

To avoid any inconsistency or uncertainty, all written warnings will conform to a standard, showing clearly:

- the nature of the offence;
- the seriousness of the offence;
- which stage of the procedure is operating;
- the remedial action required and the review period;
- the penalty for non-compliance;
- details of any previous unexpired warning;
- the duration of the warning;
- the right of appeal and to whom it should be made (if appropriate to the stage of disciplinary procedure); and
- details of the next stage of the procedure.

### **Appeals**

An employee who wishes to appeal against any disciplinary decision must do so within five working days of the receipt of the letter. The **Town Clerk** will hear the appeal or arrange for an independent third party nominated by the Council to hear the appeal. The named person will hear the appeal and decide the case as impartially as possible.

Where new evidence comes to light during the appeal which was not available at the original hearing, the person hearing the appeal will be permitted to hear the new evidence as part of the appeal.

The decision of the appeal officer is final and there is no further right of appeal, even where new evidence has been heard at the appeal stage.

### **Suspension**

The Council reserves the right to suspend an employee on full pay during a disciplinary investigation. The decision to suspend will be confirmed in writing. This letter will set out the terms of the suspension.

The suspension will be for as short a time as is reasonably possible in the circumstances. The employee must remain available to answer the Council's questions at all times during a period of suspension.

During the period of suspension the employee will be paid the normal hourly rate. Where an employee falls sick during a disciplinary suspension the Council will pay Statutory Sick Pay (SSP) in accordance with the usual SSP rules.

### **Hearing in the Absence of an Employee**

While the Council will make every effort to ensure that an employee is able to attend a disciplinary hearing, the Council reserves the right to hear a case in his absence if, after two attempts to reschedule, he has failed to attend the hearing.

### **Levels of Disciplinary Action**

There are several potential levels, these are:

- first warning;
- final warning;
- dismissal/demotion; or
- summary dismissal.

### **Grievance**

Where a grievance is raised during any part of the disciplinary procedure (whether informal, investigating or formal), then the Council reserves the right to deal with the grievance concurrently with the discipline process.

**Appendix 1 - Forms**

**PERSONAL DETAILS OF EMPLOYEE**

**(If these details change, you must inform the Council immediately)**

Name: .....

Address: .....

.....

Postcode: .....

Telephone number:.....

Next of Kin:.....

Relationship: .....

Address (if different to that above):

.....

.....

Postcode: .....

Telephone number: .....

Children:

Name:..... Date of Birth .....

Name:..... Date of Birth .....

Name:..... Date of Birth .....

Date of completion of this form .....

Signature:.....

Please return this completed form to The Town Clerk

**LEAVE RECORD CARD**

NAME: .....

POSITION .....

START DATE DAYS/HRS .....

ENTITLEMENT .....

Leave Dates	No. of Days/Hrs	Balance Remaining	Approved By

Date/time when TOIL accrued	No of Hrs Due	Dates Requested	Hrs requested	Balance Remaining	Approved By

## **SELF-CERTIFICATION FORM**

Please read the rules and procedures set out in our sickness absence policy before completing and returning this form to your manager.

Name		
Department		
First day I was unfit for work (including weekends)		
First day I was absent from work		
Date on which I was fit to return to work (including weekends)		
Date on which I returned to work		
My absence was caused by the following illness/injury		
If an injury, specify how it occurred, e.g. motor accident		
Was the absence due to a work related incident/occurrence/issue?	Yes	No
Do you have a known disability that has resulted in this period of absence?	Yes	No

I have sought medical advice	Yes	No
I have consulted my doctor	Yes	No
I have visited a hospital or clinic	Yes	No

I declare that the information given is, to the best of my knowledge correct, and understand that this information will be processed in line with the Council's policy and procedure on the management of sickness absence.

Employee's signature: ..... Date:.....

Manager's signature: ..... Date:.....

**ACCIDENT REPORT FORM**

Details of person to whom accident occurred:

NAME: .....

ADDRESS: .....

OCCUPATION: .....

Location of the Accident: .....

.....

.....

How did the accident happen?: .....

.....

.....

Details of injuries sustained and any action taken:

Any Other Comments: .....

.....

.....

Details of person completing this form (if different from above):

Name: .....

Address: .....

Occupation: .....

This form should be completed and sent to the Town Clerk, Godmanchester Town Council, 1 Post Street, Godmanchester, PE29 2NB.

## Amendment History:

Paragraph	Detail	Approval Date
Original	Initial Version	March 2018
Review Due		March 2021