



Saltash Town Council



Policy/Procedure:

Employee Handbook

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This is a Policy or Procedure document of Saltash Town Council to be followed by both Councillors and employees.

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STC EMPLOYEE HANDBOOK

November 2019

Welcome and Introduction

Welcome to Saltash Town Council. Our strength as an organisation is due to the skills and abilities of colleagues like you. You have joined a professional, competent, progressive organisation which I hope will not only offer you job security and fulfilment, but also the opportunity to develop and grow within your role.

We expect our employees to act with integrity at all times so as to ensure a properly functioning workplace and to maintain our excellent reputation.

We look forward to a long and successful working relationship with you and sincerely hope that your time with us is enjoyable and rewarding.

About this handbook

This handbook is designed to explain the way in which we work and to set out the key procedures, rules and policies designed to ensure an efficient workplace and a safe and supportive environment for all employees. The contents of this handbook do not form part of the terms of your contract of employment unless otherwise stated. The Council may need to alter or amend any policy or procedure contained in this handbook to ensure that it remains relevant and consistent with the needs of the council's business. Any such change will be notified to all employees and an up-to-date copy of this handbook can be obtained from the Town Clerk or your Line Manager.

We do expect you to comply with the requirements set out in this handbook and failure to do so may lead to disciplinary action; in appropriate cases, up to and including dismissal.

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SECTION 1 – KEY PRINCIPLES

This section sets out some of the key commitments made by the Council to its employees and the key commitments expected from employees in return.

1.1 Health and safety

The primary duty owed to you by the Council is to ensure that you are safe while you are at work. Similarly, all employees are obliged to carry out their duties in a safe and responsible manner that does not risk harm to either themselves, their colleagues or any other person.

A detailed health and safety policy/handbook identifying the roles and responsibilities of key staff members for ensuring that the Council meets its commitment to health and safety is available in the reception office or from the Town Clerk or your Line Manager. In addition, a poster setting out important information on health and safety is displayed in the Guildhall reception office.

Detailed risk assessments have been carried out on all aspects of the Council's activities and steps have been taken to ensure that all work can be done safely. Any employee who is concerned that any aspect of the Council's activities poses a risk to health and safety should report this to their Line Manager immediately. Genuine concerns about health and safety will always be treated with the utmost seriousness and be thoroughly investigated.

Employees are required to comply with all instructions rules and procedures concerning matters of health and safety. Failure to do so may amount to gross misconduct. In particular, where employees are required to wear personal protective equipment such as hard hats, protective footwear or high visibility clothing then failure to do so will be treated as gross misconduct which will usually result in dismissal.

1.2 Equal Opportunities

The Policy

Saltash Town Council's intention is to be an effective Equal Opportunities organisation. This means it will do everything in its power to ensure that everyone has equal access, and is treated with respect, in relation to employment opportunities, to its services and to all its activities.

As an Employer

All employees are required to treat one another with mutual respect. Actions, behaviour and attitudes should consistently demonstrate respect for the

dignity and worth of an individual, irrespective of the position they have within the organisation.

Saltash Town Council is making every effort to create a workplace where individuals are valued, listened to and treated with respect.

Saltash Town Council maintains a work environment that seeks out and values the insight, experience, contribution and full participation of all staff.

Harassment and discrimination in any form is unacceptable behaviour and offenders will be subject to disciplinary action.

As a Service Provider

- Saltash Town Council will strive to ensure that all services provided by, or on behalf of, the Council are made accessible to all individuals and groups equally and without discrimination;
- all service users will be treated with respect. Actions, behaviour and attitudes should consistently demonstrate respect for the dignity and worth of an individual;
- Saltash Town Council will, wherever appropriate, work in partnership with other agencies in the area, including the Unitary Council, voluntary groups and community organisations to promote equal opportunities;
- Saltash Town Council will ensure that all contractors directly supplying goods and services or executing works for, or on behalf of, the Council comply with this Council's stated policy on equal opportunities.

The Policy in Action

As an Employer

Saltash Town Council aims to achieve the policy by:

- ensuring its employees are made aware of their rights and responsibilities to each other, the customer and the organisation regarding equal opportunities issues;
- providing a way in which individuals can communicate any concerns via competent named personnel;
- treating any unacceptable behaviour seriously;
- ensuring all Line Managers realise they have a key role in implementing this policy and are expected to take personal responsibility in ensuring its success;
- providing awareness training for all employees and Councillors, ensuring opportunities to develop relevant competencies are available to implement the policy;
- meeting the commitments and living the aims of being a "Positive about Discrimination" employer.

As a Service Provider

Saltash Town Council aims to achieve its policy by:

- providing training for all staff in equal opportunities awareness and customer care, emphasising equality of treatment in service delivery;
- ensuring that no member of the public is disadvantaged, or treated less favourably than others, in terms of access to Council services. Where the Council's practice, policy or procedures are found to make access impossible or unreasonably difficult, we will take such steps as are reasonable in the circumstances to change these practices, policies or procedures;
- ensuring that, wherever practical, all public buildings and premises owned or managed by the Council are accessible to all. Where this is impractical in the short-term, we will provide reasonable alternative methods of access so that no member of the public is disadvantaged by physical barriers;
- recognising the importance of communication in attaining equity and quality services which are responsive to the needs of all local people, for example through the provision of information in large print and on audio tape on request;
- complying with all relevant legislation relating to discrimination and equity.

Role of Councillors and Employees

All Councillors and employees are responsible for implementing the Council's Equal Opportunities Policy. It is important that all individuals who are employed by the Council appreciate that they have a responsibility and a role to play in the provision of equal opportunities.

Monitoring of Equal Opportunities

- The Council's Personnel Committee will have responsibility for the implementation and monitoring of the policy as it applies to Saltash Town Council as an employer, involving staff as appropriate in the monitoring process.
- The Council's Policy and Finance Committee will have responsibility for implementing and monitoring the policy as it applies to Saltash Town Council as a service provider, involving local community and voluntary groups in the monitoring process.
- Complaints from staff about discrimination or unfair treatment will be dealt with as laid down in the Council's Grievance Procedures.
- Complaints from members of the public about discrimination or unfair treatment will be dealt with through the Council's Complaints Procedure.

1.3 Dignity at work

All employees are entitled to a working environment free from bullying and harassment.

All employees are required to behave towards each other with respect.

The Council takes all allegations of such conduct extremely seriously and will not tolerate harassment or bullying behaviour. Complaints will be dealt with under the Bullying and Harassment Policy set out in Section 6.3.

1.4 Ethical conduct

The Council aims for the highest possible standards of ethical conduct in all of its activities and expects the conduct of individual employees to reflect this. Dishonesty of any kind will be treated as a serious matter, which may amount to gross misconduct and therefore to dismissal without notice.

Gifts and hospitality

The acceptance of gifts and hospitality from members of the public, developers, suppliers and potential suppliers must not give the appearance that employees or the Council may be unduly influenced in the decisions that they make or in any other aspect of their work.

All gifts and hospitality given or received, of whatever value, must be entered in the Register kept by the Town Clerk.

No personal gifts of a value in excess of £25 should be accepted from members of the public, developers, suppliers and potential suppliers without express permission from your Line Manager. Acceptance of hospitality, such as lunch or drinks receptions, should be kept within common sense limits and should always be authorised by your Line Manager. Offers of hospitality to others must always be authorised by your Line Manager.

You may also be instructed to return any gifts which your Line Manager considers to be inappropriate, or to refuse to accept hospitality from a particular supplier or potential supplier. Failing to obey such an instruction will be treated as misconduct.

Allowing gifts or hospitality to influence any purchasing or other decisions that you may make on behalf of the Council or to otherwise influence the way in which you perform your duties is an act of gross misconduct which may result in dismissal.

It is also an act of gross misconduct to seek to influence any other person to behave in an improper way or to confer an advantage on you or the Council through the giving of any gift or hospitality.

1.5 Whistleblowing

The Council encourages employees to raise any concerns that they may have about any wrongdoing at any level within the organisation. Wrongdoing in this context means any breach of a legal obligation, risk to health and safety or damage to the environment.

Any initial concern should be raised with the Town Clerk or your Line Manager. However, if this is not appropriate then you should contact the Chair of Personnel who will ensure that your concern is properly addressed.

Employees who raise a concern under this policy are entitled not to be subjected to any detriment as a result. Even if your concern proves to be unfounded you will be protected against any reprisals from your manager, colleagues or any other employee of the organisation. Making a deliberately false allegation, however, against the Council, a fellow employee or any other person will be treated as an act of gross misconduct which will may result in dismissal.

If you are the subject of an allegation of wrongdoing, then you will be informed of the allegation and given every opportunity to explain the situation and put your side of the story. Disciplinary action will only be taken following a full investigation in accordance with the disciplinary procedure.

1.6 Good faith and loyalty

The employment relationship is one built on trust and we all have a mutual interest in making the relationship a success. The Council has a duty to provide reasonable support to employees and employees have a duty of good faith towards the Council.

In practice this means not doing anything that undermines the Council's position by acting against its interests or undermining the Council's standing with the people of Saltash, other authorities and fellow employees.

1.7 End of Employment

It is the wish of the Town Council to make the end of employment constructive and helpful process, providing feedback for the council from the employee, and ensuring there are no unresolved matters outstanding.

A Exit Interviews

1. The Council will offer all departing staff the opportunity for an exit interview if desired.
2. Exit interviews will ordinarily be conducted by the Clerk and Chairman or Vice-Chairman of Personnel, unless mutually agreed otherwise.
3. As part of exit interviews staff will be invited to discuss:
 - a. Their perceptions of the council as an employer, including training and development, working conditions, salary, workload, staffing procedures etc.
 - b. Their reasons for wishing to depart.
 - c. The parts of their job that they have most and least enjoyed.
 - d. Other relevant issues.

Staff may choose not to discuss any of these issues as preferred.

4. Where staff raise issues that relate to a potential disciplinary matter, these shall be taken forward according to that policy. However, where staff wish comments to be anonymous they will be made aware that this might affect the potential for any investigation.
5. Where staff raise issues that, were they remaining in employment with the council would constitute a grievance, they may request that the council undertake the normal grievance procedure, commencing with a formal reply from the Chairman or Vice Chairman of Personnel.
6. Following any exit interview the Clerk/Councillors conducting the interview will write a brief memorandum of the main points raised and will provide a copy to the departing staff member.
7. Copies of any correspondence relating to exit interviews shall be retained on file in accordance with usual town council procedures.

B Return of information and property

8. Departing staff must return any papers held, keys and passwords, security passes, and similar items or information to their Line Manager or Chairman of Personnel by the last day of employment, or as soon after as practically possible.

C Leave and Toil

9. Staff shall be entitled to take all leave and TOIL accrued before the end of employment but may request via their Line Manager to receive pay in

lieu of leave accrued. Such requests shall be considered in accordance with the needs and interests of the council, and under the appropriate financial procedures.

SECTION 2 – HOW WE DO THINGS

This section deals with some important administrative requirements to do with your employment and sets out the standards the Council expects of employees in various situations.

2.1 Proof of identity

The Council is legally obliged to ensure that all employees are permitted to work in the UK. It is a condition of your employment that you comply with all reasonable requests to provide details of your identity, right to work in the UK and place of residence. This will include allowing the Council to take copies of your passport or other appropriate documents and to check their authenticity. Copies of any such documents will be kept in your personnel file indefinitely.

The Council may dismiss any employee who cannot demonstrate that they are legally entitled to work in the United Kingdom.

2.2 Data Protection

We will process personal data and sensitive personal data (also known as 'special categories of personal data') relating to you in accordance with our Data Protection Policy and our Data Protection Privacy Notice (provided to you separately), as well as in accordance with the relevant data protection legislation.

We may monitor staff in accordance with our policies relating to email, internet and communications systems and monitoring at work, as detailed in this Employee Handbook and in accordance with the relevant data protection legislation.

You will comply with your obligations under our data protection policy and other relevant policies as directed.

2.3 Dress code

All employees should dress in a manner appropriate to the work that they do. Key factors include whether or not the employee meets clients /customers/members of the public and whether the requirements of health and safety require particular clothing. This is largely a matter of common sense. However, if your Line Manager feels that you are dressing in an inappropriate way he may ask you to dress differently the next time you come

into work. A persistent refusal to comply with a reasonable standard set by your Line Manager will amount to misconduct.

Where an employee dresses in a completely inappropriate way, for example by wearing clothing with offensive images or slogans, then they may be sent home to change. Any time taken to go home and change will be unpaid.

2.4 Timekeeping

Good timekeeping is essential in any team. A late arrival at work can put unfair pressure on colleagues and affect the smooth running of the organisation. The Council therefore requires all employees to take responsibility for attending work promptly in accordance with their contract of employment or work roster. You should arrive in time to begin working at your appointed start time.

Where you depend on public transport to come to work you should allow adequate time, including likely delays, for your journey so that you can arrive on time. Similarly, employees who drive to work should make themselves familiar with the level of traffic to be expected and make adequate allowance for rush hour congestion.

Where it is clear that you are going to be late for work you must contact your Line Manager as soon as possible to explain the situation and give an estimate of your arrival time. You must make every effort to talk to your Line Manager directly rather than leave a message with colleagues or send an email or text message.

If personal or domestic circumstances make it difficult for you to attend work on time, then you should discuss this with your Line Manager. In some cases, the Council may be able to accommodate a reasonable need for flexibility, but this will be subject to the needs of the organisation and the need to avoid placing an unfair burden on your colleagues (see Section 5).

The Council may ask you to record your arrival and departure times and may keep such records of your working time as it thinks appropriate. Deliberate failure to record time may be treated as gross misconduct.

Persistent lateness without proper excuse will be treated as misconduct under the disciplinary procedure.

2.5 Adverse Working Weather Policy

The Council's primary duty is to provide a safe place of work. If severe weather means that this cannot be achieved and the workplace needs to close, then all employees will be sent home or told not to come in. In these

circumstances employees will be paid in full for any working time that they have lost.

If the workplace remains open, it is the responsibility of employees to attend work if they possibly can.

In the event of severe adverse weather:

Staff who are unable to get into work safely should attempt to contact the Guildhall and leave a message. In the event that they are unable to do this they should attempt to contact the Town Clerk or their Line Manager at home. If they are not contactable they should contact the Chairman of Personnel at home or by email.

The Town Clerk, or if he cannot be contacted, the Chairman of Personnel will each have individual authority to make a decision regarding:

- a. The closure of the Guildhall entirely, where there is no safe and sensible alternative.
- b. The closure of the Guildhall to the public, where opening is like to result in unacceptable lone working.
- c. The voluntary calling in of additional staff, otherwise not on duty, to cover for colleagues not able to get into work.
- d. Where adverse weather begins whilst staff are at work the Clerk or Chairman of Personnel may also give permission for staff already at work to leave early.
- e. Where circumstances necessitate the cancellation of bookings.

Where staff are unable, following reasonable efforts, to contact the Town Clerk or their Line Manager or Chairman of Personnel, they should:

- a. Attempt to contact, in this order, the Vice Chairman of Personnel, Town Mayor or Deputy Mayor who may then make a decision on any of the above points.
- b. Where they are unable to make contact with any of these councillors, or the weather is of such severity that the time delay may create additional risk, the staff on duty shall have the authority to make a decision on these points.

Members of staff unable to get into work due to adverse weather, or where the Guildhall is closed entirely, should endeavour to work from home. In any case they will be paid as though the Guildhall had been open and they had worked as scheduled.

2.6 Rest breaks

The Council encourages all employees to take full advantage of scheduled rest breaks. These are provided not only for comfort, but also to protect the health of employees and prevent excessive fatigue from causing accidents.

A rest break should be taken away from your workstation wherever possible. If you leave the premises you should bear in mind the time that it will take you to return from the break so that you can ensure that you begin work again on time.

Different areas of the organisation may have different arrangements for ad hoc breaks such as to make a cup of tea or coffee. These arrangements are in place to ensure the smooth running of the organisation and to prevent putting unfair pressure on colleagues. You are required to comply with any requirements relating to such breaks as may be in place from time to time.

2.7 Smoking

The Council operates a smoke-free workplace. Smoking is only permitted in outside areas. Smoking in front of the Council office entrance is not permitted.

Smoking is to be conducted during rest breaks.

2.8 Computer use

It is very important that the Council is able to keep its data secure. To assist with this, all employees are required to comply with instructions that may be issued from time to time regarding the use of Council-owned computers or systems.

In particular, you must lock your terminal or log off whenever you leave it for more than a moment; you must not attach any device to Council IT equipment without authorisation from the IT consultant and you must not open attachments or click on links unless you know you can trust the source.

Council portable IT devices must be kept secure and password protected at all times.

Your computer password is an important piece of confidential information and you should treat it that way. Do not share it with others, and make sure that it is not written down anywhere where an unauthorised person can find it.

Unauthorised access to any of the Council's systems will amount to gross misconduct.

Email

All email correspondence should be dealt with in the same professional and diligent manner as any other form of correspondence.

If you have a Council email account, you should be mindful of the fact that any email that you send will be identifiable as coming from the Council. You should therefore take care not to send anything via email that may reflect badly on the Council. In particular, you must not send content of a sexual or racist nature, junk mail, chain letters, cartoons or jokes from your work email address.

Using a work email address to send inappropriate material, including content of a sexual or racist nature, is strictly prohibited and may amount to gross misconduct. Should you receive any offensive or inappropriate content via email you should inform your Line Manager of this as soon as possible so that they can ensure that it is removed from the system.

You should also take care that emails will be seen only by the person intended. Particular care should be taken when sending confidential information that the email has been correctly addressed, marked 'private' and not copied in to those not authorised to see the information. Sending confidential information via email without proper authorisation or without taking sufficient care to ensure that it is properly protected may be treated as misconduct.

While a reasonable amount of personal use of email is acceptable, your email remains the property of the Council. The Council may, in the course of its operation, read emails that you have sent or received - although in the absence of evidence of wrongdoing the Council will try to avoid reading personal emails if possible.

Internet use

Employees with access to the internet on Council-owned devices should use that access responsibly. Excessive personal use during working hours may be treated as misconduct. From time to time the Council may block access to sites which it considers inappropriate but whether or not a specific site has been blocked, employees must not use the internet to view or download offensive or sexually explicit material. Any attempt to do so may, depending on the circumstances, amount to gross misconduct leading to dismissal.

Employees must not download any software, plug-ins or extensions on to Council-owned devices unless this is first cleared by the IT consultant. Nor must employees use Council-owned devices to download music, video or any other entertainment content.

Firewalls and anti-virus software is used to protect the Council's systems. These must not be disabled or switched off without the express authorisation of the IT consultant.

Social media

An employee's behaviour on any social networking or other internet site must be consistent with the behaviour required of employees generally. Where it is possible for users of a social media site to ascertain who you work for, then you should take particular care not to behave in a way which reflects badly on the Council. Inappropriate or disparaging comments about the Council, colleagues or the town will be treated as misconduct. Because social media interactions can be copied and widely disseminated in a way that you may not be able to control, the Council will take a particularly serious view of any misconduct that occurs through the use of social media.

You must not operate a social media account or profile that purports to be operated on or on behalf of the Council without express permission to do so from the Town Clerk or your Line Manager.

2.9 Driving

Where driving is required as part of your job, it is your responsibility to ensure that you are legally qualified to drive.

Licences will go through the Council inspection procedure which requires us to check individual licences once a year with the DVLA, or as otherwise requested. The Council will require you to share your driving licence information by supplying it with your driving licence number and a check code provided by the DVLA. If you receive any points on your licence you must inform the Council of this immediately.

If you use your own vehicle to drive on Council/work-related business, it is your responsibility to arrange to be insured for that business use. The Council may require you at any time to allow a copy of your insurance and any MOT test certificate to be made and kept in its records.

You are responsible for any driving offences committed while driving as part of your duties, including any parking fines. Dangerous, careless, inconsiderate or aggressive driving as well as causing a risk to others can be damaging to the Council's reputation and can amount to gross misconduct. If you are banned from driving for any reason, the Council is not obliged to find alternative work for you and may choose to dismiss you if the ban renders you incapable of performing your duties as required.

Employees should never use their mobile phone while driving on Council business unless they do so on a properly installed hands-free system and traffic conditions mean that it is safe to do so. In most cases, it would be preferable to make any calls when the vehicle is stationary.

Any journey carried out on Council business must be scheduled in such a way as to allow adequate rest breaks – usually one break of 15 minutes for two hours of driving. Where possible, driving on Council business should be avoided either late at night or very early in the morning and employees should not be required to undertake a return journey of more than three hours after a full working day. An overnight break should be taken if necessary to avoid driving when excessively tired. This should, of course, be arranged with your Line Manager in advance.

Safety is the Council's prime responsibility and you should not be required to compromise safety in any way when driving on Council business. If you are concerned about any driving requirements you may have, then you should discuss these with your Line Manager and appropriate arrangements will be made to ensure that any work-related journey can be completed safely.

Council vehicles

If a Council vehicle is provided to you as part of your contract of employment or you are required to drive a Council vehicle as part of your job, it is your responsibility to take care of the vehicle, keeping it in a clean and roadworthy condition. You should report any damage or fault immediately. The Council will arrange for appropriate maintenance or servicing to be carried out. If you incur any reasonable expenses in connection with the vehicle then these will be reimbursed, but you must check with your Line Manager and comply fully with our expenses policy. The Council will not be obliged to reimburse any expenses incurred without authorisation.

Any personal use of a Council vehicle is at the sole discretion of the Council and must in any event be kept within reasonable limits. Your Line Manager may at any time instruct you not to use – or to cease using - a Council vehicle for private purposes.

If you have possession of a Council vehicle overnight or at the weekend, then you must ensure that it is securely parked in an appropriate location. In general, Council equipment should not be left in a vehicle overnight. Where this is unavoidable then you must ensure that the vehicle is parked in a locked garage. If this is not possible then you should discuss appropriate parking and security arrangements with your Line Manager.

2.10 Training and Development Policy

Introduction

This statement sets out:

- The Council's commitment to training
- The identification of training needs
- Corporate training

- Financial assistance
- Study leave
- Short courses/workshops
- Evaluation of training
- Links with other policies
- Reporting on progress

The objectives of this strategy are to:

- Encourage Members and staff to request and undertake appropriate training to develop both themselves and their contribution to the work of the council
- Ensure that training is allocated in a fair manner
- Ensure that all training is evaluated to assess its value

Saltash Town Council recognises that its most important resource is its Staff and Members and is committed to encouraging both Members and Staff to enhance their knowledge and qualifications through further training.

Providing training yields a number of benefits:

- Improves the quality of the services and facilities that Saltash Town Council provides;
- Enables the organisation to achieve its corporate aims and objectives;
- Improves the skill base of the employees, producing confident, highly qualified staff working as part of an effective and efficient team; and
- Demonstrates that the employees are valued.

Training and development will be achieved by including a realistic financial allocation for training and development in the annual budget, as well as taking advantage of any relevant partnership or in-house provision available.

Identifying and meeting training needs

Training needs will be identified by:

- a. considering the overall objectives of the organisation and matching those to the appropriate Staff/Members;
- b. considering individual requests, and matching them to the needs of the organisation;
- c. considering training and development opportunities that become available from time to time;
- d. needs identified following disciplinary and grievance procedures.

Training required to meet the objectives of the organisation will be periodically reviewed by the Line Manager, including in consultation with Members and Staff, and as part of the appraisal process. In particular, the Line Manager will review the needs of the council when staff leave or join the council's employment including by discussion with those staff as appropriate.

Other circumstances may present the need for training:

- Legislative requirements i.e. First Aid, Fire Safety, Manual Handling.
- Changes in legislation
- Accidents
- Professional error
- Introduction of new equipment
- New working methods, systems and practices
- Complaints to the Council
- Devolved services / delivery of new services
- Grievance and/or disciplinary action

Employees who wish to be nominated for a training course should discuss this in the first instance with their Line Manager, who will consider the request and may agree it under appropriate delegated authority or refer it to the Personnel Committee.

Where particular opportunities for training become apparent that the Line Manager considers useful, they may likewise proceed under appropriate delegated authority or refer it to the Personnel Committee.

In certain circumstances the council may consider it appropriate to organise its own training opportunities.

Training will be prioritised where it:

- Is necessary for legal or statutory requirements
- Meets the council's top or high priorities
- Follows from grievance or disciplinary procedures

Training will be considered with regard to value for money and available budget, including in terms of time required off work, travel times and costs.

Financial assistance and time-off or TOIL

Where training is considered important to the needs of the council, the following will be provided

- a. travel expenses and subsistence
- b. paid absence, or TOIL, including for travel time and examinations
- c. the full costs of training, including examination fees
- d. paid study leave as appropriate, at the discretion of the Town Clerk in consultation with the Chairman of Personnel

Where training is considered of relevance to a council role, but is not a priority for the council, partial funding, time-off or TOIL, and study leave may be offered at the discretion of the council.

Failure to sit an examination may result in the Council withdrawing future course funding and/or requesting the refunding of financial assistance. Each case will be considered on an individual basis.

Saltash Town Council operates a Return of Service agreement. Any employee undertaking post-entry qualifications funded by the Council must be aware that should they leave Saltash Town Council employment within two years of completion of the qualification they may be required to repay all costs associated with the undertaking of such training.

If the employee takes up employment with another Local Authority an exemption to this clause may be granted. Similar exemption may be granted in relation to personal circumstances and the reasons for leaving the council's employment.

Evaluation

Unless determined otherwise by the Line Manager, all staff undertaking training are required to make a written evaluation. Exceptions may be made for short or routine course where verbal feedback may be sufficient. Copies of written feedback will be kept on staff files.

Links to other policies

This policy links in with other council policies:

- Equality of opportunity in all aspects of Member and Staff development;
- Health and Safety Policy – ongoing training and development is key to ensuring a positive approach to Health and Safety is embedded throughout the authority;
- Training and development may be an appropriate outcome of grievance and disciplinary proceedings, and may help avoid the need for such proceedings.

2.11 Alcohol and drugs

The Council's approach to the consumption of alcohol and drugs is based on the need to ensure a safe and productive working environment. Because of the serious nature of the risks posed by the abuse of alcohol and drugs in the workplace, any breach of the rules in this area will be treated as gross misconduct which may result in dismissal.

An employee will be regarded as 'under the influence' of alcohol or drugs if their behaviour, speech, ability to concentrate or otherwise perform their duties is in any way affected. An employee will also be regarded as under the influence if they fail a drug or alcohol test.

Dependency

Employees who have a dependency on alcohol or drugs may be offered support and encouraged to seek appropriate counselling or medical help. Absence arising from treatment or counselling related to drug and alcohol abuse will be treated as sickness absence under the Council's absence management policy. However, while the Council will always try to be supportive toward employees with a drug or alcohol problem, this will not prevent disciplinary action being taken when employees act in breach of the rules laid out in this policy.

Wherever an employee informs the Council that they have a drug or alcohol problem this will, as far as possible, be treated in the utmost confidence. However, the Council may need to disclose particular circumstances to Line Managers, regulatory authorities or others should this be necessary to ensure safety or compliance with legal requirements.

Drugs

The consumption, storage, distribution or sale of illegal drugs or any other behaviour-altering substance on Council premises or during working time is strictly prohibited. The Council will report any illegal activities to the police or other relevant authorities.

You must not present yourself for work under the influence of illegal drugs or any other substance taken for non-medical purposes.

Medicines and Prescription drugs

If you are taking prescription drugs or any other medicine that may affect your performance at work or your ability to carry out any of your duties, then you must inform the Town Clerk or your Line Manager of this so that steps can be taken to ensure that the work can be done safely. It is your responsibility, when beginning any course of medication, to check whether it may adversely affect your ability to work.

Alcohol

Consumption of even a small amount of alcohol may be sufficient to adversely affect the work of an employee and could pose a risk to health and safety. Remember that alcohol remains in the bloodstream for up to 24 hours following consumption and that the consumption of a significant amount of alcohol in the evening may leave you unfit to work in the morning.

You must not present yourself for work under the influence of alcohol or consume alcohol during working hours or breaks.

Employees who need to drive or operate any machinery during the working day must not consume any alcohol during working time, lunchtime or during any break.

Where alcohol is available at Council organised events or occasions when you are representing the Council – even outside working hours - it is important to behave responsibly and not drink to excess. Behaviour that reflects badly on the Council will be a disciplinary matter and in serious cases may amount to gross misconduct.

Drug and alcohol testing

The Council may require you to submit to drug or alcohol testing where there is reason to believe that you may have acted in breach of this policy.

Arrangements for blood or urine testing may vary from time to time, but such tests will always be carried out by suitably qualified, independent professionals.

An employee will be treated as having failed a drug or alcohol test if the test shows the presence of illegal drugs or a level of alcohol in excess of the UK drink driving limit (80 mg of alcohol per 100 ml of blood, 35 mcg per 100 ml of breath or 107 mg per 100 ml of urine).

An employee who refuses, without proper excuse, to undergo a test required will be treated as having committed an act of gross misconduct.

Whether a test needs to be conducted is a matter for the Council to decide. In cases where an employee is clearly under the influence of alcohol or drugs or there is other clear evidence then disciplinary action may still be taken even if no test is carried out.

2.12 Safeguarding for Members of Staff

The Council is committed to protecting its staff and recognises that on rare occasions members of staff may be the subject of malicious accusations or allegations by members of the public either face to face, third hand, social media or by a direct report to the Council

Should you receive or be aware of an allegation or accusation you should report it immediately to your Line Manager if it is made by other means to the Council your Line Manager will contact you if necessary, regarding the matter.

If in doubt as to the advice to be given or how to deal with the matter you should contact the Town Clerk.

2.13 Lone Working

Lone Worker Policy

Staff are advised to read policies in conjunction with other relevant documents including their contract, the Green Book and the Employee Handbook.

Statement

The Council is committed to ensure that no lone worker is at greater risk of injuries and ill-health as a result of not being directly supervised or working alone whilst undertaking the Council's work.

Application

This Policy applies to all Council operations, employees and establishments where workers are undertaking work alone without close supervision.

Requirements

The Council will:

- Ensure early recognition and assessment of the risk to lone worker employees;
- Establish effective lone worker risk assessment and incorporate the process and assessment results into management activities i.e. supervision, performance management, team meeting agendas and other procedures/ management systems;
- Where significant risks are identified, put in place suitable control measures to remove or reduce those risks and establish effective communication and monitoring of control measures;
- Set up effective emergency arrangements and reporting systems to protect lone workers from foreseeable risks;
- Ensure that all incidents and near misses are reported and investigated for the purpose of improving safety and preventing recurrences.

Training

The Council will provide information, instruction and such training as appropriate to ensure that staff required to work on their own are competent and aware of any associated risks.

Responsibilities:

Senior Managers have a responsibility to:

- Ensure that line managers have undertaken lone worker risk assessments and have suitable safe working procedures in place to remove or reduce significant risks;

- Review lone worker incident statistics, identify trends and take action as appropriate.

Line Managers have a responsibility to:

- Ensure that the requirements of this policy are fulfilled;
- Undertake risk assessments of lone worker risk and ensure safe working procedures are in place to remove or reduce significant risks;
- Ensure that all staff are provided with adequate emergency equipment and are able to raise the alarm as far as is reasonable practicable;
- Ensure that lone workers are provided with adequate training to ensure they are able to operate safely;
- Ensure employees understand the need to report concerns about safety associated with lone working.

Employees have a duty to:

- Comply with the Council's policy;
- Comply with any instructions provided for reasons of health and safety;
- Attend any training provided for health and safety;
- Report any incident for which this policy applies;
- Report any concerns or failures in safety systems.

The Health and Safety Responsible Officer has a responsibility to:

- Ensure that managers have undertaken lone worker risk assessments and have suitable safe working procedures in place;
- Advise on suitable emergency arrangements available;
- Investigate incidents in accordance with the Reporting and Investigation of Incidents Procedure.

These duties will be monitored by the Council through its management and appraisal processes. Where necessary the Council will take appropriate action to ensure that these duties are fulfilled.

Monitoring

These requirements of this Policy will be monitored by way of a risk-prioritised process of auditing, regular inspections periodic self-audits

The training and responsibilities of individuals will be monitored by the Council through its management and appraisal processes.

Where necessary the Council will take appropriate action to ensure that this policy is upheld.

Review

This policy will be reviewed if:

- New legislation is published or existing legislation is updated.
- New guidance is published or existing guidance is updated.
- Research, monitoring or auditing suggests that a review may be required.
- Incident investigation suggests that a review may be required.

SECTION 3 – CODE OF CONDUCT

The behaviour of employees is central to the continued success of the Council. This section sets out what is expected of all employees in terms of their personal conduct when at work and their behaviour towards colleagues.

3.1 Misconduct

Behaviour which is disruptive, disrespectful to colleagues, councillors or members of the public or which falls short of the requirements set out in this handbook will be treated as misconduct under the disciplinary procedure. While employees will not usually be dismissed for a first offence unless in their probationary period, a failure to remedy the behaviour or to adhere to required standards may ultimately lead to dismissal once appropriate warnings have been given.

3.2 Gross misconduct

Gross misconduct is behaviour which is fundamentally at odds with an employee's duty to the Council and their colleagues. In accordance with the disciplinary procedure, gross misconduct will usually result in dismissal without notice or payment in lieu even in cases of a first offence.

It is not possible to list every example of gross misconduct which may arise, but the following provides an illustration of the sort of conduct that will fall into this category – some of which are then explained in more detail below:

- Theft
- Dishonesty
- Deliberate acts of discrimination or harassment
- Refusal to carry out reasonable instructions
- Violent or intimidating behaviour
- Wilful damage to property
- Reckless behaviour posing a risk to health and safety
- Any illegal act during working time or on Council premises
- Any act described as gross misconduct elsewhere in this handbook

Dishonesty

It is important to stress that any form of dishonesty, however minor, will be regarded as gross misconduct. This includes theft of property, whether belonging to the Council, colleagues or any third party. However, it also includes an employee seeking to gain any advantage through deception - such as making a false claim for expenses or overtime, falsely claiming to be sick or falsely claiming to have completed a particular task.

It does not matter if any amount of money at issue is small. The Council regards any dishonesty by employees as gross misconduct which will usually result in dismissal.

Refusal to carry out instructions

The Council expects employees to work in a spirit of cooperation with their colleagues and manager for the good of the organisation as a whole. Employees are required to carry out their Line Manager's instructions and a deliberate and wilful refusal to do so will be gross misconduct.

If you believe that you have been instructed to do something that does not fall within your duties or which is in some other way unreasonable then the appropriate way of dealing with this is to raise a grievance under the grievance procedure set out in Section 6. However, doing so will not prevent a refusal to carry out an instruction from amounting to gross misconduct if it is found to have been a reasonable one in all the circumstances.

Breach of a requirement set out in this handbook

This handbook sets out a number of requirements aimed at ensuring the smooth running of the Council and the fair treatment of all employees. A number of these are so important that any breach of them will amount to gross misconduct and these are clearly identified throughout the handbook. Your attention is drawn in particular to the following:

- The rules on gifts and hospitality
- The rules on alcohol and drugs
- The rules on the use of computers, the internet, email and social media
- The policies on driving and the use of Council vehicles

3.3 Allegations of misconduct and gross misconduct

The Council is committed to treating all employees fairly and allegations of misconduct and gross misconduct will be dealt with in accordance with the disciplinary procedure set out in Section 6.4.

SECTION 4 – ABSENCE

This section sets out the approach the Council takes when you are unable to attend work, are taking annual leave or need time off.

4.1 Unauthorised absence

The obligation on an employee to attend work at the times agreed is a fundamental part of the contract of employment. Employees who deliberately fail to attend work without proper excuse or in breach of management instructions will be committing gross misconduct which could result in dismissal without notice or payment in lieu.

4.2 Ante-natal care

Employees who are pregnant are entitled to paid-time off to attend ante-natal appointments provided that attendance is based on medical advice. For second and subsequent appointments you may be required to produce an appointment card or similar evidence of the date and time of the appointment.

While there is no limit on the number of appointments that an employee can attend, the Council does have the right to refuse time off where it is reasonable to do so. Employees are therefore expected to take reasonable steps to arrange antenatal appointments at a time that will require the minimum amount of time off. Part-time workers should attempt to arrange appointments for days when they are not required to work and all employees should try to avoid appointments in the middle of the working day in order to minimise disruption.

If your partner is pregnant, you are entitled to unpaid time off for up to two antenatal appointments. If you wish to exercise this right you should notify your Line Manager of the date and time of the appointment. You may be asked to provide written evidence that an appropriate appointment has in fact been made.

4.3 Sickness absence

Regular and reliable attendance at work is an important commitment that the Council asks all employees to make. Unjustified or excessive absence can put unfair pressure on colleagues and seriously damage the Council's operation, to everybody's detriment.

Nevertheless, the Council will always try to be supportive when an employee is genuinely too ill to attend work. This policy sets out the Council's approach and the steps that you need to take if you are off sick.

Reporting sickness absence

If you are too ill to come into work you should personally inform your Line Manager of this fact as soon as possible and in any event within one hour of the start of your working day if possible.

When you phone in sick you must make every effort to speak to your Line Manager directly. Try to avoid leaving a message with a colleague or sending an email or text. If you need to leave a message for your Line Manager then they may contact you during the day to discuss your absence with you.

It is important that you keep in touch with your Line Manager about the likely length of your absence so that appropriate arrangements can be made for cover and you should phone in sick on every day of your absence unless either you have previously informed your Line Manager that you will be off sick for a particular period of time or your absence is certified by a GP (Form Med 3).

Falsely claiming to be sick is an act of gross misconduct that may result in dismissal. It is also misconduct to put yourself in a position where it is likely that you will be unfit to attend work. Hangovers are not regarded as legitimate reasons to take sickness absence and you may be required to take a day's unpaid leave to cover any such absence. Repeated absence by reason of hangovers will be regarded as a disciplinary offence which may result in dismissal without notice or payment in lieu. You should also be aware of the rules governing the consumption of alcohol set out in the Alcohol and Drugs Policy.

The Council requires any absence of more than a week to be certified by Forms Med 3 or Med 10 issued by your GP or hospital doctor. Uncertified absence may be treated as misconduct and will not be paid.

Where any period of sickness absence occurs immediately before or immediately after a period of annual leave then the Council may require such absence to be certified by a GP at your own expense.

Where you are absent for an extended period of time (three weeks or more) the Council may refer you to an occupational health professional or seek a medical report from your GP. The purpose of this will be to ascertain when you are likely to be able to return to work and to identify any measures that can be taken to help you return as soon as possible.

Employees who are off sick should not undertake any activities likely to be detrimental to their recovery and should cooperate with the appropriate medical professionals in taking steps to ensure that their recovery is as swift as possible.

The Council will maintain regular contact with employees who are off sick for an extended period.

Annual leave and sickness absence

Employees may request annual leave during any period of sickness absence in the normal way. If you intend to spend any time away from home during your sickness absence you should inform your Line Manager of this fact in advance and provide contact details. The Council does not expect employees to take holidays while off sick. In exceptional cases only, where this may assist in an employee's recovery, the Council may agree to holidays being taken during sick leave. It is essential however that any such holidays are agreed in advance with the Council following the normal holiday request procedure.

Phased return to work

As an employee recovers from illness or injury it may be possible for them to undertake a limited range of duties as a preparation for returning to normal work. The Council will try whenever appropriate in light of medical advice to allow for a phased return to work from any long-term illness. This may involve reducing the employee's hours, or the scope of their duties or both. The purpose of a phased return, however, is to provide a bridge between sickness absence and normal working and so any such arrangements will be time-limited and will not normally extend over more than three months.

Alternative work

The Council may consider agreeing changes to an employee's duties or other working arrangements when it becomes clear that due to sickness or injury they will not be able to return to normal working. Any such changes will be subject to the needs of the organisation and there is no guarantee that permanent arrangements of this sort will be possible.

Where duties or working hours are varied in this way then the job being done by the employee will need to be reassessed to determine the appropriate level of remuneration. This will then need to be agreed with the employee. If an agreement is not reached, then the Council may proceed to dismiss the employee in accordance with the procedure for long-term sickness absence.

Disability and reasonable adjustments

The Council is committed to making reasonable adjustments to an employee's duties or working arrangements where they would otherwise suffer a disadvantage arising from any disability.

In order to make appropriate adjustments the Council needs to know about any disability the employee may have. Employees who feel that they may require an adjustment should discuss their situation with the Town Clerk and Line Manager. Any such discussions will be in the strictest confidence although when an adjustment is made it may be necessary to inform other employees of the reason for this. The extent to which details of any disability will be discussed with other employees will be agreed as part of the process of making the adjustment itself.

The purpose of any adjustment will be to ensure that the employee can work effectively in an appropriate role and on appropriate terms and conditions. The Council is not obliged to maintain an employee's level of pay if hours are reduced or the employee is moved to a less senior role as a result of any adjustment. Nor will the Council agree to an adjustment which will not result in a practicable working arrangement.

Council sick pay

In addition to Statutory Sick Pay (SSP) the Council also offers its own sick pay scheme. An employee's entitlement under this scheme is as detailed in your contract of employment.

The payment of Council sick pay is dependent on you keeping the Council informed in relation to your absence and complying with the requirements of this policy. You will not be entitled to Council sick pay if you refuse to cooperate with referrals to occupational health or other measures aimed at helping you to return to work. The fact that an employee has not exhausted Council sick pay will not prevent the Council from proceeding to dismissal under the procedure for dealing with long-term absence described in Section 6.2.

If your sickness absence is the result of reckless behaviour on your own part – such as participation in a high-risk sport or arising from disorderly conduct - then any payment of Council sick pay will be entirely at the Council's discretion.

Where your sickness or injury is caused by any unlawful act (such as negligence) on the part of a third party, then any Council sick pay paid to you will be by way of a loan refundable to the Council and must be recovered from that third party in any claim made by you against them.

Any such loan will only be repayable in the event of damages being successfully recovered and will be limited to the amount of damages recovered.

4.4 Annual leave

Your individual holiday entitlement, including the calculation of any holiday pay, is set out in your contract of employment. This section of the handbook outlines the general approach taken by the Council to requests for annual leave.

All annual leave must be agreed in advance with your Line Manager. You should not make firm travel plans or commitments until a request for leave has been granted and the Council will not take such plans into account when dealing with conflicting holiday requests.

At least four weeks' notice of annual leave is required and may only be taken through arrangement made and agreed with your Line Manager.

Normally not more than 10 days' leave may be taken consecutively. Leave of more than 10 consecutive days requires sanction from your Line Manager and subject to operational needs. A written request should be submitted to your Line Manager who will seek approval from the Chairman of the Personnel Committee.

Additional leave with or without pay may be granted in special circumstances at the discretion of the Chairman of the Personnel Committee. A written request should be submitted to your Line Manager who will seek approval from the Chairman of the Personnel Committee.

A maximum of five days' holiday may be carried over to the new annual leave year by arrangement with Line Manager, but must be taken within the first quarter of following holiday year.

The Council may refuse any request for leave if it would result in the workplace being understaffed or otherwise prejudice the organisation. Leave is likely to be refused if it is requested for a particularly busy period or a time when other employees have already had leave approved.

Certain times of year are particularly popular times for requesting holiday. Generally, subject to the needs of the organisation, leave will be granted on a first come first served basis, but exceptions may be made in the interests of ensuring that holiday is spread through the year on a fair and equitable basis.

All employees are encouraged to take their full holiday entitlement during the holiday year which runs from 1st April to 31st March. However, it is your responsibility to schedule your holiday so that it can be taken at an appropriate time.

In order to accommodate operational closures of STC facilities, services and buildings for the annual period between Christmas and New Year the council reserves the right to direct staff to take up annual leave for this period. Therefore all staff should plan for this use of annual leave when calculating and planning leave from their leave allowance. This will not apply to operational staff members who are required to remain on duty during this period.

Employees who leave their employment during the course of a holiday year will be entitled to a pro-rata payment reflecting leave accrued but not taken. Where an employee has, at the time their employment ends, taken a larger proportion of their leave entitlement than the proportion of the holiday year that has expired, then a deduction will be made from the final payment of salary to reflect the holiday which has been taken but not accrued.

The Council may insist on annual leave being taken at particular times depending on the needs of the organisation.

The Council may require annual leave to be taken during the notice period of any employee who has resigned or been dismissed.

Basic Leave Entitlement

The paid annual leave entitlement for full-time staff (Green Book 7.2), in addition to the normal banking public holidays, is 23 working days leave each leave year.

Leave entitlement will increase to 28 working days per year (when you have completed not less than five years of continuous service immediately prior to commencement leave year). However, your previous Local Government service will be taken into account in calculating your holiday entitlement.

Part time staff have a pro-rata leave entitlement.

4.5 Time Off in Lieu (TOIL) POLICY

Flexible Working

It is possible that there will be occasions when Employees are asked to vary or work hours in excess of the basic working week.

On these occasions Saltash Town Council must have a due regard for the welfare of its Staff and will not expect people to work long hours continually.

Toil working is not a payment for overtime it is a means for ensuring that people take rest after periods of sustained effort.

To assist Saltash Town Council to pursue a consistent policy when granting Toil and flexible working the following guidelines apply:

Hours of Work

Your normal hours of work are detailed in your contract it is your responsibility to ensure that you attend punctually for work and follow all timekeeping and absence procedures.

Any Toil or flexible working time must be approved by your Senior Management in advance.

STC will not be in breach of this policy should STC refuse any Toil or flexible working hours.

Additional Hours/Overtime

In order to meet operational requirements, you may be required to work additional hours as directed by your Line Manager.

STC may but do not normally pay overtime as any additional hours worked are taken off as Toil at times agreed with your Line Manager.

Accruing Hours

Toil hours are accrued when extra hours are worked.

All additional hours worked, and Toil accrued must be approved in advance by your Senior Management.

All employees have a responsibility to plan their hours of work to minimise additional working hours wherever practicable.

Toil will only be granted for exceptional circumstances or where attendance at an out of hours meeting is essential.

Entitlement to claiming flexible working hours

Toil hours can be claimed on a 1 for 1 basis for any period of time worked over and above normal working hours or for events outside of normal working hours.

Procedure

Where practicable employees attending an evening meeting should aim to start later on the same day such start time being agreed in advance with their line manager subject to operational requirements.

It is expected that no more than:

10 hours of toil for staff contracted on 30 hours plus contract per week

5 hours of toil for staff contracted on 29 hours or less contract per week
can be held in balance at any time.

Once the maximum 10 or 5 hours have been accrued STC refuse the right to allow the accrual of anymore hours and to insist that you take some of these before allowing you to accrue any further additional hours.

Guidance

Recording flexible hours accrued and taken must be recorded in the format in place at the time as administered by the Finance Officer and audited by your Line Manager.

Taking flexible hours

Taking these hours must be agreed in advance with your Line Manager and requests may be refused subject to operational requirements.

All requests must be made by completing the correct form at least 5 working days before it is to be taken.

Balances cannot be carried across into the next leave year.

Breach

Any employee accruing or taking hours without the required advance notice periods or without prior approval or found to be fraudulently recording hours will be subject to the Disciplinary Policy.

Refused Permission

Should refusal be linked to staff shortages and/or you are covering another post within the organisation in addition to your own agreement will be given to carry forward accrued hours into the following year until such time as the post is filled and you return to your normal duties.

4.6 Other Leave

Other provisions of the 'Green Book' which apply to council employees include:

Public Duties

Paid leave of absence will be granted for employees undertaking jury service or serving on public bodies or undertaking public duties. Where an allowance is claimable for loss of earnings the employee should claim and pay the allowance to the Council.

Further to these provisions the Council will consider public duties to include:

- Justice of the Peace;
- member of a local authority (including a parish council or a county council established under the Local Government Act 1972);
- member of a Police Authority
- member of a relevant health body;
- member (in England and Wales) of the managing or governing body of an educational establishment maintained by a local authority and members of the governing body of a further or higher education corporation;

- member of the Environment Agency or the Scottish Environment Protection Agency;
- member (in England and Wales) of boards of prison visitors, and in Scotland, prison visiting committees;
- member of the service authority for the National Criminal Intelligence Service or the service authority for the National Crime Squad;
- member of a water customer consultative panel.

The Council will consider any application to become a retained firefighter, or take on other additional employment that may affect working hours but has a public service element, on a case by case basis; considering both the importance of the public service and the impact on the Council.

Discretionary Leave

Discretionary Leave shall be determined with reference to this policy by agreement of the Line Manager and Chairman of Personnel, If not time urgent, and otherwise by the Personnel Committee.

It is expected that in ordinary circumstances discretionary leave will be applied for in advance: but the Council recognises that this is not always possible. Failure to apply in advance will only prejudice the application for discretionary leave where such notice could reasonably have been given.

Medical appointments

These (including optician, dentist etc.) Will normally be expected to be taken outside of work hours, but reasonable paid leave will be granted where this is not possible.

Time off for Medical Screening

Necessary paid time off will be granted for the purpose of screening.

Moving house

This will normally result in one days leave with pay, additional leave be taken as holiday or TOIL.

Time off for dependants

Situations arise where an employee needs to take time off work to deal with an emergency involving someone who depends on them. Provided the reasons for such a request are genuine and you inform your line manager as soon as possible that you need this time off, this should be allowed with reasonable unpaid time off work to deal with such emergencies. Alternatively, with the agreement from your line manager you can request this time off as annual leave.

There is no qualifying length of service requirement to have this right.

Dependants

A dependant is the employee's husband, wife or civil partner, child or parent, or someone living with them as part of their family who can be considered as depending on the employee. Others who rely on the employee for help in an emergency may also qualify.

Emergency

The right to time off is essentially intended to cover emergencies involving dependants. The right does not extend to, for example, time off to deal with a burst pipe or wait for the gas engineer. If you know in advance that you are going to need time off, you may be able to arrange this with your line manager by taking another form of leave, such as annual leave. However, the mere fact that you know in advance, for example, that you are going to have a problem with child care arrangements on a particular day, does not prevent you from having the right to time off if you are unable to make alternative arrangements in the meantime.

For these purposes, an emergency is where:

- a dependant needs assistance because they have fallen ill, given birth or been injured or assaulted
- you make arrangements for the provision of care for a dependant who is ill or injured
- a dependant has died
- you need to deal with an incident involving your child which occurs unexpectedly at a time when school is responsible for the child's care
- you need to deal with an unexpected disruption or breakdown in care arrangements, for example for a parent or child.

Length of time off

Employees can only take off as much time as it takes to deal with the immediate emergency. For example, if a dependant is ill you can take enough time off to deal with their initial needs, such as taking them to the doctor and arranging for their care.

Employees cannot take time off work to provide continuing care themselves and will need to make alternative arrangements for such care. If you want to stay off work longer to provide care you will normally need to take this as part of your annual leave entitlement.

As a general benchmark, no more than a day or so should be necessary. You are under no duty to provide evidence to substantiate the request, albeit that STC will not request such evidence. No request for time off will be unreasonably refused by STC and STC cannot refuse on the grounds of business reasons. The only reason STC will refuse such leave is on the grounds that the employee is taking an unreasonable amount of time off. If there is evidence of this abuse of the right, then the matter will be dealt with by way of the disciplinary process.

Notice

You must notify your line manager as soon as possible the reason why you are away from work and how long you expect to be off. In extreme cases of emergency where you cannot inform your line manager of your absence before you return to work, on your return you should still inform your line manager why you were absent.

Bereavement and funeral leave

The policy of the Town Council is to grant three days' compassionate leave with pay in the event of the death of any "Stage 1" relative in the immediate family with up to a further two days for distant travel where appropriate.

This includes:

- i. Husband, wife or partner
- ii. Child, including any adopted child
- iii. Mother or Father
- iv. Sister or Brother

This policy recognises that time will be need to:

- Arrange and/or attend the funeral
- Support other members of the family

The Policy of the Town Council is to grant one day's compassionate leave with pay on the death of any "Stage 2" relative with up to a further two days' distant travel where appropriate and essential.

This includes:

- i. Grandmother or Grandfather
- ii. Mother-in-law or Father-in-law, or Mother or Father of Partner
- iii. Grandchild, including any adopted grandchild
- iv. Other relatives or close friends at the discretion of the Clerk/Chairman of Personnel.

This policy recognises the time will be needed to attend the funeral.

All applications for Compassionate Leave must be made to the Town Clerk in the usual way, who is responsible for referring it with an appropriate recommendation to the Chairman or Vice Chairman of Personnel. In their absence the authority will fall to the Mayor for determination.

In addition, the Chairman or Vice Chairman of Personnel will be authorised to determine:

- Any application falling outside the above parameters.
- Any application made for Compassionate Leave without pay.

These will be determined after reviewing both the needs of the service and wishes of the employee, whilst taking into account any recommendation from the Town Clerk.

Any application to take annual leave and/or Time Off in Lieu in association with Compassionate Leave must be made to the Town Clerk in the usual way, who is responsible for referring to the Chairman or Vice Chairman of Personnel for determination.

It is accepted that in some cases of bereavement it may not be possible to apply for and be granted Compassionate leave in advance, and any such cases will be considered sympathetically in the interests of all parties.

Other Discretionary Leave

Requests will be considered as appropriate with regard to the needs of the council, the duty of care to staff, and particular circumstances involved.

Unpaid leave

In addition to paid leave, or leave is not appropriate, unpaid leave will be considered and granted whether circumstances indicate it.

4.8 Reserve forces

The Council supports employees who are also member of the reserve forces. Such employees have specific entitlements relating to time off including arrangements for them returning to work after a period of deployment. Employees who are members of the reserve forces or who are considering joining should discuss the implications with the Town Clerk.

SECTION 5 – FLEXIBLE WORKING AND FAMILY-RELATED LEAVE

The Council understands the particular issues faced by employees trying to balance their work and family life. This section sets out the Council's policies in this area and the specific rights given to new parents.

5.1 Flexible working

The Council will try, subject to the needs of the organisation, to accommodate requests from employees who wish to make changes to their working hours or place of work.

Requests for a change in working arrangements can be made by any employee with at least 26 weeks' continuous service with the Council at the time the request is made.

The request should be made in writing and set out the change requested. The request should also describe the impact that the change will have on the operation of the organisation and how any difficulties caused by the change may be addressed.

When a request is received, the employee will be invited to a meeting to discuss the potential change. The meeting will normally be conducted by the Town Clerk and Chair of Personnel. The employee will be entitled to be accompanied by a fellow employee to assist in making any representations that may be appropriate.

The Council will refuse a request if doing so would adversely affect the organisation or create a burden on other employees. In refusing any request the Council will explain the reasons for the refusal in writing and may make an offer of an alternative arrangement. Discussions may then take place to try to agree a way forward. If no agreement is reached then the employee's terms and conditions will remain unchanged, subject to the right of employees to appeal the decision

Any meetings should take place in a spirit of cooperation with both sides seeking to reach agreement on an appropriate way forward.

Any change in working arrangements which results from this process will be confirmed to you in writing.

This policy will not prevent the Town Clerk or your Line Manager agreeing to ad hoc arrangements from time to time. However, any such arrangement will not amount to a variation in your terms and conditions of employment unless specifically agreed to the contrary and confirmed in writing. The Council may

terminate any such ad hoc agreement at any time and require you to revert to your agreed working arrangements.

As there will inevitably be a limit to the amount of flexibility the Council can tolerate without detriment to its interests, employees must accept that the fact that a particular working arrangement has been granted to one employee does not oblige the Council to grant it to another.

5.2 Homeworking policy

About This Policy

Saltash Town Council support homeworking in appropriate circumstances either occasionally (to respond to specific circumstances or to complete particular tasks) and in some cases on a regular (full or part-time basis). In addition, occasional or permanent homeworking can, in certain circumstances, be a means of accommodating a disability and can be requested as a means of flexible working under our Flexible Working Policy.

This policy sets out how we will deal with requests for homeworking, and conditions on which homeworking will be allowed. If you are allowed to work from home, you must comply with this policy.

This policy applies to employees only.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

Homeworking Arrangements

There are a number of circumstances in which the ability to work from home on an occasional or temporary basis may be of benefit to you:

- a. when a dependant becomes unwell or arrangements for their care break down at short notice;
- b. when, despite being fit to work, travelling to the office is difficult (for example, due to recovery from an injury such as a broken leg);
- c. when public transport has been disrupted (for example by the weather or by a strike, that affects your travel arrangements); or
- d. when a quiet, uninterrupted work environment will assist in dealing with a backlog of administrative tasks or in writing reports to a deadline.

In these circumstances working at home can be authorised by your Line Manager where, in their opinion:

- a. you have work that can be undertaken at home; and
- b. working at home is cost-effective and any increase in work that may be passed to your colleagues as a result is kept to a minimum.

Your Line Manager will, where necessary, liaise with the Town Clerk to confirm arrangements.

You may want to vary your working arrangements so that, either permanently or for a fixed period, you work from home for all or part of your working week. Any request to work from home must meet the needs of our business as well as your needs.

Applying for Homeworking

After successful completion of your probationary period, you can make an application for homeworking which will be considered on its merits. However, not all roles and not all jobs are suitable for homeworking.

A request for homeworking is unlikely to be approved, on either an occasional or permanent basis if:

- a. you need to be present in the office to perform your job (for example, because it involves a high degree of personal interaction with colleagues or third parties or involves equipment that is only available in the office);
- b. your most recent appraisal identifies any aspect of your performance as unsatisfactory;
- c. your Line Manager has advised you that your current standard of work or work production is unsatisfactory;
- d. you have an unexpired warning, whether relating to conduct or performance; or
- e. you need supervision to deliver an acceptable quality and/or quantity of work.

If you wish to apply to work from home, you will need to be able to show that you can:

- a. work independently, motivate yourself and use your own initiative;
- b. manage your workload effectively and complete work to set deadlines;
- c. identify and resolve any new pressures created by working at home; and

- d. adapt to new working practices including maintaining contact with your Line Manager and colleagues at work.

To be considered for homeworking you must submit a written application to your Line Manager. Your application must state:

- a. why you consider your job to be suitable for homeworking and how you meet the criteria for homeworking set out in detail;
- b. whether you wish to work from home on a permanent basis or for a fixed period. In either case you should state the date from which you wish the arrangements to start and, if you wish to work from home for a fixed period, the date on which you want the arrangements to finish. You should try to give us as much notice as possible and, in any event, make your application at least 2 weeks before your proposed start date so that your request can be considered;
- c. whether you wish to work from home for all or part of your working week and, if only part, which days you propose to work from home;
- d. how you would organise your work from home including how you would ensure the security of documents and information, where appropriate;
- e. the extent to which you could be available to come to work on days you are proposing to work from home if needed, for example to cover if colleagues are off sick, to cope with high or unexpected levels of work or to attend meetings or training days;
- f. if different from your current hours of work, the hours of work that you propose apply when you are working at home; and
- g. how you envisage maintaining contact with your Line Manager, how your work will be set and progress monitored.

It may assist your application for homeworking if you first discuss your proposal with your Line Manager informally. This may identify potential problems with your application, such as a need to be in the office on occasions you had not considered, which your application can then address.

In considering your application your Line Manager and/or the Town Clerk may invite you to a meeting to discuss your proposals.

We may also ask for you to agree to a home visit in order to carry out a risk assessment, install or service equipment, or to reclaim equipment on termination of your homeworking arrangement.

We will try to respond to your request within 2 weeks of your request.

If your request is refused, we will give you written reasons for the refusal. If you are not happy with the decision you may appeal in writing to the Personnel Committee.

If your application is accepted the agreed arrangements will be recorded in writing and may be subject to a trial period.

Any terms on which it is agreed that you may work from home will include the following:

- a. We reserve the right to terminate the homeworking arrangements, for example if your role changes such that homeworking is no longer suitable, subject to reasonable notice. If you want to terminate your homeworking arrangement, you must notify your manager in the first instance. We will only be able to accommodate your request if there is sufficient office space and a suitable desk for you.
- b. You will be subject to the same performance measures, processes and objectives that would apply if you worked at our premises.
- c. If you receive an unsatisfactory grade in an appraisal or are subject to a verbal or written warning for any reason your homeworking arrangements may be terminated immediately and you will be expected to return to work at our premises.
- d. Your Line Manager will remain responsible for supervising you, will regularly review your homeworking arrangements and take steps to address any perceived problems. They will ensure that you are kept up to date with circulars and information relevant to your work.
- e. You agree to attend the office or other reasonable location for meetings, training courses or other events which we expect you to attend.
- f. You understand that when you do attend the office, you may have to hot desk or share a desk with someone else.
- g. Working at or from home may affect your home and contents insurance policy, mortgage, lease or rental agreement. You must make any necessary arrangements with your insurers, bank, mortgage provider or landlord before commencing homeworking.

Working at Home: Equipment

The Council will provide any equipment that we consider you reasonably

require to work from home which will remain STC property. We will make all necessary arrangements for and bear the cost of installing and removing equipment from your home. Where equipment is provided you must:

- a. use it only for the purposes for which we have provided it;
- b. take reasonable care of it and use it only in accordance with any operating instructions and our policies and procedures; and
- c. make it available for collection by us or on our behalf when requested to do so.

The Council are not responsible for associated costs of you working from home including the costs of heating, lighting, electricity or telephone calls.

Working at Home: Data Security and Confidentiality

All equipment and information must be kept securely. You should take all necessary steps to ensure that private and confidential material is kept secure at all times. Your Line Manager must be satisfied that all reasonable precautions are being taken to maintain confidentiality of material in accordance with our requirements and GDPR.

You may only use equipment which has been provided by or authorised by us. You agree to comply with our instructions relating to software security and to implement all updates to equipment as soon as you are requested to do so.

You confirm that you have read and understood our policies relating to computer use, electronic communications and data security and that you will regularly keep yourself informed of the most current version of these policies.

If you discover or suspect that there has been an incident involving the security of information relating to the company, clients, customers or anyone working with or for the company, you must report it immediately to your Line Manager.

Working at Home: Health and Safety

When working at home you have the same health and safety duties as other staff. You must take reasonable care of your own health and safety and that of anyone else who might be affected by your actions and omissions. You must when required attend office health and safety courses and undertake to use equipment safely.

We retain the right to check home working areas for health and safety purposes. The need for such inspections will depend on the circumstances including the nature of the work undertaken.

You must not have meetings in your home with customers and must not give customers your home address or telephone number.

You must ensure that your working patterns and levels of work both over time and during shorter periods are not detrimental to your health and wellbeing.

You must use your knowledge, experience and training to identify and report any health and safety concerns to your Line Manager.

When you are working at or from home you are covered by our accident insurance policy. Any accidents must be reported immediately in accordance with our Health and Safety Policy.

5.3 Maternity leave

All employees who give birth are entitled to take maternity leave which lasts for a maximum of 52 weeks. Employees with at least six months' service will also be entitled to be paid Statutory Maternity pay (SMP) for up to 39 weeks of their absence. Because this is a statutory payment there are a number of procedural requirements that must be met in order to make sure that an employee qualifies. The most important requirements are set out below, but if you have any doubts about the rules that apply you should speak to your Line Manager who will make sure that you have all the appropriate information.

Notification

To qualify for maternity leave you must notify the Council that you are pregnant, giving the date of the week your baby is due (your expected week of childbirth or EWC) and indicating when you intend your maternity leave to start (this date can be changed later – see below).

You should give the Council this information no later than the end of the 15th week before your EWC (when you are approximately 6 months pregnant). If this is not possible then you should give the information as soon as is practicable.

You must also give the Council the Maternity Certificate (MATB1) that will be issued to you by your doctor or midwife sometime after the 20th week before your EWC. In some circumstances the Council may be able to accept other medical evidence of when your baby is due, so if there is any difficulty in providing the MATB1 certificate you should discuss this with your Line Manager.

If you intend to take advantage of the right to shared parental leave, you should inform the Council of this fact at the same time as you notify the intended start date of your leave.

Start of maternity leave

Generally, it is up to you to decide when to start your maternity leave. However, your leave cannot begin any earlier than the beginning of the 11th week before your EWC.

Where it is safe to do so, you may choose to continue working right up to your child's birth. However, your maternity leave will begin automatically if you are off sick for a pregnancy-related reason at any stage in the four weeks immediately before your EWC.

If your baby is born before the date that you have notified as the start date for your maternity leave, then your maternity leave will begin on the day following the birth.

You may change the date on which you intend to start your maternity leave, but you must notify the Council of your new start date at least 28 days before the original date given (or the new date, if that is sooner). If there is a reason why you cannot give this notice, then you should explain the situation your Line Manager and the Council will attempt to accommodate your changed circumstances. However, the Council may need to insist on delaying the start of your leave until at least 28 days have passed since your notification of a changed date.

When your baby is born you should inform the Council of this fact as soon as is reasonable practicable.

Duration of maternity leave

The standard length of maternity leave is 52 weeks. Once you indicate the intended start date of your leave, the Council will send you a written notification of your expected date of return.

Unless you give due notice to the Council of an earlier date of return, it will be assumed that you intend to take your full 52-week entitlement and you will not be expected back at work before your leave ends. You do not then have to give any notice of your return although it would be sensible to contact your Line Manager some time in advance to discuss any arrangements that may need to be made.

At the end of your maternity leave you are generally entitled to return to the same job as you had before your leave began. If you are away for more than 26 weeks, however, there may be circumstances in which that is not reasonably practicable. In that case, the Council will provide you with a suitable and appropriate role at the same level of seniority and on no-less favourable terms and conditions.

Dismissal or resignation

While on maternity leave you remain employed by the Council and bound by your contract of employment. If you decide that you want to leave your employment you will need to submit your resignation in the normal way.

The Council will not dismiss you for any reason related to your pregnancy or your exercise of any right which arises from it. However, if separate circumstances require your dismissal (for instance, because of redundancy) then that will bring your maternity leave to an end.

If your position becomes redundant during your maternity leave, then you will be offered any suitable alternative work that is available.

Maternity pay

Statutory Maternity Pay (SMP) is paid to employees who have at least 26 weeks' service immediately before the 15th week before the expected week of childbirth and whose pay is above the Lower Earnings Limit for paying National Insurance Contributions (this changes each year). Employees who earn below that amount may be entitled to a state benefit called Maternity Allowance (MA). The Council will provide you with an appropriate form to help you claim this, where appropriate. However, if you have more than one year's continuous local government service immediately before the 11th week before your expected week of childbirth, additional rights apply, see below.

To pay SMP, the Council needs to be given at least 28 days' notice that you intend to claim it. This will normally be given when you inform the Council of your intended start date for maternity leave. If it is not possible to give 28 days' notice, you should give as much notice as is reasonably practicable.

SMP is paid for a maximum total of 39 weeks. The first 6 weeks are paid at 90 per cent of your normal weekly earnings¹ and the remaining 33 weeks are paid at a flat rate specified in legislation. This changes from year to year. Where you have more than one year's continuous local government service as referred to above, you will be eligible to be paid by the Council 90 per cent of your normal weekly pay² for the first six weeks (offset against any MA payable) even if you are not eligible to be paid SMP.

Where you have more than one year's continuous local government service as referred to above, and you declare in writing to the Council an intention to return to work after your maternity leave for at least three months, then, after the first six weeks of maternity leave, you will be paid for the next 12 weeks half a week's pay per week in addition to SMP or MA, subject to a maximum payment per week of your normal weekly earnings. In the event that you do not return to work for three months following your leave period, you will be required to repay the Council any payments made to you in the 12-week

¹ This is based on an average of your total earnings in the eight weeks immediately preceding the 14th week before your expected week of childbirth

²For these purposes, a week's pay is as stated in the contract of employment for normal working hours or, where there are no normal working hours, the average over the last 12 working weeks.

period in excess of SMP or MA, or such part thereof as the Council may decide.

Your entitlement to SMP will be affected if you undertake any paid work (other than Keeping in Touch days, described below) or are taken into legal custody at any time during your period of SMP entitlement. You should inform the Council immediately of any such change in your circumstances.

Returning to work early

Not every employee will want to take the full 52 weeks of maternity leave. Some may simply want to return to work early and others may wish (with their partner) to take advantage of the right to shared parental leave (see below).

In order to make arrangements to accommodate an early return the Council is entitled to ask for 8 weeks' notice of the new date, and if that is not given may delay your return until 8 weeks have passed since your notification.

In any event the law requires that you must not be permitted to return to work during the two weeks immediately following the birth.

Returning to work late

Following your maternity leave, you are required to return to work on the date notified to you as your expected date of return. If you are unwell on that date, then you should follow the sickness absence procedure set out in Section 6.2 of this handbook.

If you are entitled to begin some other period of leave (such as annual leave or parental leave) then you should ensure that you have followed the appropriate procedure for taking such leave as set out in this handbook.

Maternity suspension (health and safety reasons)

Depending on the nature of your job, there may be circumstances in which it is unsafe for you to continue working while you are pregnant. In some circumstances the law requires a pregnant employee to be suspended on full pay or transferred to alternative duties. Jobs which may come under this category are identified in the risk assessments that the Council has carried out under its health and safety policy. If you are affected by any health and safety issues connected with your pregnancy, then the Council will discuss any detailed arrangements that need to be made until it is safe for you to return to your original duties.

5.4 Adoption leave

Employees who adopt or are matched with a child for adoption may be entitled to take up to 52 weeks' adoption leave. Where two parents are adopting a child, only one of them may take adoption leave, and the other

(whether a man or woman) is entitled to take paternity leave. If both adoptive parents qualify, they may each take shared parental leave.

Adoption leave is also available to individuals fostering a child under the "Fostering for Adoption" scheme.

The arrangements for taking adoption leave are similar to the arrangements for taking maternity leave, but there are several important differences. The key ones are set out below, but if you believe you are entitled to adoption leave you should discuss the situation with your Line Manager who will ensure that you have all the necessary information.

Employees who are proposing to adopt may take time off work to attend up to 5 adoption appointments in certain circumstances. Where there are joint adopters, only one adopter is entitled to take paid time off work for these purposes.

If you intend to take adoption leave you should notify the Council of this within seven days of being notified that you have been matched with a child for adoption (or as soon as is reasonably practicable).

Your notification should set out the date when the child is expected to be placed with you and the date when you want to start your adoption leave. You can change your mind about the start date provided the Council is given at least 28 days – or as much notice as is reasonably practicable.

The Council is entitled to require proof of the adoption which usually takes the form of a matching certificate provided by the agency placing the child.

Adoption leave will last for 52 weeks unless you choose to return early [or take advantage of shared parental leave]. You may choose to start the leave from the date when the child is placed with you or at any time in the preceding two weeks.

If, for any reason, the placement is brought to an end – for example because the match turns out to be unsuitable – then adoption leave will continue for 8 weeks beyond the end of the placement. After that period, you will be expected to return to work as normal.

The arrangements for statutory adoption pay are similar to those for SMP.

Your return to work at the end of your adoption leave is on the same basis as for the end of maternity leave (set out above).

5.5 Paternity leave

Employees with six months' service will be entitled to take paternity leave if they expect to have parental responsibility for a child and they are either the mother's partner or one of the adoptive parents. The purpose of the leave

must be either to care for the child or to provide support for the child's mother or adoptive parent.

There are a number of administrative requirements that must be met in relation to taking paternity leave and employees should discuss their plans with their Line Manager at as early a stage as possible. The following paragraphs set out the basic requirements, but there are additional requirements that must be met when adopting a child from overseas and employees in this position should talk to their Line Manager who will make sure that full information is provided.

Employees entitled to take paternity leave are entitled to take either one or two weeks of leave. If two weeks are taken they must be consecutive and no individual days can be taken except with the agreement of the Council.

Paternity leave cannot start before a child is born and must be taken at some stage within the first eight weeks following birth (except when the child is born prematurely in which case the leave must be taken within the eight weeks following the expected week of childbirth).

Most new parents choose to begin paternity leave on the date their child is born, but you may if you wish begin the leave at any time you choose provided that the whole of the leave is taken by the end of those eight weeks.

In order to qualify for paternity leave you must notify the Council at least 15 weeks before the expected week of your child's birth or within 7 days of having been notified that a child will be placed for adoption. Your notification should specify how much leave you intend to take and when you intend the leave to begin. Should your plans change, you will need to give the Council 28 days' notice of any revision.

Paternity leave is payable at the statutory rate, which is subject to change every year. You can check the most up-to-date figure with your Line Manager.

Where the Green Book applies: Where an expectant mother nominates a Council employee to assist in the care of her child and to provide support to the mother at or around the time of birth, the Council may grant the employee paid Maternity Support Leave. The employee may take up to 5 days paid time off at or around the time of childbirth, as agreed with your Line Manager.

There is no requirement to have a specific period of service to be eligible for this leave.

5.6 Parental leave

Parental leave is a flexible form of unpaid leave designed to help employees spend time caring for children. Parental leave can be taken up until the child's 18th birthday and is available to employees who have at least one year's service and who have formal parental responsibility for a child.

The basic entitlement is to 18 weeks of unpaid leave in respect of each child.

Parental leave must usually be taken in blocks of one week or more and no more than four weeks' leave will be granted in a single year. However, more flexibility is available in respect of disabled children and you should discuss your requirements with your Line Manager if this applies to you.

A request to take parental leave should be submitted 21 days in advance. While the Council will always try to accommodate requests for parental leave, it has the right to postpone any leave for up to six months in order to accommodate the needs of the organisation.

No postponement will be required if you choose to take your first instalment of leave immediately after the birth or adoption of your child. In such circumstances you need only inform the Council of your intention 21 days before the expected date of birth or placement. The leave will then begin automatically when your child is born or placed with you.

Parental leave is an entitlement that can be transferred from one employment to another. You may therefore join the Council with some outstanding parental leave attaching to a particular child. In such circumstances you should be aware that the qualifying period for taking parental leave still applies and you will need to have been employed for at least one year before you can resume taking parental leave.

5.7 Shared parental leave

Shared parental leave is a flexible form of leave available to both parents designed to encourage shared parenting in the first year of a child's life. It allows a more flexible pattern of leave than the traditional arrangement under which the mother takes extensive maternity leave and the father takes a short period of paternity leave.

Employees who give birth or adopt remain entitled to take the full 52 weeks of leave if they choose to do so and the arrangements described above for maternity and adoption leave continue to apply. However, an employee may choose to share part of that leave with their partner provided that certain qualifying conditions are met. When leave is shared in this way, there is no need for the 'primary' leave taker to have returned to work. Both parents can be on leave at the same time, provided that the combined amount of leave taken by the parents does not exceed 52 weeks and provided that all of the leave is taken before the end of 52 weeks following the birth of the child or its placement for adoption.

Generally, parents will qualify for shared parental leave provided that both are working and that each has at least 26 weeks' service with their respective employers. To exercise the right, both parents must inform their employer that

they intend to take shared parental leave – usually at the same time as the employer is notified that an employee is pregnant or plans to adopt. They must also give an indication of the pattern of leave that they propose to take.

A parent proposing to take a period of shared parental leave must give the Council 8 weeks' notice of any such leave. Depending on the circumstances, it may be possible for the Shared Parental Leave to be taken in intermittent blocks, with one parent returning to work for a time before taking another period of shared parental leave. Such an arrangement can only be made with the agreement of the Council. While every effort will be made to accommodate the needs of individual employees, the Council may insist on shared parental leave being taken in a single instalment. Any decision as to whether to permit intermittent periods of leave is entirely at the Council's discretion.

An employee absent on shared parental leave will be entitled to a weekly payment equivalent to the lower fixed rate of SMP. The number of weeks for which payment will be made will vary depending on the amount of SMP paid to the mother while on maternity leave. Essentially, if the mother ends (or proposes to end) her leave with 10 weeks of SMP entitlement remaining, the parent taking shared parental leave will be entitled to be paid for the first 10 weeks of leave.

Because of the number of options available, shared parental leave can be quite a complicated entitlement. If you want to take advantage of shared parental leave you should discuss this with your Line Manager who will check that you qualify and help guide you through the procedure.

5.8 Keeping in touch days

We may agree, during your period of maternity or shared parental leave that you will come into work to catch up on the latest developments, undergo training or some other development activity or to take part in important meetings. These 'keeping in touch days' are entirely voluntary and employees will not be required to take part. Nor is the Council under any obligation to arrange for keeping in touch days. Any payment for attending work on such days will be agreed between the Council and the employee at the time the keeping in touch day is arranged.

5.9 During maternity or shared parental leave

The Council is keen to keep in touch with employees who are on extended periods of leave, to inform them of any news and consult them over any changes which may take place in the organisation. However, we appreciate that many employees would prefer to be left alone at this very important time in their lives. In order to get the balance right, your Line Manager may, before

your leave begins, discuss with you how best we can keep in touch while you are away.

Please be aware, however, that if an important issue arises on which you need to be consulted, the Council may have a legal obligation to discuss the issue with you and keep you informed.

SECTION 6 – HOW WE RESOLVE ISSUES

When problems arise in the employment relationship it is important that they are dealt with fairly and promptly. This section sets out the procedures that the Council will follow in such cases.

6.1 Performance improvement procedure

It is in everybody's interests for employees to perform well at their jobs and the Council aims to ensure that all employees are given the support needed to ensure that they do so. Where there are issues with performance then the employee should receive feedback from their Line Manager setting out any concerns. Discussions should take place about how that performance can be improved. This procedure is designed to be used when such informal discussions do not lead to the employee's performance improving to an acceptable level.

Where an employee's poor performance is believed to be the result of deliberate neglect, or where serious errors have been made to the detriment of the Council then it may be more appropriate to use the disciplinary procedure. Which procedure to use shall be at the discretion of the Council as will the decision whether to follow these procedures where the employee has short service (under two years).

The right to be accompanied

Employees are entitled to be accompanied at any meeting held under this procedure by a fellow employee or trade union official of their choice. The Council will provide any chosen companions with appropriate paid time off to allow them to attend the meeting. It is, however, up to the employee in question to arrange for a companion to attend the meeting.

If your chosen companion cannot attend on the day scheduled for the meeting then the Council will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not available within that timescale then you may need to find someone else to take their place.

The Companion's role is to advise you during the meeting and make representations on your behalf. However, both you and your companion are required to cooperate in ensuring a fair and efficient meeting.

Stage one

The Line Manager will inform the employee of the nature of the problem and confirm this in writing. The employee will be invited to a meeting to discuss the issues raised by the Line Manager's concerns. The meeting will be conducted by the Line Manager and Chair of Personnel and will consider any representations the employee may make about their performance, whether it

needs to be improved, and if so what steps can be taken to help the employee reach the appropriate level.

Following discussion of the problem, the Line Manager and Chair of Personnel may choose to take no further action; to refer the matter for investigation under the disciplinary procedure or to issue a formal Performance Improvement Plan.

Performance Improvement Plan

A Performance Improvement Plan (PIP) is a series of measures designed to help improve the employee's performance. Each measure will ideally be agreed with the employee, though the Council reserves the right to insist on any aspect of the PIP in the absence of such agreement.

Each PIP will be tailored to the particular situation, but will contain the following elements:

Timescale: the overall timescale in which the necessary improvement must be achieved will be set out, together with the timescale for reaching individual milestones where appropriate.

Targets: The PIP will specify the particular areas in which improvement is needed and set out how and on what criteria the employee's performance will be assessed. Where appropriate, specific targets will be set which will need to be achieved either by the end of the plan or at identifiable stages within it.

Measures: The PIP will specify what measures will be taken by the Council to support the employee in improving their performance. Such measures may include training, additional supervision, the reallocation of other duties, or the provision of additional support from colleagues.

Feedback: As part of the PIP the employee will be given regular feedback from their Line Manager indicating the extent to which the employee is on track to deliver the improvements set out in the plan

If at any stage the Council feels that the PIP is not progressing in a satisfactory way, a further meeting may be held with the employee to discuss the issue. As a result of such a meeting the employer may amend or extend any part of the plan.

Review

At the end of the PIP the employee's performance will be reviewed. If satisfactory progress has been made the employee will be notified of this fact in writing. If the Line Manager feels that progress has been insufficient then they may decide to extend and /or amend the PIP to such extent as seems appropriate. Alternatively, the Line Manager may refer the matter to a meeting under Stage two of this procedure.

Following the successful completion of a PIP the employee's performance will continue to be monitored. If at any stage in the following 12 months, the employee's performance again starts to fall short of an acceptable standard the Line Manager may decide to institute stage two of this procedure.

Stage two

If a PIP has not led to sufficient improvement in the employee's performance, the employee will be invited to attend a formal performance management hearing. The invitation will set out the respects in which the Line Manager believes that the employee's performance still falls short of an acceptable standard.

The hearing will be conducted by the Town Clerk and Chair of Personnel.

At the hearing, the employee will be given an opportunity to respond to any criticism of their performance and to make representations about any aspect of the way in which the process has been managed.

If the hearing concludes that reasonable steps have been taken which should have allowed the employee to perform to an acceptable standard but that these measures have not worked then a **formal warning** may be issued. The warning will explain the nature of the improvement which is required in the employee's performance and state that the improvement must be immediate and sustained. It will also explain that if this improvement does not take place then the employee may be dismissed. Where it is appropriate, the warning may be accompanied by an extended or revised PIP.

The warning will remain current for a period of 12 months, after which time it will cease to have effect.

Stage three

If an employee has been issued with a warning under stage two which remains current, and the Line Manager and Chair of Personnel believe that the employee's performance is still not acceptable then the matter may be referred to a further performance management hearing.

The employee will be informed in writing of the grounds of which the hearing is being convened and in particular will be told of the respects in which their performance continues to fall below an acceptable standard.

The hearing will be conducted by the Disciplinary Panel and The Investigating Officer – the Town Clerk.

At the meeting the employee will be able to respond to any criticisms made of their performance and make representations about how the situation should be treated.

The Disciplinary Panel may take such action as is judged appropriate up to and including a decision to dismiss the employee.

Any dismissal under this procedure will be with notice or payment in lieu of notice and the decision to dismiss together with the reasons for dismissal will be set out in writing and sent to the employee.

Appeals

An employee may appeal against any decision taken under this procedure. The appeal should be submitted in writing within one week of the action complained of. An appeal hearing will then be convened to consider the matter. Any PIP that is in force, together with any measures or objectives included within it, will continue in place during the appeal process.

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

Redeployment

There may be circumstances in which it becomes clear that an employee would be better suited to a different role within the Council. However, any offer to redeploy the employee will be entirely at the Council's discretion and will only be made when the Council is confident that the employee will be able to perform well in the redeployed role and where there is a suitable available vacancy.

Redeployment may be offered as an alternative to dismissal where the Council is satisfied that the employee should no longer be allowed to continue to work in their current role. While the employee is free to refuse any offer of redeployment, the only alternative available in these circumstances will usually be dismissal.

6.2 Sickness absence procedure

The Council may need to dismiss an employee whose attendance does not meet an acceptable standard either because of a long-term absence or because of a series of short-term absences. Such dismissals do not depend on any wrongdoing on the employee's part and do not mean that the Council does not accept that their absences are genuinely due to illness or injury. Rather, dismissal is recognition that unfortunately the employee is no longer able to perform their role or attend work on a sufficiently regular basis to make their continued employment a viable option.

Short-term absence

An employee who persistently absent will be invited to a meeting to discuss their attendance. The meeting will usually be conducted by the Line Manager and Chair of Personnel. The employee will have a right to be accompanied

by a fellow employee or a trade union official on the same basis as set out in the performance management procedure (page 36).

At the meeting the employee will be asked to explain the level of their absence. Where there is any indication that the absences are caused by an underlying medical condition then the matter may be dealt with under the procedure for long-term absence set out below. The Council may also seek medical evidence from either the employee's doctor or an occupational health specialist in which case the meeting will be adjourned for a report to be obtained

Subject to any medical evidence, the person conducting this first-stage meeting may decide to issue a warning to the employee setting out the Council's expectations regarding attendance and indicating the level of improvement needed. A review period will normally be set which may range from one month to 12 months depending on the circumstances.

If the employee's attendance does not improve to the extent required they may at any stage in the review period be invited to attend a second-stage meeting to discuss the matter. The meeting will again be conducted by the Line Manager and Chair of Personnel and the employee will be entitled to be accompanied by a fellow employee or trade union official. This meeting may result in an extension of the review period or the issuing of a final written warning requiring the employee's attendance to improve and setting out the level of improvement required over a specified period of up to one year.

If the employee does not meet this standard and there is no underlying condition where reasonable adjustments would assist the employee to attend then they may be dismissed. A final meeting will be convened which shall be conducted by the Disciplinary Panel and The Investigating Officer – the Town Clerk who will consider any representations made by or on behalf of the employee who will once again have the right to be accompanied by a fellow employee or trade union official.

Any dismissal arising out of this meeting will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within five working days of the decision being communicated.

Long-term sickness absence

Where an employee is absent for an extended period – or it is clear that their absence is likely to continue for some time – then the Council will want to investigate the prospects for their return and consider what actions can be taken to facilitate this. The extent to which the Council can continue to accommodate an employee's absence will depend on a range of factors, including the role of the employee and the prevailing circumstances of the organisation.

The Council will seek medical advice as to the employee's condition either from the appropriate professionals caring for the employee or from a specialist occupational health practitioner. The focus will be on ascertaining when the employee will be able to return to work and what steps the Council can take to facilitate this.

An employee is not obliged to consent to any medical reports or records being shared with the Council as part of this process. However, in the absence of medical evidence the Council will have to work on the basis of what information is available in reaching its decision.

One or more meetings will be arranged with the employee to discuss their condition, the prospects for any return to work, and whether anything more can be done by the Council to help. The employee will be entitled to be accompanied at the meeting by a fellow employee or trade union official.

Every effort will be made to make suitable arrangements for the meeting to allow the employee to attend. Where the employee is simply too ill to take part in the process, however, the Council may proceed to dismissal in the absence of a meeting taking into account any representations made on behalf of the employee.

Where it appears that the employee will be unable to return to work within a reasonable time frame then the Council may need to consider dismissal. Any dismissal will be with notice.

There is a right of appeal against a decision to dismiss which must be exercised within five working days of the decision being communicated.

6.3 Bullying and harassment procedure

It is not possible to define precisely what amounts to bullying or harassment. Usually this is a matter of common sense and the Council expects employees to consider how their words and actions may be seen by others and avoid behaving in such a way as to cause offence or create an unpleasant working environment.

Employees should be aware that what one person considers to be a harmless joke may be offensive to others. It is the responsibility of each individual employee to ensure that their behaviour does not cause offence and to stop immediately if a colleague tells them that their behaviour is unwanted or offensive to them.

It is also extremely important that the views of those who object to behaviour in this way are respected and that they are not subjected to any adverse comment or behaviour.

Making a complaint

Employees who feel that they are being bullied or harassed in the workplace or that such behaviour is taking place should raise their concerns with their Line Manager or if that is not appropriate the Town Clerk or if that is not appropriate with the Chairman of Personnel. Every attempt will be made to treat allegations in confidence. However, if the Council decides that formal disciplinary action needs to be taken then it may be necessary to disclose enough information to the accused employee to enable them to put their side of the story.

All complaints will be taken seriously and fully investigated. Disciplinary action will be taken where it appears to the Council that an employee has engaged in bullying or harassment. In serious cases this may result in dismissal for gross misconduct.

Because of the serious nature of such complaints, the making of any malicious or deliberately false complaint will itself be treated as gross misconduct that will usually result in dismissal.

6.4 Disciplinary procedure

The Council always tries to deal with disciplinary issues fairly and promptly. This procedure sets out the framework under which allegations of misconduct will be investigated and considered. While the procedure set out in this policy will be appropriate in most cases, there may be situations in which it is not practicable to comply with a particular requirement of it. When this happens the Council will do its best to deal with the matter fairly and will pay particular attention to the need to give the employee every opportunity to explain their version of events.

This procedure will not apply in full to employees in their probationary period.

Informal action

Most minor acts of misconduct can be dealt with informally through discussions between an employee and their Line Manager. This may consist of management guidance or an informal warning given orally or in writing. These steps are an everyday part of the management process and no formal procedure needs to be followed in respect of them.

Where informal action of this kind fails to resolve an issue, or where the misconduct alleged is considered too serious, then the matter will be dealt with formally under this procedure.

Investigation

If it is alleged that you have committed misconduct, an appropriate investigation will be carried out aimed at gathering all of the relevant evidence. You may be interviewed as part of this investigation and will have

the opportunity to point the investigator towards any evidence that you feel is relevant. The right to be accompanied (see below) does not apply to any investigatory interview.

Suspension

If an allegation of misconduct is made against you, then you may be suspended from your duties on full pay while the matter is being dealt with. The Council will make every effort to ensure that any period of suspension is kept as short as possible. The purpose of a suspension is either to allow an investigation to take place, or to protect the interests of the Council and its employees. During any period of suspension, you may be instructed not to contact other members of staff except for the purposes of preparing for any disciplinary hearing, where specific arrangements will be made with you.

Hearing

Once the investigation has been carried out, the investigating officer will make a decision about whether there is sufficient evidence to warrant a disciplinary hearing. If there is you will be informed of this and an appropriate date for the hearing will be arranged. This will take place within normal working hours wherever possible.

To ensure that you have adequate time to prepare for the hearing, the Council will provide you in advance with a copy of all of the written evidence that will be considered at the hearing. In exceptional cases the Council may need to withhold the identities of certain witnesses or hold back sensitive items of evidence. This will only be done where it is considered necessary to protect individuals or the essential interests of the Council and every effort will be made to ensure that you are given as much information as possible so that a fair hearing can be conducted.

You will be given sufficient notice of any hearing to allow you to prepare for it. While this will vary from case to case, the Council will generally try to give at least two days' notice of any hearing and in complicated cases a longer period of notice may be given.

The purpose of the hearing will be to consider the evidence gathered during the investigation and to consider any representations made by you or on your behalf. The hearing will be conducted by the Disciplinary Panel and The Investigating Officer – the Town Clerk.

The right to be accompanied

Employees are entitled to be accompanied at any disciplinary hearing by a fellow employee or trade union official of their choice. The Council will provide any chosen companion with appropriate paid time off to allow them to attend the hearing. It is, however, up to the employee in question to arrange for a companion to attend the hearing.

If your chosen companion cannot attend on the day scheduled for the hearing then the Council will agree a new date. This will usually be within 5 working days of the date originally scheduled. If your companion is not available within that timescale then you may need to find someone else to take their place.

The companion's role is to advise you during the hearing and make representations on your behalf; it is not to answer questions for you. However, both you and your companion are required to cooperate in ensuring a fair and efficient hearing.

Evidence

The hearing will consider any evidence you choose to present. Should witnesses be prepared to appear on your behalf they will be permitted to do so provided that their evidence is relevant to the issues that need to be decided. The Council will not compel or require any employee to appear as a witness on your behalf and in most circumstances evidence arising from the investigation will be presented in written form. You will be entitled to challenge any of the evidence presented but will not be entitled to cross-examine witnesses.

Disciplinary action

After considering all of the evidence, including any submissions made by you or on your behalf, the person conducting the hearing will decide on the outcome. If misconduct is found to have taken place then the usual outcome will be a **written warning** which will be placed on your personnel file.

A warning will stay active for a period of six months after which it will not be taken into account in any future disciplinary action.

If, however a further instance of misconduct is found to have occurred (in accordance with this procedure) during the currency of a warning – or if any misconduct is considered to be serious enough to warrant it – then, subject to the formal process above being followed, you will be issued with a **final written warning**.

A final written warning will usually remain active for one year, but a longer period may be specified if the Disciplinary Panel feels that the circumstances warrant it.

An employee who is found to have committed further misconduct during a period covered by a final written warning will, following a hearing conducted in accordance with this procedure, generally be dismissed.

Dismissal

An employee will not normally be dismissed under this procedure for a single instance of misconduct unless a final written warning is already in place. However, where gross misconduct is found to have occurred then dismissal without notice or payment in lieu will be the usual outcome.

Gross misconduct is misconduct that is so serious that it fundamentally undermines the relationship between employer and employee. If you are accused of gross misconduct this will be made clear when you are invited to a disciplinary hearing. A wide range of behaviours can amount to gross misconduct but the most common involve dishonesty, violent or aggressive behaviour, the wilful destruction of Council property or a deliberate refusal to obey a reasonable instruction. Further details of what constitutes gross misconduct are found in the Code of Conduct (Section 3).

Appeal

An employee may appeal against the outcome of a disciplinary hearing by doing so in writing within one week of being notified of the outcome. The person to whom an appeal should be directed will be detailed in the disciplinary outcome letter. An appeal hearing will be convened and conducted by Personnel Committee Members who were not members of the Disciplinary Panel.

The appeal will consider any grounds the employee chooses to put forward and they will have the same right to be accompanied as at a disciplinary hearing. The result of the appeal hearing will be final.

Employee absence

It is important that disciplinary issues are dealt with promptly. The Council may therefore need to proceed with a disciplinary hearing even if the employee is absent due to ill health or simply does not attend. Before hearing the matter in an employee's absence, the Council will attempt to arrange the hearing in such a way that the employee will be able to attend or to submit written representations to the hearing and/or to arrange for an appropriate representative to attend the hearing on their behalf.

6.5 Grievance Procedure

Staff are advised to read policies in conjunction with other relevant documents, including their contract, the 'Green Book', their job description, and other council policies. They may also wish to consult the Town Clerk, or to take advice from their union or professional association.

Throughout this policy references to the Town Clerk in relation to an employee, shall be taken to refer Chairman of Personnel if the employee is the Town Clerk. In this case the role of Chairman of Personnel shall be taken by the Town Mayor. Throughout this policy references to the Chairman of Personnel refer to the Vice Chairman if the Chairman is absent or unavailable, or the particular circumstances make delegation preferable.

The parties to this procedure are Saltash Town Council for the one part, and its employees and their representatives for the other.

If you have a grievance relating to your employment, you have a right to express it and you are encouraged to have direct contact with the Town Clerk to resolve any problem.

The procedure set out in the agreement has been determined as being the most effective way for you to do so.

If you are aggrieved on any matter you should discuss the matter informally with the Town Clerk.

1. If you are not satisfied with the reply, you or a trade union representative on your behalf, may formally take up your grievance with the Chairman of Personnel who will reply as soon as possible and, in any case, within 10 working days. This will include convening a review meeting with the person raising the grievance, consult other staff as appropriate.

You will have the right to be accompanied by a fellow employee or trade union official at the meeting. The person conducting the hearing will consider what you have said and may either deal with the matter immediately or decide to carry out further investigations. In that case the hearing will be adjourned until the investigation has been completed.

Once the investigations are concluded, if new information comes to light, if it is considered appropriate, you may be invited in to a reconvened meeting, to have the opportunity to consider and respond to the findings of the investigation. Following this a decision on the outcome of your grievance will be made.

2. In the absence of the Chairman of Personnel, or where the nature of the grievance makes it inappropriate, grievances may be discussed or addressed to the Vice Chairman of Personnel.

3. If your complaint is not satisfactorily resolved at this stage you, or a trade union representative on your behalf, may formally request in writing that the complaint be referred to the Personnel Committee with a view to settling the matter providing this is requested in writing within 10 working days of the date of any reply already given.
4. The decision of the Personnel Committee shall be final except where it is agreed between the parties that an important issue of principle arises, which could be considered through the conciliation machinery of the South Western Regional Councils Organisation, or ACAS, whose findings may by mutual prior agreement be binding on both parties.
5. It is agreed between the parties that this procedure shall not apply to disciplinary matters, including dismissals in respect of which there is a separate agreed procedure.
6. It is agreed that the parties to the agreement will use their best endeavours to ensure that the spirit and intention of this agreement is honoured at all times and that it is binding in honour upon them.

NOTES

- a. The above procedure applies equally to a grievance of a group of employees, in which case, the group can appoint one of their number as a spokesperson, who will follow the procedure on their behalf and the answers given will then be deemed to apply to all members of that group. The group can, if they do not wish to appoint one of their number, pursue the grievance as a body.
- b. Ordinarily pending resolution of any grievance, the same conditions prior to its notification shall apply i.e. the status quo is maintained. However, at each stage the person dealing with the grievance may use their discretion to temporarily alter the status quo, without prejudice until the matter is resolved.

Summary of amendments

Date	Details of amendments	Notes
November 2019	Policies added: <ul style="list-style-type: none"> • Adverse Weather Working Policy • End of Employment Policy • Equal Opportunities Policy • Grievance Procedure • Homeworking Policy • Leave Policy including amendment to request procedure • Lone Worker Policy • TOIL Policy • Training and Development Policy 	All additions checked by Ellis Whittam with exception of amendment to leave request procedure and TOIL policy
December 2019	Time off for Dependants	Policy merged into document